



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 August 11, 2016

**SUBJECT:** Initial Study Application No. 7001 and Classified Conditional Use Permit Application No. 3505.

Allow a pistachio processing facility (hulling, drying, processing, storage and off-site shipment) with related facilities including 62.6-foot-tall silos on an approximately 34-acre portion of two contiguous parcels totaling 60.2 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District, and allow wastewater from hulling operations of the said facility to be discharged off site onto 3,787.26 acres of farmland in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project area is bordered by Fresno Slough and Elkhorn, Chateau Fresno and Harlan Avenues, with project site located at the southeast corner of W. Cerini and S. Westlawn Avenues, approximately 3,550 feet northwest of the unincorporated community of Lanare (19210 S. Westlawn, Riverdale, CA) (SUP. DIST. 4) (APNs 041-140-12, 30, 49; 050-010-01, 03, 06; 050-170-35, 39; 050-181-04, 06; 050-182-13, 30, 36; 050-200-27; 050-211-01, 19, 20; 050-240-15, 18, 19, 23, 36, 40; 050-270-11, 12, 55; 053-050-07, 22, 50, 51, 53, 56; 053-420-01S, 02S).

**OWNER/  
APPLICANT:** Eriksson, LLC

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

Chris Motta, Principal Planner  
(559) 600-4227

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7001; and
- Approve Classified Conditional Use Permit No. 3505 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans, Floor Plans, and Elevations
6. Site Plan (Properties to Receive Processed Wastewater)
7. Applicant’s Operational Statement
8. Summary of Initial Study Application No. 7001

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	<ul style="list-style-type: none"> <li>• 60.2 acres</li> <li>• 3787.2 acres</li> </ul>	<p>No change</p> <p>No change</p>
Project Site	Farmland with no improvements	Allow a pistachio processing facility with related facilities including 62.6-foot-tall silos on an approximately 34-acre portion of a 60.2-acre property in the AE-20 Zone District; and allow processed wastewater from hulling operations of the said facility to be discharged off site onto 3,787.26 acres of farmland.
Structural Improvements	None	<ul style="list-style-type: none"> <li>• 34,615 square-foot, 34.9-foot-tall processing building</li> <li>• 4,550 square-foot, 15-foot-tall office building</li> <li>• 3,750 square-foot, 32.3-foot-tall shop building with 1,250 square-foot canopy</li> <li>• 16,000 square-foot, 35-foot-tall huller canopy</li> </ul>

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> <li>• 480 square-foot, 11.1-foot-tall scale house/guard shack</li> <li>• 1,400 square-foot, 62.6-foot-tall storage silos (14) with catwalks</li> <li>• 1,770 square-foot, 24-foot-tall water storage tanks</li> </ul>
Nearest Residence	1,300 feet south of the proposal	No change
Surrounding Development	Cultivated farmlands; single-family residences	No change
Operational Features	None	<ul style="list-style-type: none"> <li>• Pistachios received from the Applicant-owned pistachio orchards would be hulled, dried, pre-processed and stored at a 40.2-acre project site and then shipped off site for processing.</li> <li>• Wastewater from the facility will be processed on site and discharged to a settling pond on a two-acre portion of a 20-acre project site.</li> <li>• Wastewater will be pumped from a settling pond into the farming irrigation distribution system and applied onto 3,787.26 acres of farmland planted in row crops/pistachio via micro-irrigation (drip) system or via flood/furrow or sprinkler.</li> </ul>
Employees	None	<ul style="list-style-type: none"> <li>• 5 (year-round)</li> <li>• 40 (seasonal)</li> </ul>
Customers	None	None
Traffic Trips	No regular traffic	<ul style="list-style-type: none"> <li>• 10 one-way employee trips (5 round trips) per day by year-round employees</li> <li>• 80 one-way employee trips (40 round trips) per day by seasonal employees during one to two months peak harvest season</li> </ul>

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> <li>• 2 to 6 truck trips (1 to 3 round trips) per day during non-peak harvest season</li> <li>• Average 40 one-way truck trips (20 round trips) and a maximum of 96 one-way truck trips (48 round trips) per day during one to two months peak harvest season</li> </ul>
Lighting	None	Outdoor security lighting on building exteriors.
Hours of Operation	N/A	<ul style="list-style-type: none"> <li>• 7:00 a.m. to 3:30 p.m. – one shift per day, five days per week (non-peak operational hours)</li> <li>• 6:00 a.m. to 6:00 p.m. and 6:00 p.m. to 6:00 a.m. – two shifts per day, seven days per week (peak operational hours)</li> </ul>

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

**ENVIRONMENTAL ANALYSIS:**

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

**PUBLIC NOTICE:**

Notices were sent to 72 property owners within one quarter-mile (1,320 feet) of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

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

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

**BACKGROUND INFORMATION:**

The subject is a two-part proposal. The first part involves establishment of a new pistachio processing facility that includes hulling, drying, processing, storage and off-site shipment of pistachios; the second part involves application of processed wastewater from the facility onto the Applicant-owned farmland planted in field crops/pistachio orchard.

Improvements related to the proposed pistachio processing facility will occupy two contiguous parcels. The southerly 40.2-acre parcel identified by Assessor’s Parcel Number 053-420-02S will be developed with a 34,615 square-foot processing building, 4,550 square-foot office building, 3,750 square-foot shop building with 1,250 square-foot canopy, and 480 square-foot scale house/guard shack. Additional improvements include a 16,000 square-foot huller canopy, 1,400 square-foot storage silos, 1,770 square-foot water storage tanks and on-site parking. The northerly 20-acre parcel identified by Assessor’s Parcel Number 053-420-01S will be developed with a wastewater ponding basin and wastewater screening area to receive storm water runoff from improvements on the southerly parcel. The project will utilize a total of 34 acres of both parcels. The remaining acreage (26.2 acres) will remain in agricultural production.

For the processing of wastewater at the facility, hulling water that consists of water and hulls, shells, and skins removed by the hullers will be mechanically separated from solids and discharged to a settling pond and the solids will be shipped off site for cattle feed. The water will be pumped from the settling pond into the metered farming irrigation distribution system and applied onto 3,787.26 acres of farmland planted in row crops/pistachio orchard via the existing/ proposed micro-irrigation (drip) system and flood/furrow or sprinkler (Exhibit 6). The settling pond will be emptied as rapidly as practicable to minimize the potential for anaerobic conditions.

The subject parcels are currently under Williamson Act Land Conservation Contracts (AP-4796 and AP-5204). A request for cancellation of the Contracts was filed by the Applicant with the Policy Planning Section of the Fresno County Department of Public Works and Planning on April 22, 2016. The Agricultural Land Conservation Committee (ALCC) heard the cancellation request on July 6, 2016 and has recommended County Board of Supervisors’ approval on the cancellation petition. Final action by the Board is contingent upon approval of the subject proposal by the Planning Commission.

The Initial Study (IS No. 7001) was updated to reflect Applicant modifications to the project since the document was circulated for public review. However, the changes did not affect the overall footprint of the proposed development and in many cases reduced the building/structure size. Updates are shown in bold on Exhibit 8 (Pages 2 & 14) of IS No. 7001.

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

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (west property line): 219 feet Side (north property line): 301 feet Side (south property line): 476 feet	Yes

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
		Rear (east property line): 434 feet	
Parking	<ul style="list-style-type: none"> <li>• One parking space for every two employees on site</li> <li>• One ADA-compliant parking space for every 25 parking stalls</li> </ul>	32 parking spaces, including two ADA compliant (minimum 23 required)	Yes
Lot Coverage	No requirement	No requirement	N/A
Space Between Buildings	Six-foot minimum	16-foot minimum	Yes
Wall Requirements	No requirement	Tension-wire fence around proposed improvements	N/A
Septic Replacement Area	100 percent	None required	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	N/A

**Reviewing Agency/Department Comments:**

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements satisfy the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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

**Analysis:**

Staff review of the Site Plan demonstrates that the proposed improvements satisfy the minimum building setback requirements of the AE-20 Zone District. The proposed improvements will set back approximately 219 feet to the west (minimum 35 feet required), 301 feet to the north (minimum 20 feet required), 476 feet to the south (minimum 20 feet required), and 434 feet to the east (minimum 20 feet required) of the property line. In regard to off-street parking, the Zoning Ordinance requires one parking space for every two employees on site, and the California Building Code requires one ADA-compliant parking space for every 25 parking spaces at the subject facility. As the facility will employ up to 45 employees, at least 23 standard parking spaces, including two ADA compliant, are required for the operation. The proposal for the facility has 32 standard parking spaces, including two ADA-compliant parking

spaces, which meets the requirement. A Site Plan Review recommended as a Condition of Approval will ensure compliance with the setback requirements, design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

The subject proposal involves no above-ground structures or improvements on 3,787.26 acres of farmland that will receive processed wastewater for crops (Exhibit 6). The wastewater will be applied onto farmland via existing/proposed micro-irrigation (drip) system and flood/furrow or sprinkler.

Based on the above information and with adherence to a Site Plan Review recommended as a Condition of Approval, staff believes the site is adequate to accommodate the proposed use, vehicle circulation and parking.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 1 can be made.

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

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	No	N/A	N/A
Public Road Frontage	Yes	West Lawn Avenue; poor condition	No change
		Cerini Avenue; poor condition	No change
Direct Access to Public Road	Yes	West Lawn Avenue; poor condition	No change
Road ADT (Average Daily Traffic)		200 (West Lawn Avenue)	No change
		100 (Cerini Avenue)	No change
Road Classification		Local (West Lawn Avenue)	No change
		Local (Cerini Avenue)	No change
Road Width		West Lawn Avenue: 30 feet right-of-way north and south of section line	No change
		Cerini Avenue: 30 feet right-of-way east and west of section line	No change

		Existing Conditions	Proposed Operation
Road Surface		Asphalt paved (West Lawn Avenue): pavement width 17.9 feet	No change
		Asphalt paved (Cerini Avenue): pavement width 19.2 feet	No change
Traffic Trips		N/A; Farmland with no improvements	<ul style="list-style-type: none"> <li>• 10 one-way employee trips (5 round trips) per day by year-round employees</li> <li>• 80 one-way employee trips (40 round trips) per day by seasonal employees during one to two months peak harvest season</li> <li>• 2 to 6 truck trips (1 to 3 round trips) per day during non-peak harvest season</li> <li>• Average 40 one-way truck trips (20 round trips) and a maximum of 96 one-way truck trips (48 round trips) per day during one to two months peak harvest season</li> </ul>
Traffic Impact Study (TIS) Prepared	No	Farmland with no improvements	No TIS required for the project per Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		West Lawn Avenue; poor condition	No change
		Cerini Avenue; poor condition	No change

**Reviewing Agency/Department Comments:**

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No concerns related to traffic.



Design Division of the Fresno County Department of Public Works and Planning: No concerns related to traffic and no Traffic Impact Study (TIS) required.

Development Engineering Section of the Fresno County Department of Public Works and Planning: No concerns related to traffic.

**Analysis:**

The project site fronts on West Lawn and Cerini Avenues while it gains access from West Lawn Avenue. West Lawn Avenue at the subject property is asphalt paved (pavement width 17.9 feet), carries an Average Daily Traffic (ADT) of 200, and is in poor condition. The project will generate 10 one-way employee trips (year-round), 80 one-way seasonal employee trips (during peak harvest season), 2 to 6 truck trips per day (during non-peak harvest season), and a maximum of 96 one-way truck trips per day (during peak harvest season).

The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning reviewed the proposal and did not identify any road improvements due to traffic generated by the proposal or required right-of-way (ROW) for West Lawn or Cerini Avenues. Both of these roads already meet ultimate right-of-way (ROW) width (60 feet required) for local roads. The Design Division of the Fresno County Department of Public Works and Planning also reviewed the proposal and based on the total vehicular trips generated during the peak harvest season expressed no concerns related to traffic or required a Traffic Impact Study for the project.

Based on the above information, staff believes that West Lawn Avenue at the project site will remain adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 2 can be made.

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

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	330 acres	Farmland	AE-20	None
South	116.9 acres	Farmland	AE-20	1,300 feet south
East	202.3 acres	Farmland	AE-20	None
West	80.3 acres	Farmland	AE-20	None

## **Reviewing Agency/Department Comments:**

Consolidated Mosquito Abatement District: Any and all wastewater/process water applied to farmland shall infiltrate within 48 hours of the application. Ponds shall be rapidly filled and/or dewatered to preclude the growth of emergent vegetation and ponds to hold water in excess of seven days shall be designed to maintain water depths in excess of four feet to preclude invasive emergent vegetation. Pond edges must be maintained free of excess vegetation to prevent harborage for mosquito breeding and so that mosquito fish and other predators are not inhibited. Free and unencumbered access to the pond perimeter for vehicle and foot traffic shall be provided for inspection and mosquito control activities.

Fresno County Agricultural Commissioners' Office: The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.

Riverdale Irrigation District (RID): The RID North Turner Ditch runs along the northern boundary of the parcel identified by APN 053-420-01S. RID has a 60-foot right-of-way at this section of the ditch. All facilities shall stay off of the North Turner Ditch right-of-way and no discharge water shall be placed in the District ditch.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: Landscape and Irrigation plans shall be submitted to the Site Plan Review section for compliance with California water conservation requirements. A dust palliative shall be required on all parking and circulation areas.

Water/Geology/Natural Resources (WGNR) Section of the Fresno County Department of Public Works and Planning: The location groundwater is removed from should be the location to first receive processed wastewater to the maximum extent feasible in order to recharge the area from which the groundwater was mined.

The aforementioned requirements are included as Conditions of Approval.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for the project.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposal will be handled without adversely affecting adjacent properties. A Grading Permit or Voucher shall be required for any grading proposed with this application. Any work done within the right-of-way to connect a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division. A 10-foot by 10-foot corner cutoff should be improved for sight distance purposes at the existing driveway onto West Lawn Avenue.

Fresno County Fire Protection District: The project shall comply with the California Code of Regulations Title 24 – Fire Code, and requires approval of County-approved site plans by the Fire District prior to issuance of building permits by the County. The project may also be subject to joining the Community Facilities District (CFD) before plans are submitted to the Fresno County Fire Protection District.

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the

requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. In an effort to protect groundwater, all water wells (not intended for use by the project or for future use) and septic systems that have been abandoned within the project area shall be properly destroyed by an appropriately-licensed contractor. For water wells located in the unincorporated area of Fresno County, permits for destruction and construction shall be obtained from the Health Department prior to commencement of work.

Naval Air Station, Lemoore: The project shall be evaluated through the Federal Aviation Administration's (FAA) Obstruction Evaluation/Airport Airspace Analysis (OE/AAA). Per Title 14 of the Code of Federal Regulations (14 CFR) Part 77, the Applicant shall file FAA Form 7460-1 with the FAA at least 45 days prior to construction of the project.

Regional Water Quality Control Board, Central Valley Region (Water Board): The use of up to 61 acre-feet of pistachio processing wastewater on approximately 3,787.26 acres of cultivated farmland would be subject to Regional Water Quality Control Board Waste Discharge Requirements. Water Code Section 13260 requires that any person discharging waste or proposing to discharge waste shall file with the regional board a Report of Waste Discharge (RWD). Section 13264 of the Water Code states that no person shall initiate any new discharge of waste or make any material changes in any discharge prior to filing the report required by Section 13260, and no person shall take any of these actions after filing the report, but before whichever of the following occurs first: 1) the issuance of waste discharge requirements pursuant to Section 13263; 2) the issuance of a waiver pursuant to Section 13269; and 3) the expiration of 140 days after compliance with Section 13260 if the waste to be discharged does not create or threaten to create a condition of pollution or nuisance given the regional board is a responsible agency for purposes of CEQA and at least 90 days have expired since certification or approval of environmental documentation by the lead agency.

San Joaquin Valley Unified Air Pollution Control District (Air District): Prior to start of construction, the project shall be subject to an Authority to Construct (ATC). The project may also be subject to the following rule and regulations: District Regulation VIII (Fugitive Dust Rules) to address impacts related to PM-10; Rule 4102 (Nuisance) to address any source operation that emits air contaminants or other materials; Rule 4601 (Architectural Coatings); and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations).

Site Plan Review Section of the Fresno County Department of Public Works and Planning: All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked. An asphalt concrete driveway approach 24 to 35 feet in width shall be provided where the access road ties into the public road serving the project site. The driveway shall be concrete or asphalt concrete paved a minimum width of 24 feet for the first 100 feet off of the edge of the road right-of-way. All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Future improvements shall require Site Plan Review at time of submittal for compliance of zoning requirements should no additional land use review be required.

The aforementioned requirements are included as Project Notes.

California Department of Transportation (Caltrans); Division of Drinking Water (DDW); Design Division of the Fresno County Department of Public Works and Planning; Fresno County Sheriff; State Water Resources Control Board (SWRCB): No concerns with the proposal.

**Analysis:**

The subject proposal would allow a pistachio processing facility with related facilities including 62.6-foot-tall silos on an approximately 34-acre portion of two contiguous parcels totaling 60.2 acres. The proposed improvements on a 40.2-acre parcel identified by Assessor's Parcel Number 053-420-02S include a 34,615 square-foot processing building, 4,550 square-foot office building, 3,750 square-foot shop with 1,250 square-foot canopy, and 480 square-foot scale house/guard shack. Additional improvements include an 16,000 square-foot huller canopy, 1,400 square-foot storage silos, 1,770 square-foot water storage tanks and on-site parking. The proposed improvements on a two-acre portion of a 20-acre parcel identified by Assessor's Parcel Number 053-420-01S include a wastewater ponding basin and wastewater screening area (Exhibit 5). The proposal would also allow processed wastewater from hulling operations of the said facility to be discharged off site onto 3,787.26 acres of farmland in agricultural production via micro-irrigation (drip) system and flood/furrow or sprinkler (Exhibit 6). No above-ground structures or improvements for the discharge of wastewater onto farmland are proposed by this application.

The project site is farmland and is located in an area dominated by agricultural fields. Surrounding lands contain field crops and orchards with single-family residences. The nearest residence is approximately 1,300 feet south of the proposal. This residence and other residences including an animal shelter in the vicinity of the proposal are 35 feet in height or less. Although the proposed buildings and structures (including 62.6-foot-tall silos with catwalks) are a change in the landscape from agricultural fields, the design and scope of the proposed facility would be considered appropriate for an agricultural zone. Given the existing landscape of the area, the proposed facility would not be considered unsightly in appearance. The proposal will not have adverse visual impact on the surrounding area.

An Initial Study prepared for the project has identified a potential impact to aesthetics, and cultural resources. To mitigate aesthetic impact, all outdoor lighting will be required to be hooded and directed downward to avoid glare on adjoining properties. In regard to cultural resources, any cultural resources or human remains discovered during ground-disturbance activities will require all work to be stopped and findings be evaluated by an archeologist. These requirements are included as Mitigation Measures (Exhibit 1).

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services are considered to be less than significant. The project will comply with the San Joaquin Valley Air Pollution Control District rules and regulations relating to air quality; submit a Grading and Drainage Plan to ensure that the proposed development will not result in drainage patterns that could adversely affect surrounding properties; update a Hazardous Materials Business Plan on file with the County Health Department, handle all hazardous waste in accordance with applicable state laws, and destroy abandoned wells through permits and inspections from the County Health Department; conform with the consolidated Mosquito Abatement District requirements for control of mosquito development in wastewater settling ponds and file Form 7460-1 with the Federal Aviation Administration (FAA) prior to construction; allow spray of processed wastewater on cultivated land to the maximum extent feasible in order to replenish groundwater resources; comply with the Regional Water Quality Control Board waste discharge requirements for discharge of wastewater on farmland; and obtain the Fresno County Fire Protection District's approval on the

Site Plan for the proposed facility. A Site Plan Review (SPR) is included as a Condition of Approval for the proposed development. Conditions of the SPR may include, but not be limited to, design of parking and circulation, access, grading and drainage, fire protection, and control of light.

Based on the above information, and with adherence to the Mitigation Measures, Conditions of Approval, and mandatory Project Notes as noted above, staff believes that the proposal will not have adverse effects upon surrounding properties.

**Recommended Conditions of Approval:**

*See Mitigation Measures, recommended Conditions of Approval, and Project Notes attached as Exhibit 1.*

**Conclusion:**

Finding 3 can be made.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to the following Criteria: a) The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; b) The use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c) The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter-mile radius; d) A probable workforce should be located nearby or be readily available; and f) Service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services for the use shall be considered.</p>	<p>With regard to Criteria “a”, the proposed pistachio processing facility is an agricultural use and requires a large parcel of land to develop. The project location in an agricultural area surrounded by active farmlands to be irrigated with processed wastewater from the facility is essential for the proposed use. With regard to Criteria “b”, the project will utilize an approximately 34-acre portion of a 60.2-acre farmland classified as Prime Farmland and Farmland of Statewide Importance on the 2010 Fresno County Important Farmland Map. The remaining acreage (26.2 acres) will remain in agricultural production. With regard to Criteria “c”, the project is not located in a water-short area. The processed wastewater from the facility will be applied onto 3,787.26 acres of farmland to the maximum extent feasible to replenish the groundwater resources. With regard to Criteria “d”, the project is located approximately 3,550 feet and five miles, respectively, to the northwest of the unincorporated community of Lanare and City of Riverdale, which can provide adequate workforce. With regard to Criteria “f”, community sewer and water services are currently unavailable to the property. The project will utilize the existing groundwater wells as a source of water supply and install individual septic systems with leach fields. The proposal is consistent with Policy LU-A.3.</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-A.12: In adopting land use policies, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> <p>General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agriculture land and that mitigation be required where appropriate.</p>	<p>The project is compatible with agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The proposed improvements will set back from adjoining farmland approximately 286 feet (north), 476 feet (south), 341 feet (east), and 219 feet (west). Further, the north and south portions of the 60.2-acre project site will remain in agricultural production to provide additional buffering. The project is permanent in nature and will adhere to all mitigation measures included in this report. The proposal is consistent with Policy LU-A.12, 13 &amp; 14.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>The project is not located in a low-water area. The project will use the existing groundwater wells as a source of water supply and discharge processed wastewater from the facility onto agricultural land. A Condition of Approval from the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning would require that the location groundwater is removed from should be the location to first receive processed wastewater to the maximum extent feasible in order to recharge the area from which the groundwater was mined. The proposal is consistent with this policy.</p>
<p>General Plan Policy HS-G.1: County shall require that all proposed development incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses.</p>	<p>The project operation will not expose people to severe noise levels or create substantial increases in ambient noise levels. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to noise. The proposal is consistent with this policy.</p>

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the County General Plan. Policy LU-A.3 allows agriculturally-related uses by discretionary permit provided that they meet certain criteria. Policy LU-A.12 requires protection of agricultural activities from encroachment of incompatible uses;

Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations; and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. Policy PF-C.17 requires evaluation of adequacy and sustainability of the water supply for the project. Policy HS-G.1 requires that project design include elements necessary to minimize adverse noise impacts on surrounding land uses. A cancellation petition shall be filed with Policy Planning requesting that the project site be removed from the Williamson Act Land Conservation Contract.

**Analysis:**

As discussed above in General Plan Consistency/Consideration, the subject Use Permit application meets the intent of Policy LU-A.3. In regard to consistency with Policy LU-A.12, Policy LU-A.13, and Policy LU-A.14, the subject pistachio processing facility will be fenced off, maintain adequate distance from adjoining farmland, and adhere to Mitigation Measures included in this report. In regard to consistency with Policy PF-C.17, the processed wastewater from the facility will be applied onto farmland in agricultural production to the maximum extent feasible to replenish groundwater resources. In regard to consistency with Policy HS-G.1, the project will not generate excessive noise to impact surrounding land uses. The cancellation petition to remove the property from the Williamson Act Land Conservation Contract was heard by the Agricultural Land Conservation Committee (ALCC) on July 6, 2016 which recommended approval to the County Board of Supervisors. The Board's approval is contingent upon approval of the subject application by the Planning Commission.

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

**Recommended Conditions of Approval:**

*None*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

*None*

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Classified Conditional Use Permit can be made. Staff therefore recommends the approval of Classified Conditional Use Permit No. 3505, subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7001; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3505, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

**Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Classified Conditional Use Permit No. 3505; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

**Mitigation Measures, recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

EA:ksn  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3500-3599\3505\SR\CUP3505 SR.docx



**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7001/Classified Conditional Use Permit Application No. 3505**  
**(Including Conditions of Approval and Project Notes)**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
1*	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2*	Cultural Resources	In the event that cultural resources are unearthed during grading or construction activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
<b>Conditions of Approval</b>					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations and Operational Statement approved by the Commission.				
2.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.				
3.	To replenish the groundwater resources, processed wastewater from the facility shall be applied onto farmland to the maximum extent feasible at the location water was originally mined from to provide for the facility operation.				
4.	The Riverdale Irrigation District (RID) North Turner Ditch runs along the northern boundary of the parcel identified by APN 053-420-01S. RID has a 60-foot right-of-way at this section of the ditch. All facilities shall stay off of the North Turner Ditch right-of-way and no discharge water shall be placed in the District ditch.				
5.	Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development.				

6.	As required by the Consolidated Mosquito Abatement District, any and all wastewater/process water applied to farmland shall infiltrate within 48 hours of the application; ponds shall be rapidly filled and/or dewatered to preclude the growth of emergent vegetation and ponds to hold water in excess of seven days shall be designed to maintain water depths in excess of four feet to preclude invasive emergent vegetation; pond edges must be maintained free of excess vegetation to prevent harborage for mosquito breeding and so that mosquito fish and other predators are not inhibited; and, free and unencumbered access to the pond perimeter for vehicle and foot traffic shall be provided for inspection and mosquito control activities.
7.	Drought-tolerant landscaping, including trees and shrubs, shall be provided on the property. A landscaping plan which illustrates landscaping and irrigation shall be submitted to the Department of Public Works and Planning for review and approval prior to the issuance of Building Permits. The landscaping shall be completed prior to occupancy. If the amount of landscaping provided to satisfy this requirement is equal to or greater than 500 square feet, the Applicant shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWEL0).
8.	All unpaved parking and circulation areas shall be treated with dust palliative at all times to prevent the creation of dust by vehicles.

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

Exhibit 1 - Page 2

<b>Project Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits and inspections are required for all proposed structures, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	<p>According to the Site Plan Review Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> <li>• All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked.</li> <li>• An asphalt concrete driveway approach 24 to 35 feet in width shall be provided where the access road ties into the public road serving the project site.</li> <li>• The driveway shall be concrete or asphalt concrete paved a minimum width of 24 feet for the first 100 feet off of the edge of the road right-of-way.</li> <li>• All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.</li> <li>• Future improvements should require Site Plan Review at time of submittal for compliance of zoning requirements should no additional land use review be required.</li> </ul> <p>Note: The aforementioned requirements will be addressed through Site Plan Review.</p>
4.	<p>Per the Development Engineering Section of the Fresno County Department of Public Works and Planning:</p> <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan shall be required to show how additional storm water runoff generated by the proposal</li> </ul>

<b>Project Notes</b>	
	<p>will be handled without adversely affecting adjacent properties.</p> <ul style="list-style-type: none"> <li>• A Grading Permit or Voucher is required for any grading proposed with this application.</li> <li>• Any work done within the right-of-way to connect a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division.</li> <li>• A 10-foot by 10-foot corner cutoff should be improved for sight distance purposes at the existing driveway onto Westlawn Avenue.</li> </ul>
5.	<p>Fresno County Department of Public Health, Environmental Health Division (Health Department):</p> <ul style="list-style-type: none"> <li>• Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.</li> <li>• As a measure to protect groundwater, any abandoned water wells that exist on the property that are not intended for use, shall be properly destroyed. For those wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work.</li> <li>• Should any abandoned underground petroleum storage tank(s) be found during the project, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Health Department.</li> </ul>
6.	<p>Per the Fresno County Fire Protection District:</p> <ul style="list-style-type: none"> <li>• The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits.</li> <li>• The Applicant shall submit three Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Protection District for review and approval.</li> <li>• The Applicant shall submit evidence that their Plans were approved by the Fresno County Fire Protection District, and all fire protection improvements shall be installed prior to occupancy being granted for the use.</li> <li>• The project may be subject to joining the Community Facilities District (CFD) before plans are submitted to the Fresno County Fire Protection District.</li> </ul>
7.	<p>According to the San Joaquin Valley Unified Air Pollution Control District (Air District), prior to start of construction, the project shall be subject to an Authority to Construct (ATC). The project may also be subject to the following rules and regulations: District Regulation VIII (Fugitive Dust Rules) to address impacts related to PM-10; Rule 4102 (Nuisance) to address any source operation that emits air contaminants or other materials; Rule 4601 (Architectural Coatings); and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations).</p>
8.	<p>As requested by the Naval Air Station (NAS), Lemoore:</p> <ul style="list-style-type: none"> <li>• The project shall be evaluated through the Federal Aviation Administration's (FAA) Obstruction Evaluation/Airport Airspace</li> </ul>

**Project Notes**

	<p>Analysis (OE/AAA).</p> <ul style="list-style-type: none"><li>• Per Title 14 of the Code of Federal Regulations (14 CFR) Part 77, the Applicant shall file FAA Form 7460-1 with the FAA at least 45 days prior to construction of the project.</li></ul>
9.	<p>Per the Regional Water Quality Control Board, Central Valley Region (Water Board):</p> <ul style="list-style-type: none"><li>• The use of up to 61 acre-feet of pistachio processing wastewater on approximately 3,787.26 acres of cultivated farmland would be subject to Regional Water Quality Control Board Waste Discharge Requirements.</li><li>• Water Code Section 13260 requires that any person discharging waste or proposing to discharge waste shall file with the regional board a Report of Waste Discharge (RWD).</li><li>• Section 13264 of the Water Code states that no person shall initiate any new discharge of waste or make any material changes in any discharge prior to filing the report required by Section 13260, and no person shall take any of these actions after filing the report, but before whichever of the following occurs first: 1) the issuance of waste discharge requirements pursuant to Section 13263; 2) the issuance of a waiver pursuant to Section 13269; and 3) the expiration of 140 days after compliance with Section 13260 if the waste to be discharged does not create or threaten to create a condition of pollution or nuisance given the regional board is a responsible agency for purposes of CEQA and at least 90 days have expired since certification or approval of environmental documentation by the lead agency.</li></ul>

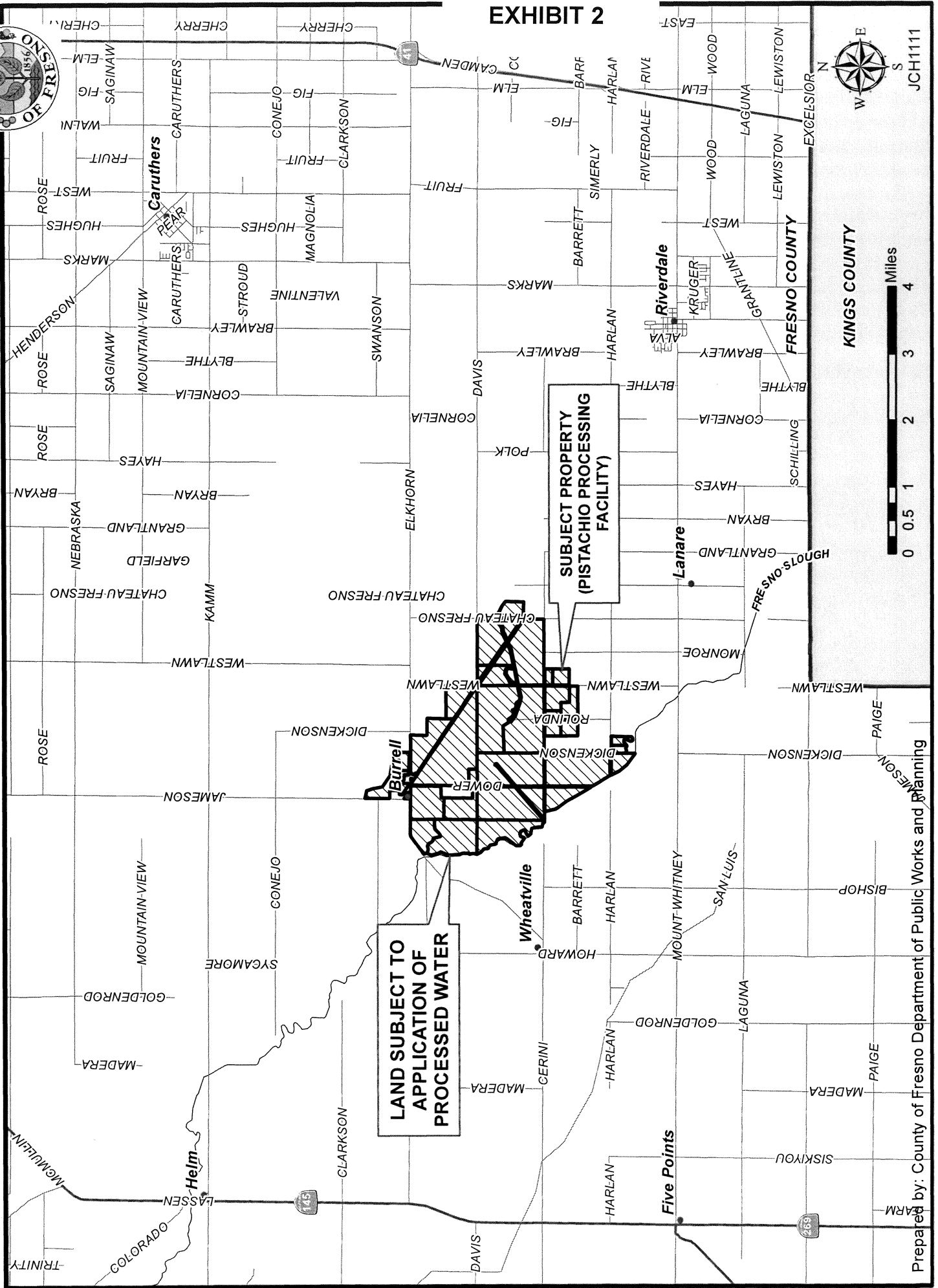
EA:  
G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3500-3599\3505\SR\CUP3505 MMRP (Ex 1).docx

# LOCATION MAP

CUP 3505



## EXHIBIT 2



# EXISTING ZONING MAP

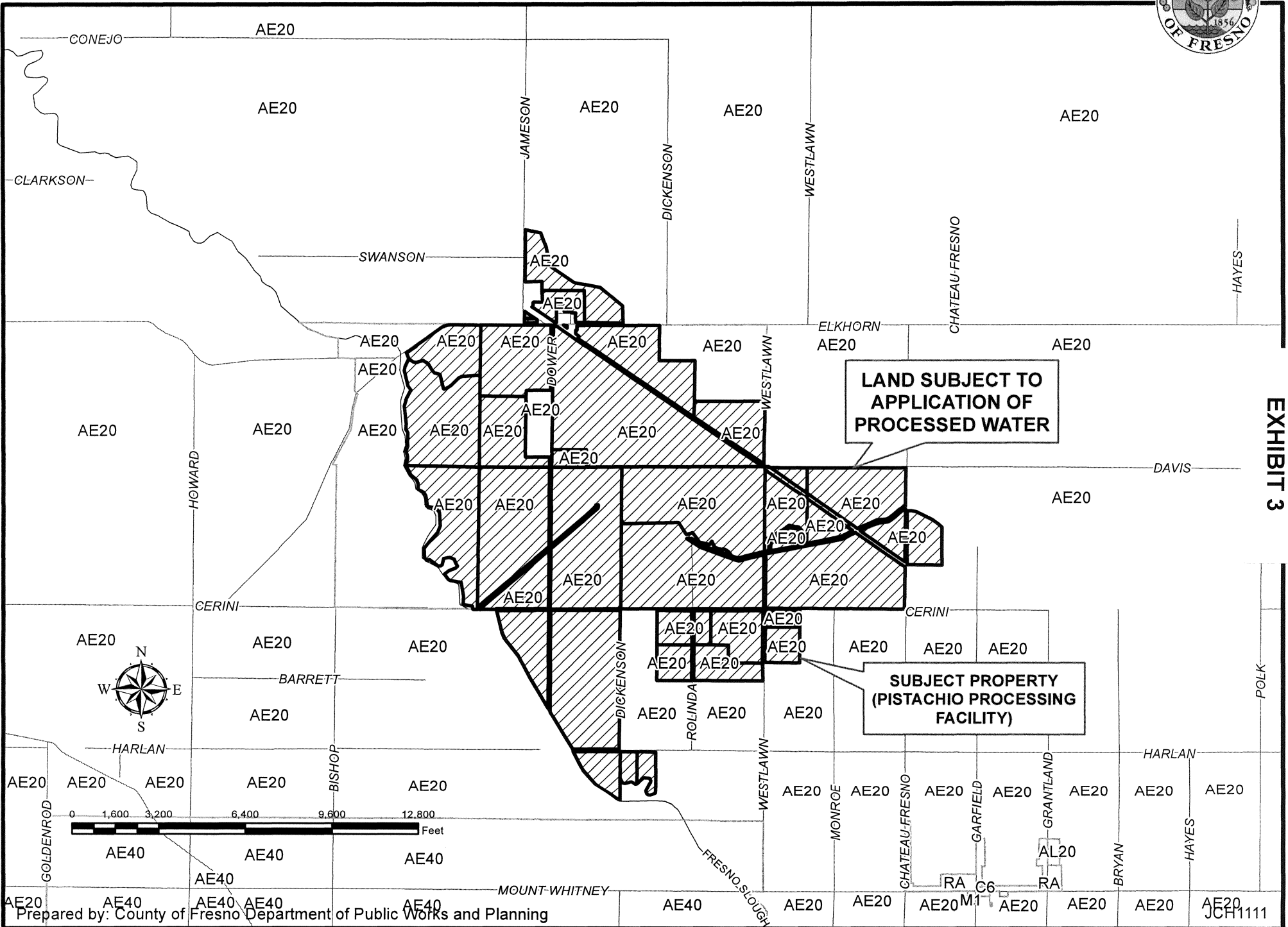
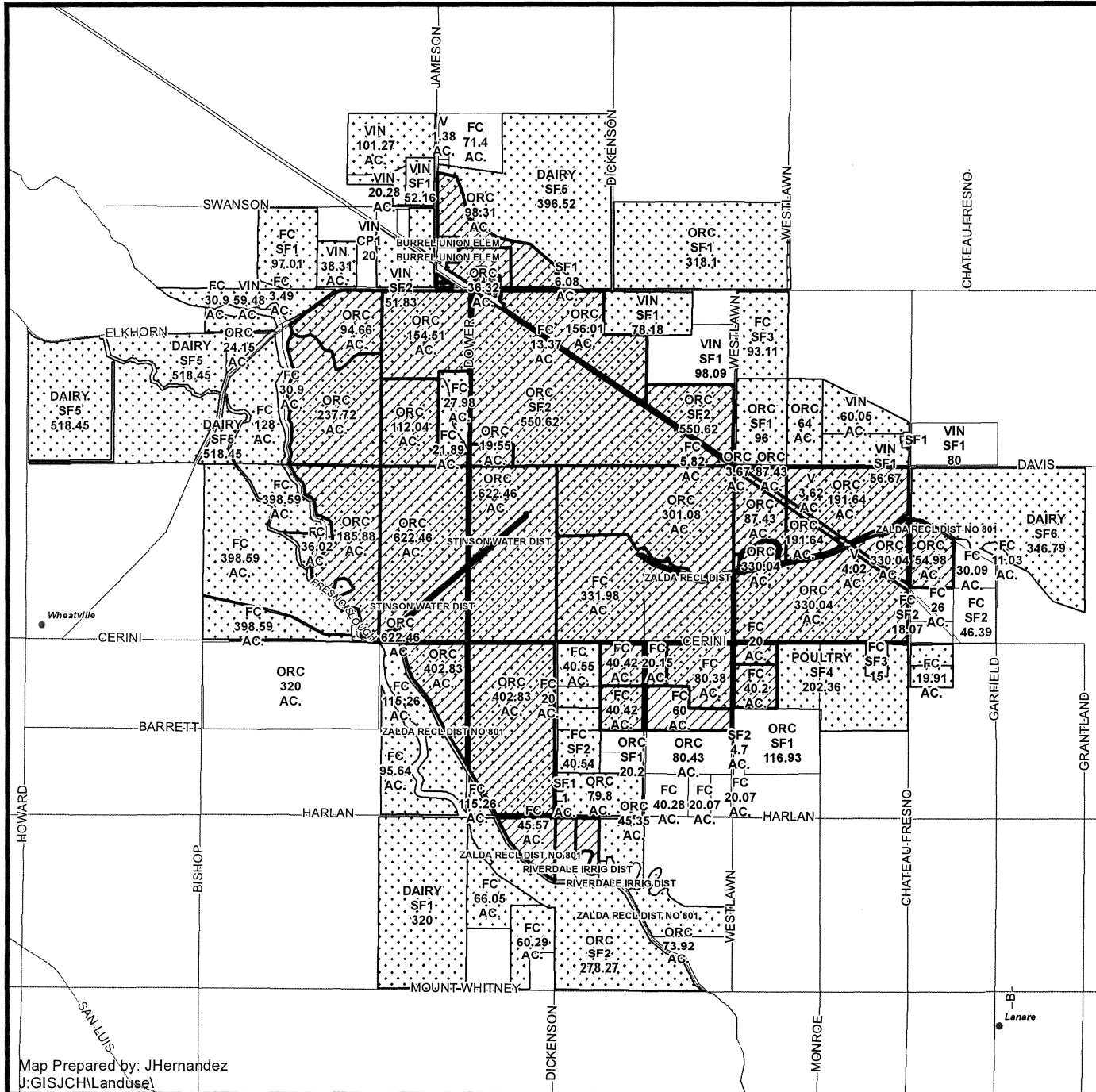


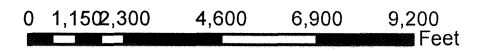
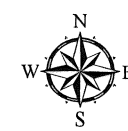
EXHIBIT 3

# EXISTING LAND USE MAP



- LEGEND**
- CP# - OFFICE COMM./PROF
  - C - COMMERCIAL
  - C# - COMMERCIAL
  - DAIRY
  - FC - FIELD CROP
  - GRZ - GRAZING
  - I - INDUSTRIAL
  - ORC - ORCHARD
  - SF# - SINGLE FAMILY RESIDENCE
  - V - VACANT
  - VIN - VINEYARD

- LEGEND:**
- Subject Property
  - Ag Contract Land

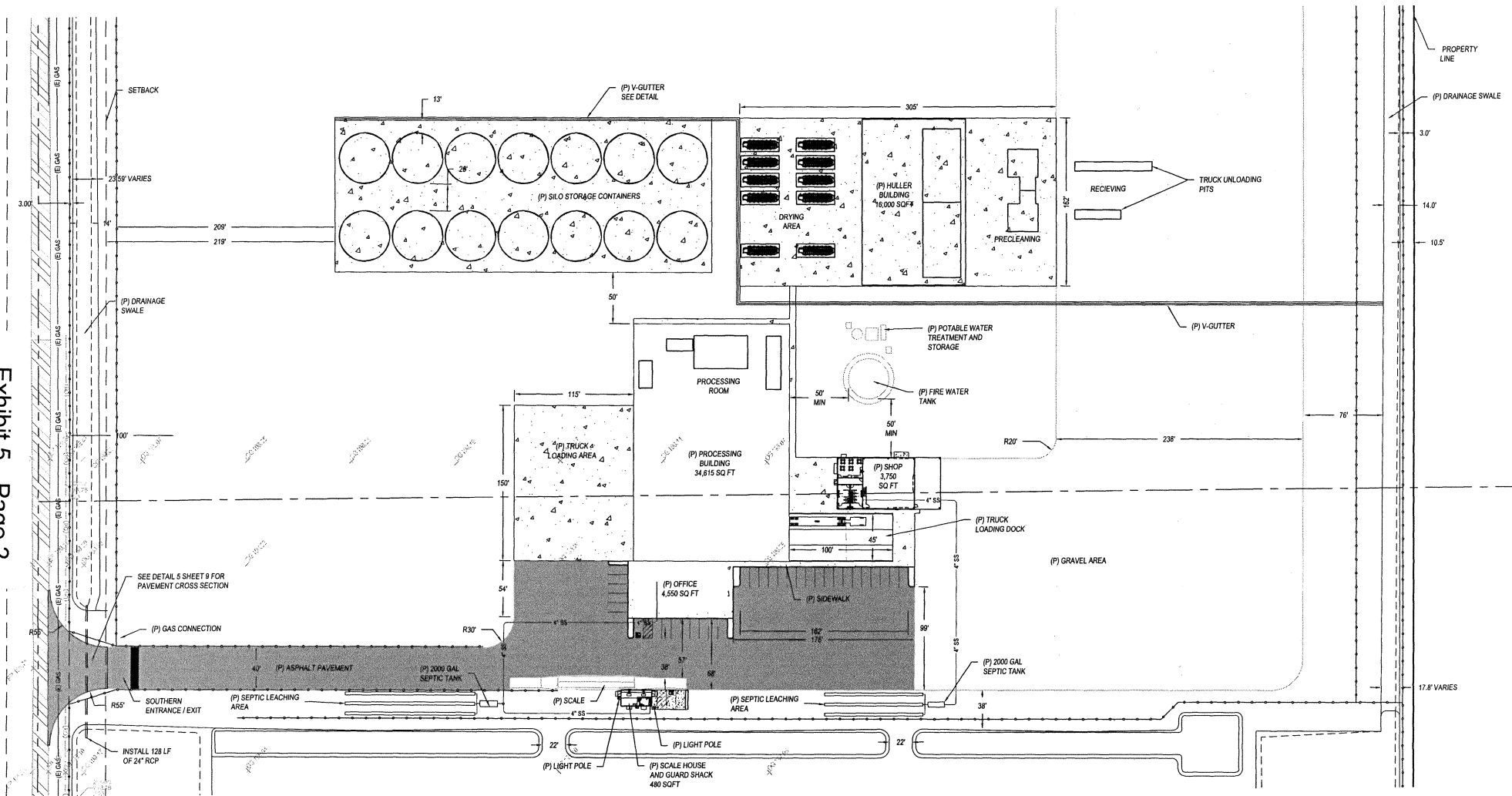


Department of Public Works and Planning  
Development Services Division

Map Prepared by: JHernandez  
J.GISJCHLanduse

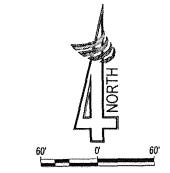
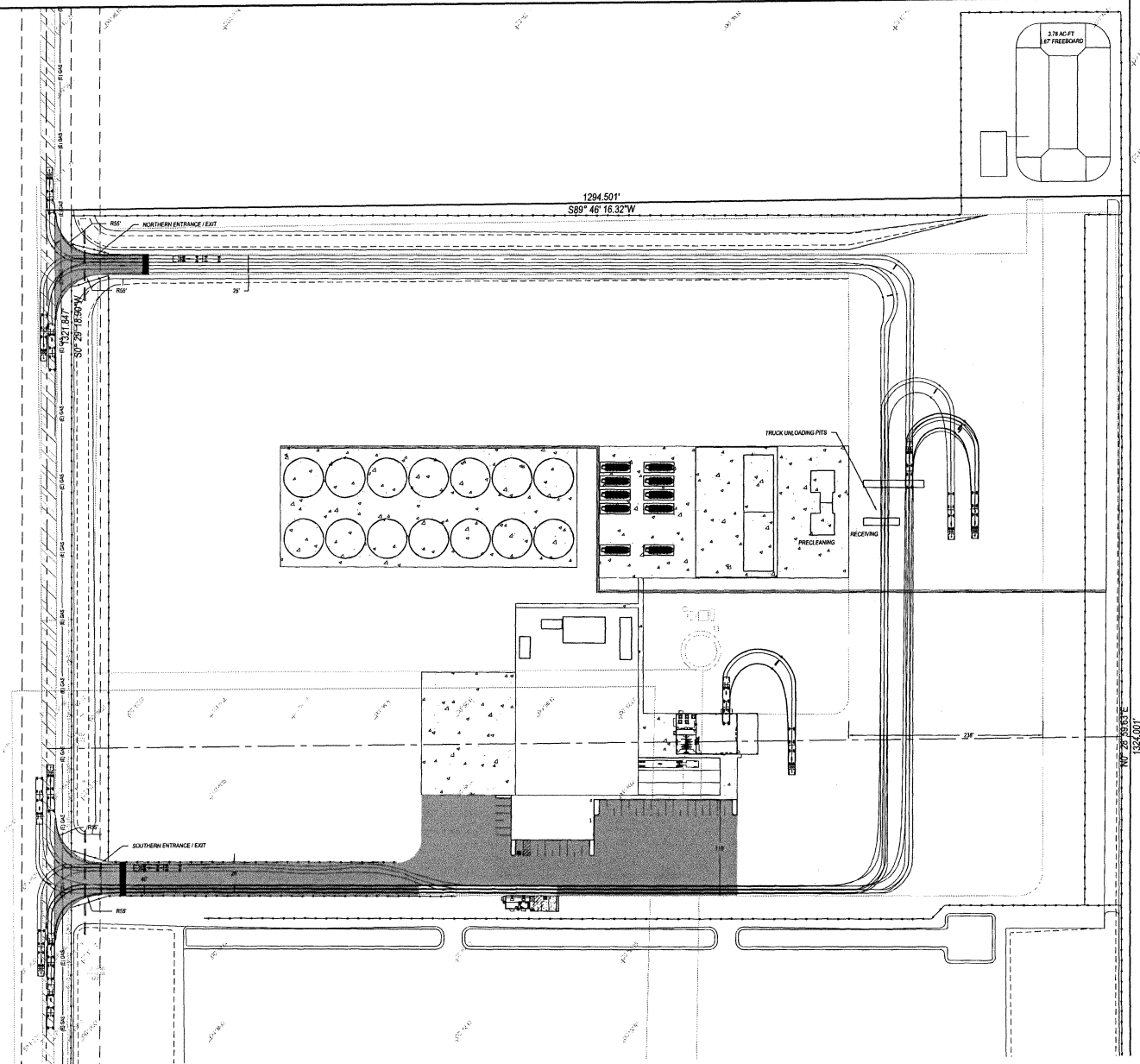






SITE PLAN (Enlarged)

ERIKSSON LLC  
INGLEBY US PISTACHIO PLANT  
TRUCK CIRCULATION PLAN

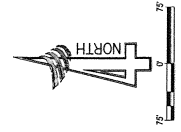


TRUCK CIRCULATION PLAN

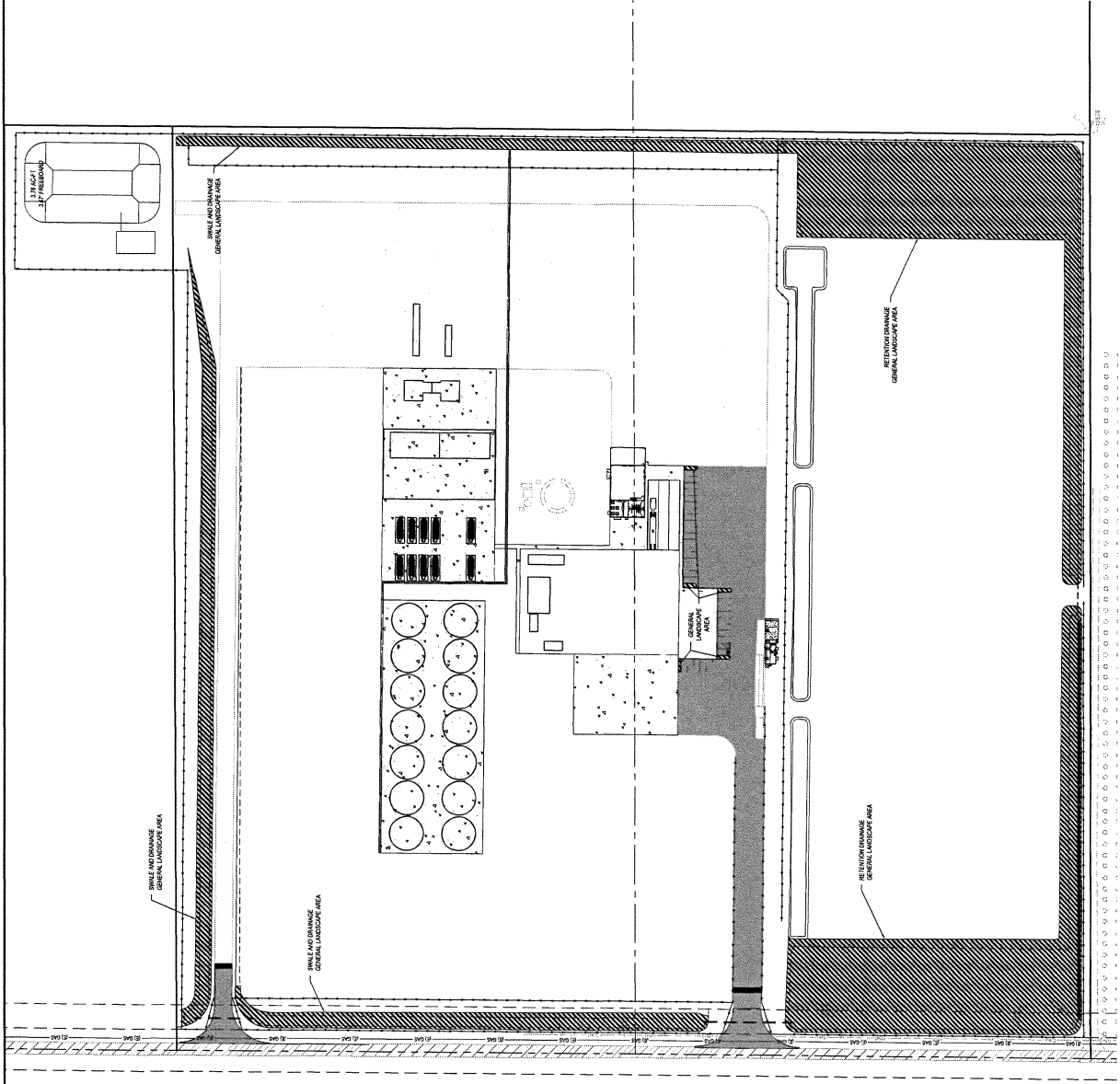
ERIKSSON LLC  
 INGLEBY US PISTACHIO PLANT  
 GENERAL LANDSCAPE AREA

LEGEND

[Hatched pattern]	EXISTING ASPHALT PAVEMENT
[Dotted pattern]	PROPOSED ASPHALT PAVEMENT
[Horizontal lines]	PROPOSED GRAVEL
[Vertical lines]	PROPOSED CONCRETE
[Diagonal lines]	PROPOSED LANDSCAPE AREA

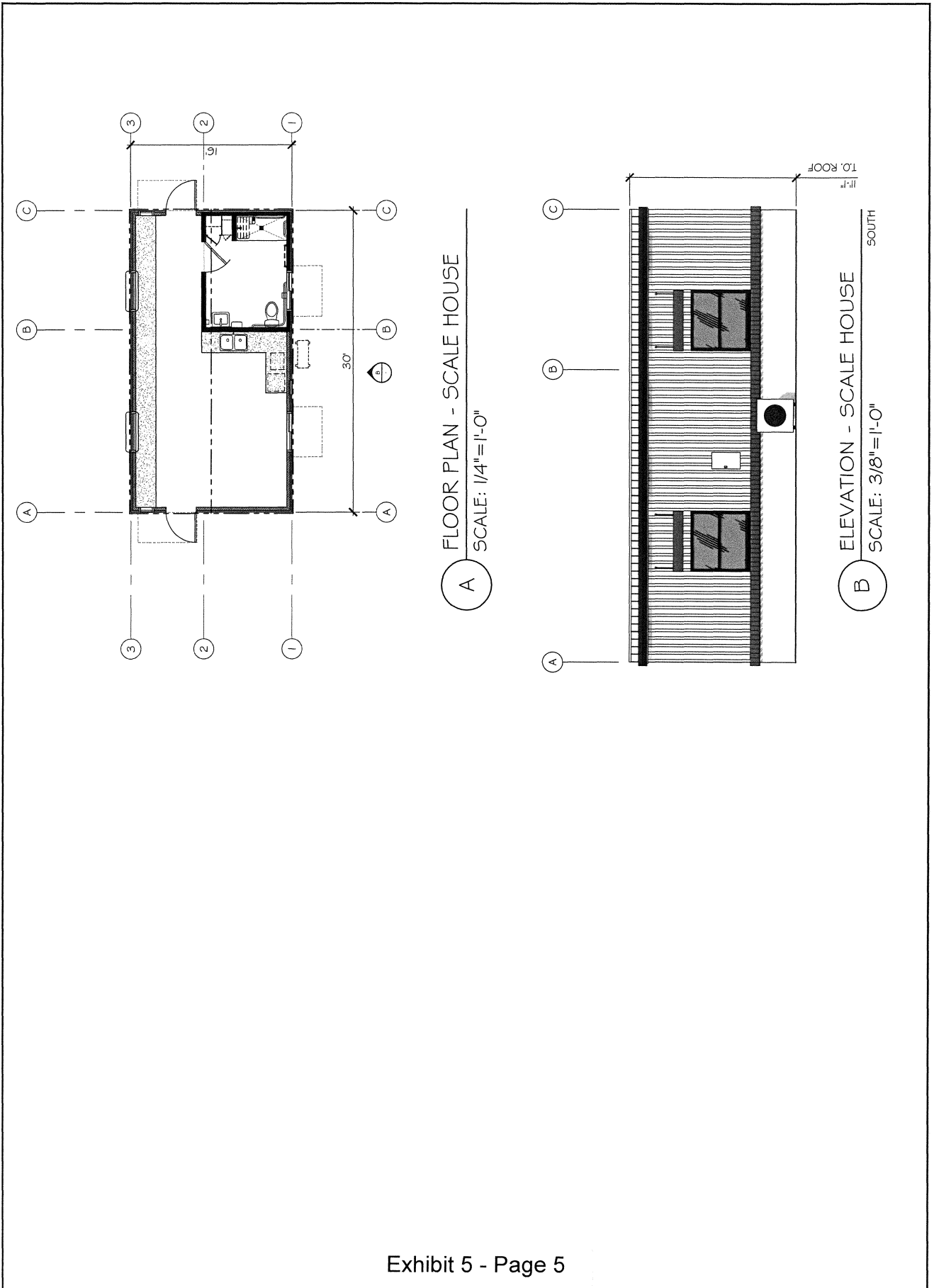


AUGUST 2016 SHEET 3 OF 3



LANDSCAPE PLAN

PREPARED BY: CHECKED BY: DATE:	DESIGNER: R.C.E. PLANT DATE:	APPROVED BY: CSMARL HARTMAN, P.E. R.C.E. PLANT DATE:	R.C.E. DATE:	PREPARED BY: CHECKED BY: DATE:	ERIKSSON LLC 3215 W HOWARD AVE VISALIA, CA 93277 SCALE HOUSE CUP PLAN & ELEVATION - SCALE HOUSE
--------------------------------------	------------------------------------	---	-----------------	--------------------------------------	--



DATE	BY	DESCRIPTION	REVISIONS

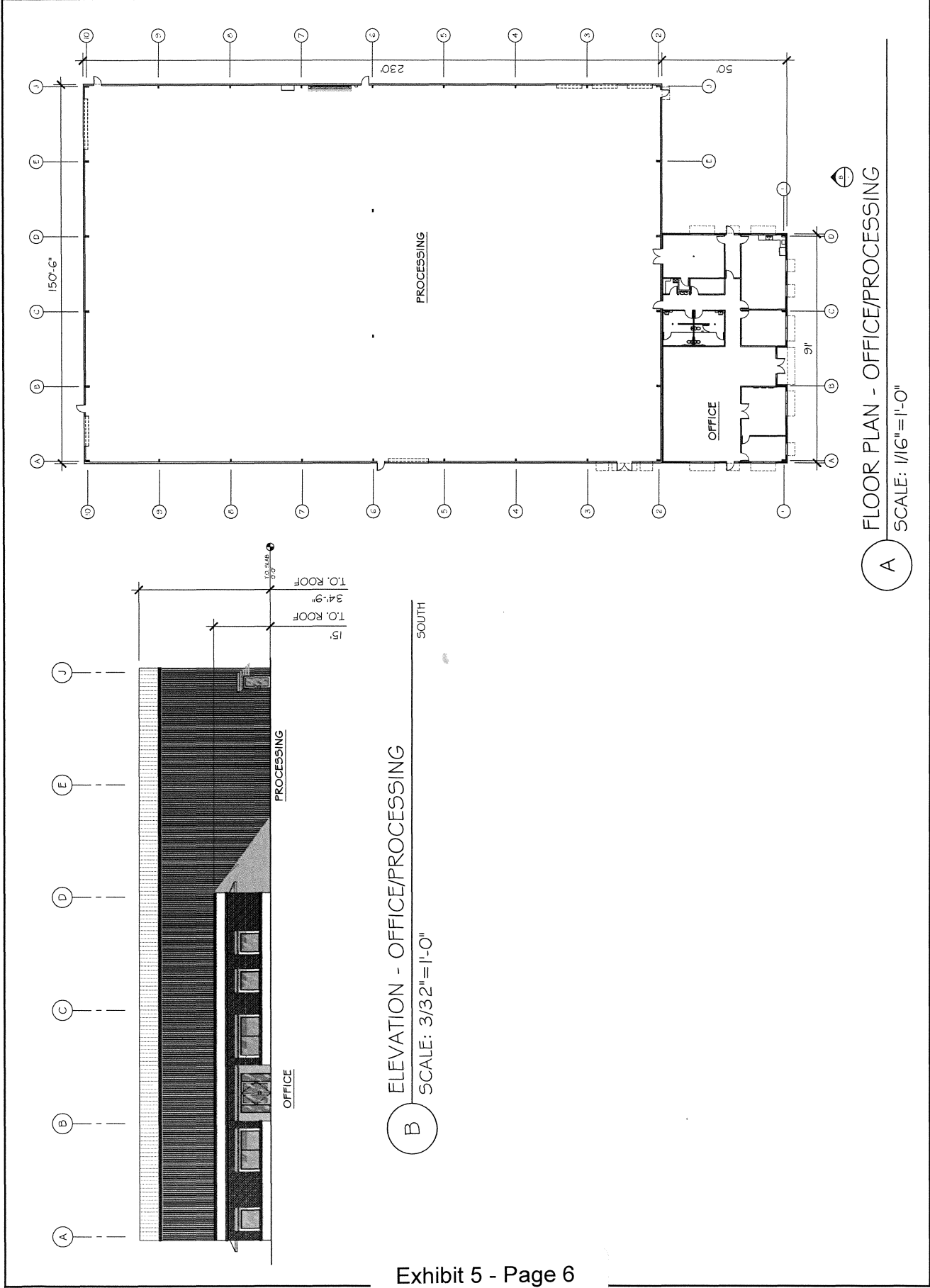


DESIGN ENGINEER	CHARLES R. HARTMAN P.E.	R.C.E. PROJECT	DATE
APPROVED BY:		R.C.E. PROJECT	DATE

PREPARED BY: **4CREKS**  
 P.O. BOX 7898  
 VISALIA, CA 93278  
 TEL: 805.262.2022  
 FAX: 805.262.2025  
 CHECK BY: RMB  
 DATE:  / / 

ERIKSSON LLC  
 3215 W HOWARD AVE  
 VISALIA, CA 93277  
 OFFICE/PROCESSING -  
 CUP PLAN & ELEVATION -

PLOT DATE (MM/DD)	10/17
RELEASE	AS SHOWN
SCALE	AS SHOWN
SHEET NO.	CUP 2



**A** FLOOR PLAN - OFFICE/PROCESSING  
 SCALE: 1/16" = 1'-0"

**B** ELEVATION - OFFICE/PROCESSING  
 SCALE: 3/32" = 1'-0"

NO.	DATE	BY	DESCRIPTION

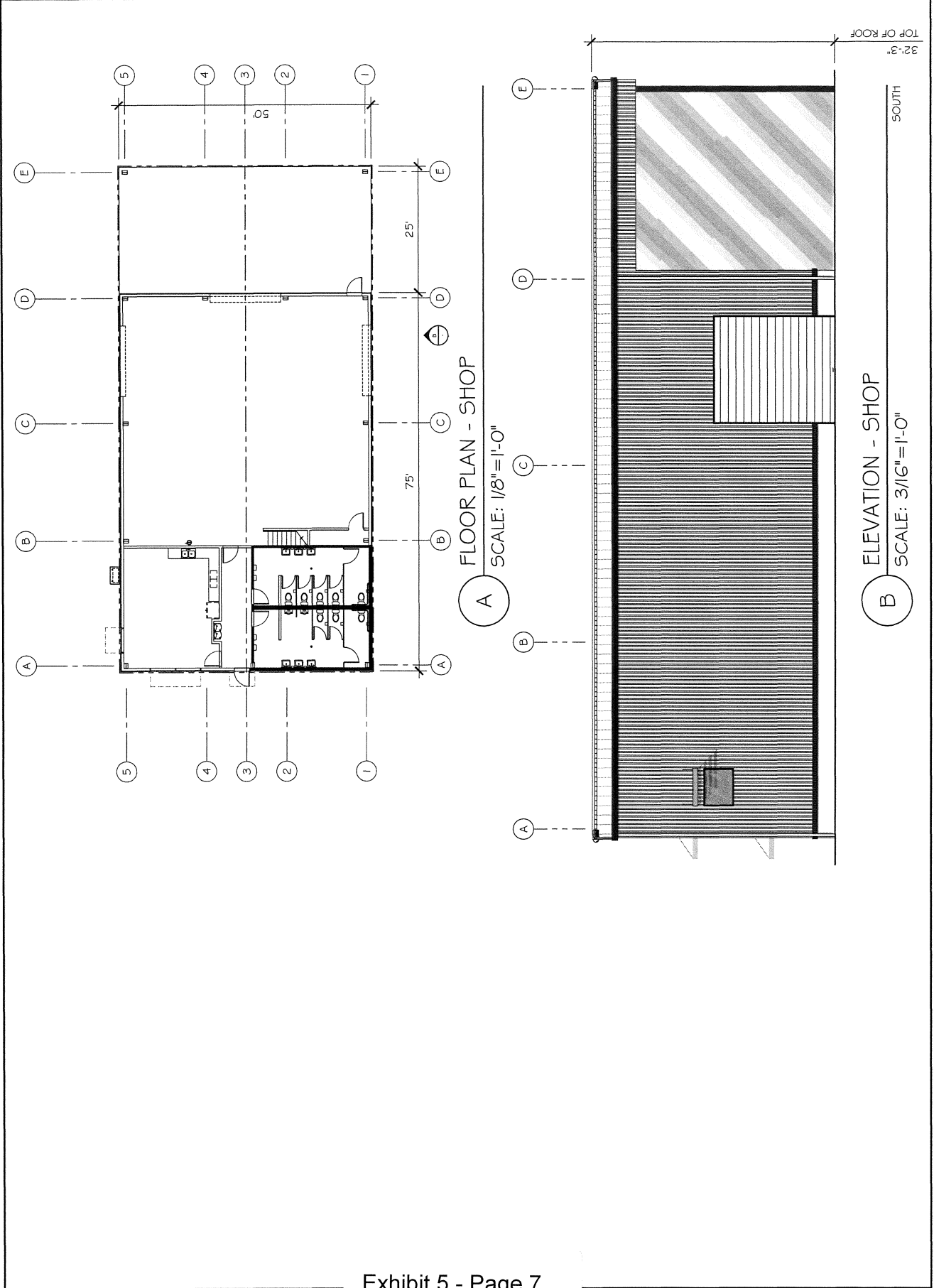


DESIGN ENGINEER	CHARLES HARTMAN, P.E.	R.C.E. 5103	DATE
APPROVED BY:		R.C.E.	DATE

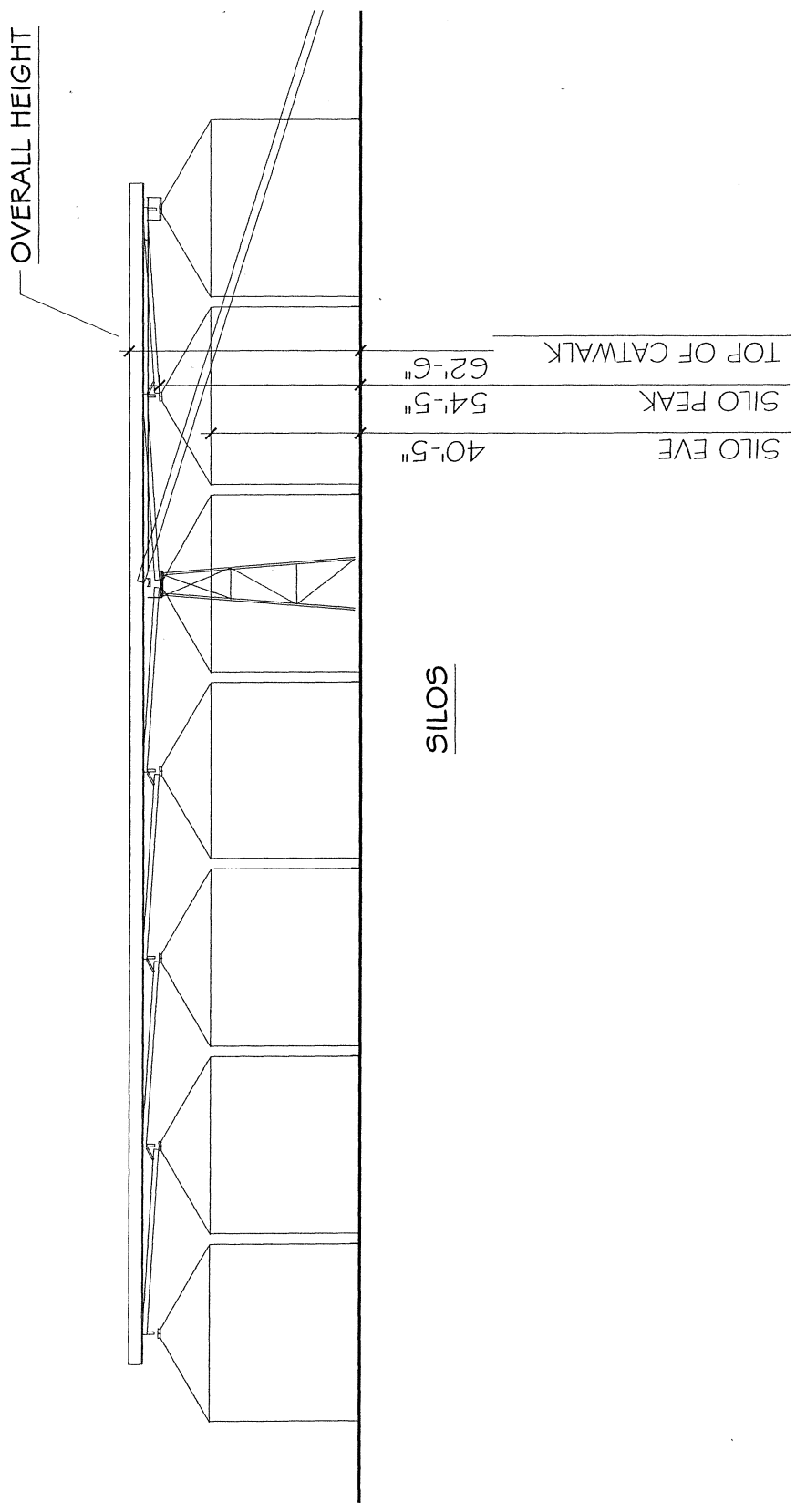
PREPARED BY: **4CREKS**  
 P.O. BOX 789  
 VISALIA, CA 93278  
 TEL: 558.252.2828  
 FAX: 558.252.2825  
 CREDIT CARD

ERIKSSON LLC  
 3215 W HOWARD AVE  
 VISALIA, CA 93277  
 CUP PLAN & ELEVATION - SHOP

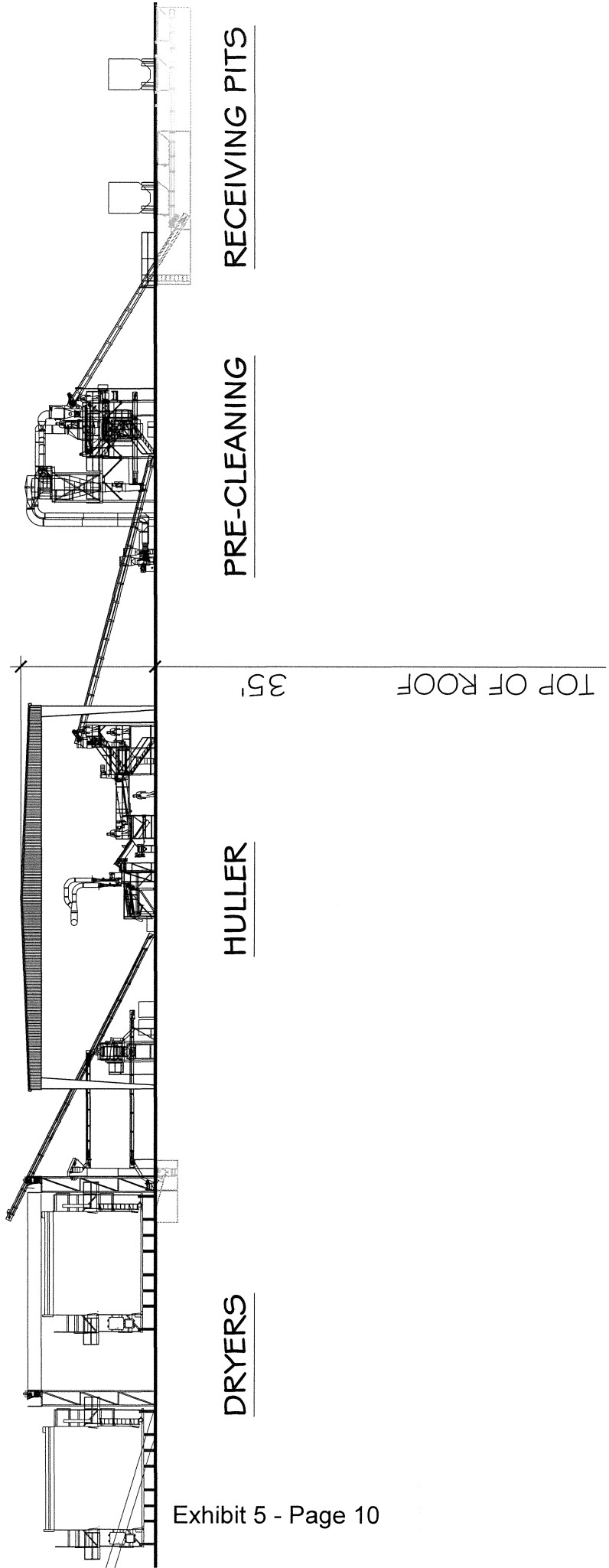
FILE NO.	1917
FILE NAME	AS SHOWN
SCALE	AS SHOWN
SHEET NO.	CUP 3

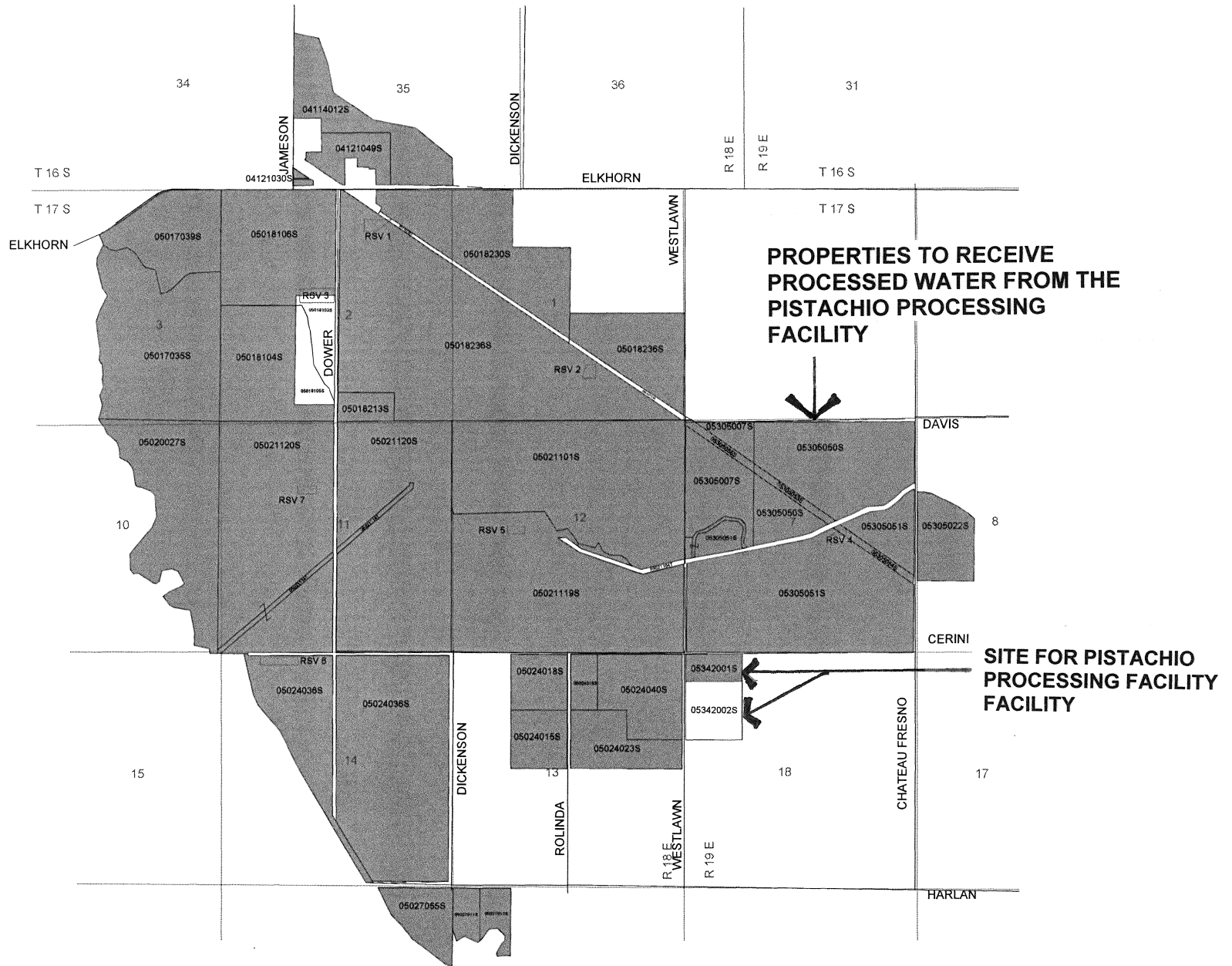






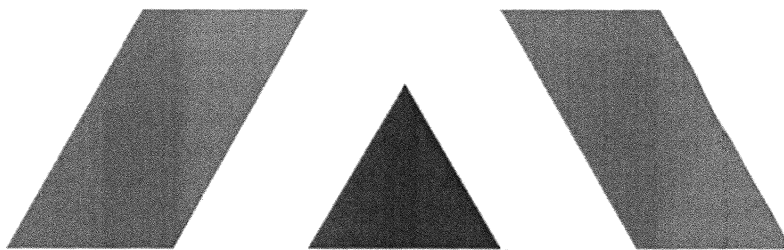






**EXHIBIT 6**

EXHIBIT 7



PROJECT DESCRIPTION / OPERATIONAL STATEMENT  
Eriksson LLC

**Ingleby US Pistachio Plant**

Prepared By:

Kathy E. Parker – Principal Consultant  
Valerie Rosenkrantz – Senior Consultant

**INSIGHT ENVIRONMENTAL CONSULTANTS, INC.**  
*a Trinity Consultants Company*

5500 Ming Avenue, Suite 140  
Bakersfield, CA 93309  
661-282-2200

**CUP3505**

**RECEIVED**  
COUNTY OF FRESNO

**AUG 08 2016**

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**(REVISED)**

June 2015 (*August 2016 Revision*)

Project 150505.0075



## TABLE OF CONTENTS

1. PROJECT SUMMARY	1-1
2. PROJECT LOCATION	2-2
3. PROJECT DESCRIPTION	3-1
3.1. Nature of Operations	3-1
3.2. Operational Time Limits	3-2
3.3. Number of Customers	3-2
3.4. Number of Employees/Trips	3-2
3.5. Service and Delivery Vehicles	3-4
3.6. Access to the Site	3-4
3.7. Number of Parking Spaces	3-4
3.8. Goods Sales	3-6
3.9. Equipment	3-6
3.10. Supplies/Materials	3-6
3.11. Does the Use Cause an Unsightly Appearance	3-6
3.12. Solid or Liquid Wastes to be Produced	3-7
3.13. Estimated Volume of Water to be Used (Gallons/Day)	3-7
3.14. Described Any Proposed Advertising	3-8
3.15. Will Existing Buildings Be Used? Will New Buildings Be Constructed?	3-8
3.16. Building Uses in Operations	3-9
3.17. Outdoor Lighted and Sound Amplification	3-9
3.18. Landscaping and Fencing	3-9
3.19. Other Information	3-9
3.20. Identify all Owners, Officers and/or Board Members	3-9
3.21. Construction Process	3-10
3.22. Environmental Mitigation Measures/Project Commitments	3-12
3.23. Approvals and Permits	3-12
APPENDIX A: SITE PHOTOGRAPHS	A-1

## LIST OF FIGURES

---

Figure 2-1. Regional Location	2-2
Figure 2-2. Assessor's Map	2-3
Figure 3-1. Project Site Plan	3-3
Figure 3-2. Project Site Internal Traffic Circulation	3-5
Figure 3-3. Acreage Available for Beneficial Reuse of Hulling Water	3-8
Figure 3-4. General Landscape Area	3-11

LIST OF TABLES

---

Table 1-1. Project Summary

1-1

## 1. PROJECT SUMMARY

**Project Title:** Eriksson LLC Ingleby US Pistachio Plant

**Project Location:** 19210 S. Westlawn Avenue, Riverdale, CA  
Assessor Parcel Number 053-420-01s and '-02s (60.2 Ac.)  
Section 18, Township 17S, Range 19E MDB&M

**Entitlements Requested:** Fresno County Conditional Use Permit,  
Initial Study/Negative Declaration

**Lead Agency Name and Address:** Fresno County  
Public Works and Planning, 2220 Tulare Street  
Fresno, CA 93721

**General Plan:** Agriculture      **Zoning:** Agriculture (AE-20)

Eriksson LLC is proposing a new pistachio plant near Riverdale, Fresno County. The project would encompass hulling, drying, pre-processing and storing approximately 20 million pounds per year of pistachios. A summary of the project components is provided in Table 1-1.

**Table 1-1. Project Summary**

Proposed Project Characteristics	Description
Project area size	60.02 acres
Processing capacity	20 million pounds per year
Proposed structures/facilities	480 sf - scale house/guard shack 34,615 sf - processing building 4,550 sf - office 3,750 sf - shop with 1,250 sf attached canopy 16,000 sf - huller canopy 1,400 sf - storage silos 1,194 sf - fire water storage 176 sf - potable water storage 400 sf - process water storage
Proposed SJVAPCD permitted equipment	Up to two precleaning lines Up to 11 27 MMBtu/hr natural gas fired column dryers 1.4 MMBtu/hr natural gas fired sample dryer Up to 14 storage silos and associated catwalks (62.5' high) Up to 28 4.2 MMBtu/hr natural gas fired silo fan/heaters Fumigation in silos and bin stacks (various locations)
On-site improvements	Paving, parking, loading docks, staging areas
Utilities	PG&E service panel Southern California Gas Company gas line connection Fire, process and potable water storage Septic system for sanitary facilities Storm water runoff retention basin Hulling water settling basin

## 2. PROJECT LOCATION

Eriksson LLC's Ingleby US Pistachio Plant Project (Pistachio Plant) would be located on the east side of S. Westlawn Avenue between W. Cerini Avenue and W. Harlan Avenue approximately five miles northwest of Riverdale in western Fresno County. It would be located in Section 18, Township 17S, Range 19E, Mount Diablo Base & Meridian. The regional and project location of the project are shown in Figure 2-1. The proposed Pistachio Plant address would be located at 19210 S. Westlawn Avenue on Assessor Parcel Numbers (APNs) 053-420-01s and '-02s (Figure 2-2). W. Cerini Avenue, S. Westlawn Avenue and W. Harlan Avenue are paved County roadways and would be the primary access to the project.

Photographs of the proposed project site are provided in Appendix A.

Figure 2-1. Regional Location

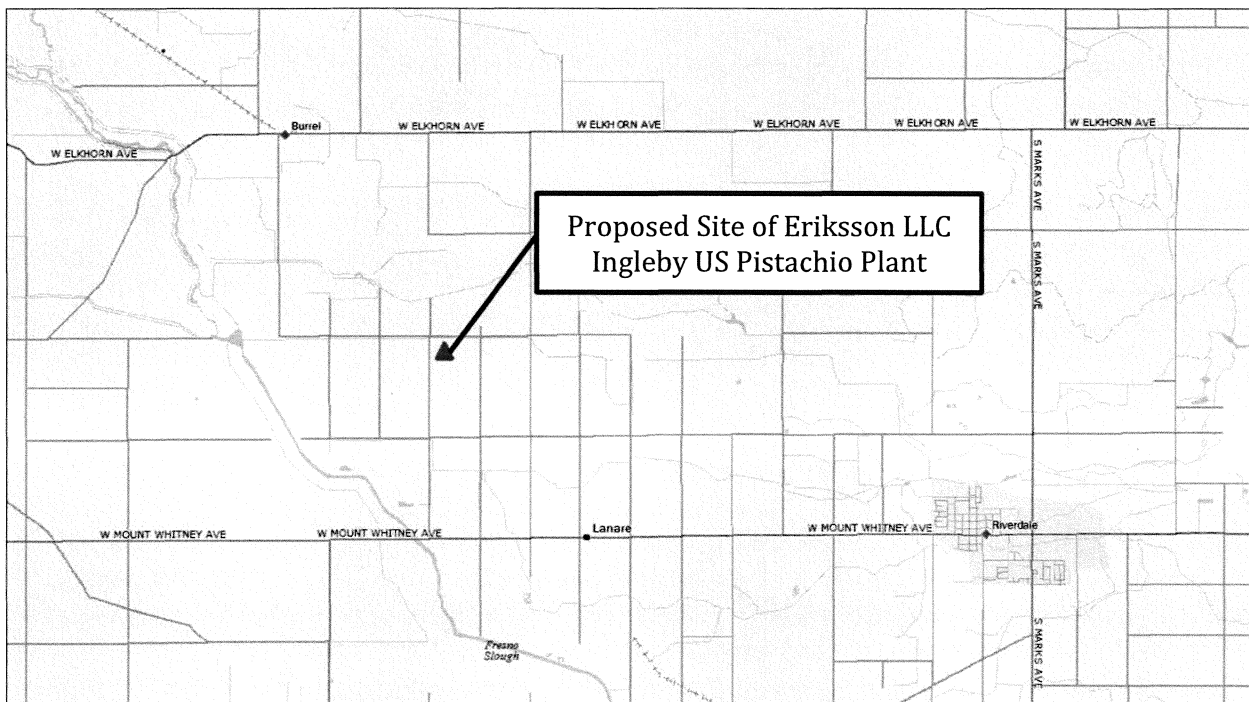
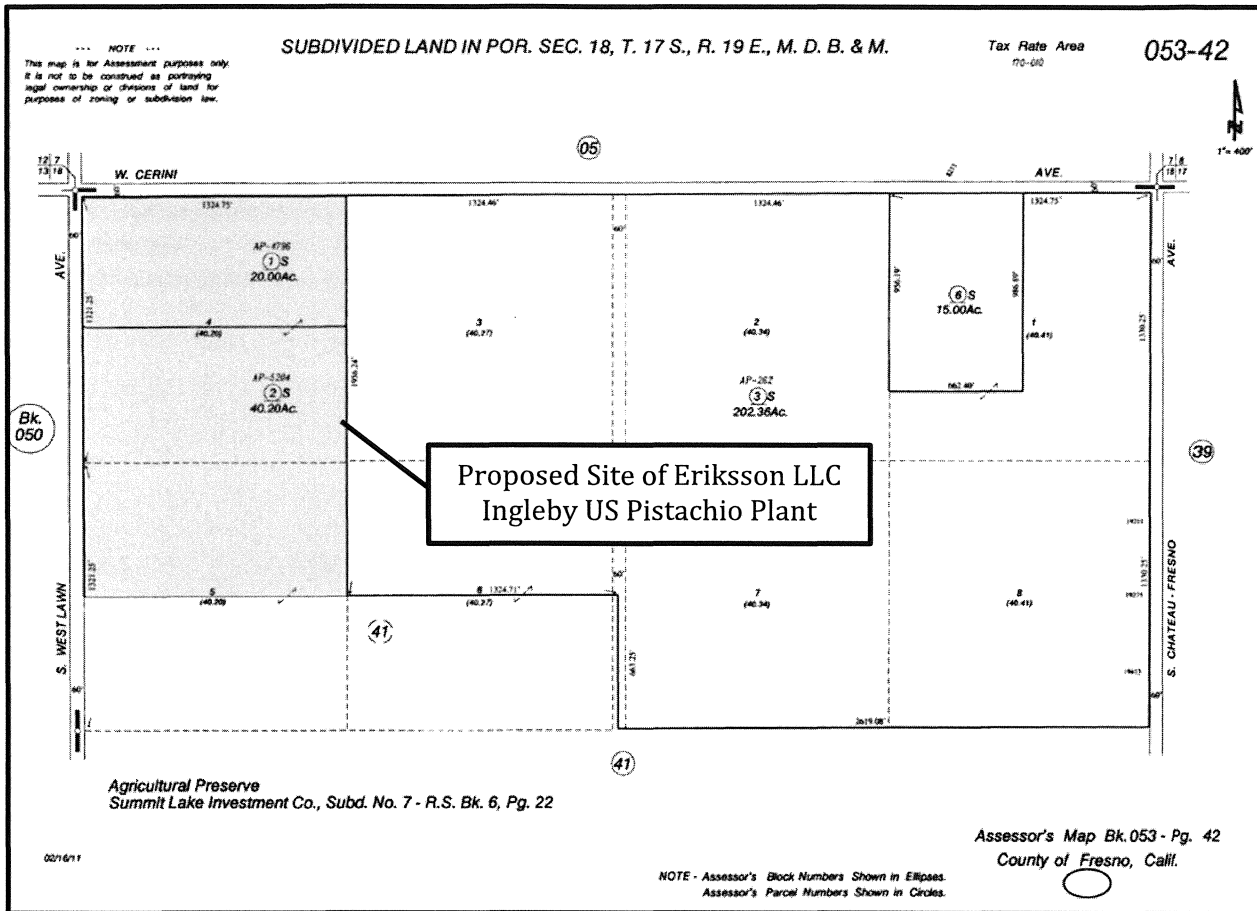




Figure 2-2. Assessor's Map



### 3. PROJECT DESCRIPTION

---

The project would encompass hulling, drying, pre-processing and storing 20 million pounds per year of pistachio nuts. Implementation of the proposed project would include: a Conditional Use Permit (CUP) from Fresno County for the construction of a pistachio plant and the application of facility wastewater on adjoining farmland to supplement existing irrigation requirements.

The Pistachio Plant would receive pistachios primarily from Eriksson LLC's adjoining orchards. The pistachios would be hulled, dried, pre-processed and stored at the proposed project site and then shipped off-site for processing. Associated activities would include periodic structural and commodity fumigation to eradicate pests and the beneficial reuse of hulling wastewater to supplement the irrigation of adjoining farmland.

#### 3.1. NATURE OF OPERATIONS

The purpose of the proposed nut processing plant would be to provide an accessible nut processing facility for Eriksson LLC's pistachio crop. Figure 3-1, Project Site Plan, depicts the proposed construction area on the 60.02-acre property.

The Pistachio Plant would include the following project components:

- The project would include the following structures: construction of a 480 sf scale house/guard shack with restroom facilities; construction of a 34,615 sf processing building with restroom facilities; construction of 4,550 sf office; and construction of a 3,750 sf shop with a 1,250 sf attached canopy. In addition, the project would include: the construction of a 16,000 sf huller canopy; 1,400 sf of storage silos; up to 1,194 sf for fire water storage; up to 176 sf for potable water storage; and up to 400 sf for process water storage.
- The huller canopy referenced above would protect wet and dry hulling equipment and a 1.4 MMBtu/hr natural gas fired sample dryer. The sample dryer would be permitted by the San Joaquin Valley Air Pollution Control District.
- Up to two receiving and precleaning lines.
- Up to fourteen (14) 62.5 foot high storage silos and associated catwalks (referenced above) would be authorized for fumigation and served by up to 28 4.2 MMBtu/hr natural gas fired silo fan/heater units to be permitted by the San Joaquin Valley Air Pollution Control District.
- Up to eleven 27 MMBtu/hr natural gas fired column dryers and two precleaning lines to be permitted by the San Joaquin Valley Air Pollution Control District.
- Bin stack fumigation, various locations throughout facility to be permitted by the San Joaquin Valley Air Pollution Control District.
- On-site improvements in the form of paving, parking, loading docks and staging areas.

- A new PG&E main service panel. Electrical service for all on-site functions will connect to this new service panel.
- A gas line connection with Southern California Gas Company's (the gas provider in the project area) main line at the northeast corner of S. Westlawn Avenue and W. Cerini Avenue.
- A new monument sign displaying the facility name and address would be installed at the primary entrance/exit in compliance with County standards.
- Utility and supporting services would include process water storage and treatment, potable water storage and treatment, a septic system serving the scale house/guard shack and processing building, mechanical screens for solids/liquids separation, on-site storm water pond, fire protection water storage, and hulling water settling storage pond to facilitate distribution to existing irrigation systems serving the adjoining farmland.
- Perimeter improvements in the form of one primary and one emergency entrance from S. Westlawn Avenue, tension wire fencing, drainage swales and landscaping with native species.

### **3.2. OPERATIONAL TIME LIMITS**

Pistachios are harvested during a 30-day period that varies late August and early October and must be hulled within hours of harvest. While the harvest and hulling period is limited, mechanical processing, storage, fumigation and bulk packaging in preparation for shipment can be managed year round. Operations would generally include one shift per day, five days per week: 7:00 a.m. until 3:30 p.m. As required, for a few weeks a year, the schedule would expand to seven days per week with up to two 12-hour shifts spanning 6:00 a.m. until 6:00 p.m. and 6:00 p.m. until 6:00 a.m.

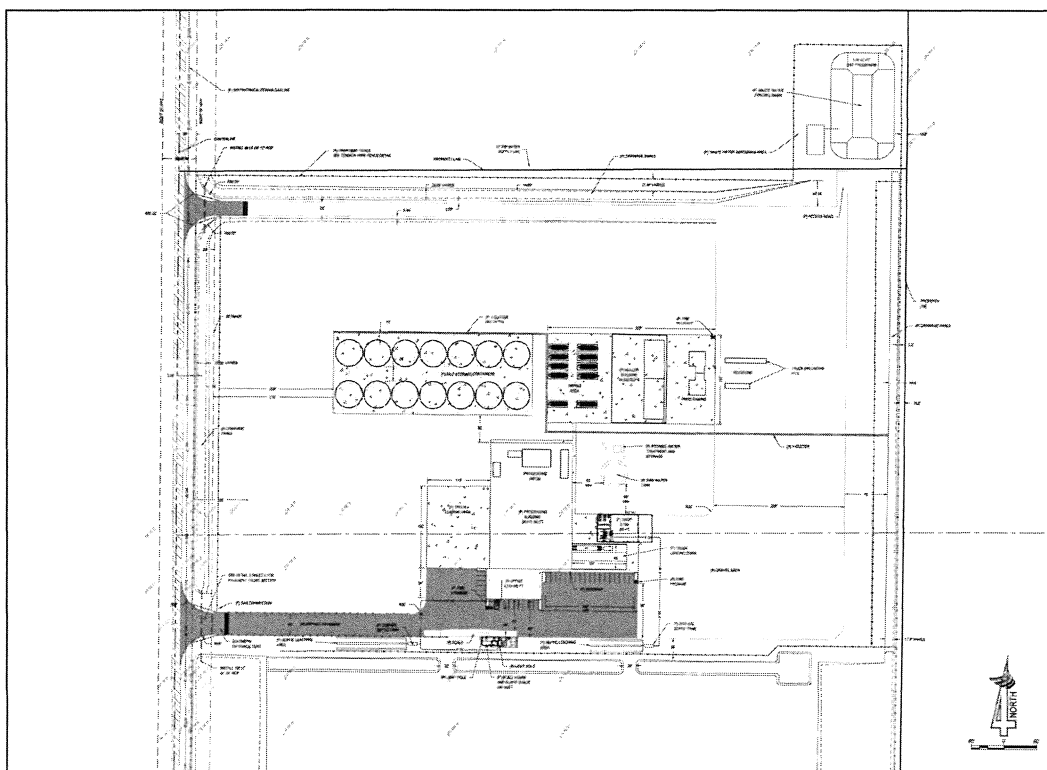
### **3.3. NUMBER OF CUSTOMERS**

The Pistachio Plant would not be a retail facility and customers would not be present. Freshly harvested pistachios would be trucked in during the harvest season for hulling and drying, then conveyed to the silos. Pre-processing operations, such as grading and sorting, fumigation and bulk packaging would be conducted year round. Pistachios would be trucked out in tote bins or sacks to other final processing locations before being delivered to end customers. The facility would be controlled with a guard shack and a combination of drainage swales and natural landscape barriers to discourage trespass. Only materials deliveries, nut distribution trucks and employees would be accessing the Pistachio Plant.

### **3.4. NUMBER OF EMPLOYEES/TRIPS**

The number of employees working at the Pistachio Plant would include up to 5 year round employees and up to 45 total peak month employees (40 seasonal). The five permanent employees would conservatively generate a maximum of five trips from employees. Given the nature of the labor pool, most seasonal employees carpool. A ridesharing rate of at least 50 to 70

Figure 3-1. Project Site Plan



percent is reasonably expected during peak season; often up to 4 to 6 people are observed per vehicle. During peak season, when this more aggressive ridesharing pattern is typically observed; employees would likely generate only six dayshift and five night shift employee trips.

### **3.5. SERVICE AND DELIVERY VEHICLES**

There would be two primary types of service and delivery vehicles visiting the Pistachio Plant: trucks delivering freshly harvested in-hull pistachios and trucks picking up tote bins or sacks of hulled and dried nuts to be transported off-site for final processing. The number of trucks varies by season, with more truck trips during peak harvest season (spanning one to two months per year) and only a few truck trips during the remaining ten months of the year.

During peak harvest season, an average of 20 and a maximum of 48 trucks per day would be delivering freshly harvested in-hull pistachios for processing. Toward the end of the harvest season, a range of one to three trucks per day would be picking up tote bins of hulled and dried nuts to be transported off-site for final processing.

During off peak season, there would be no truck trips delivering freshly harvested in-hull pistachios for processing and only one to three trucks per day picking up tote bins of nuts to be transported off-site for final processing.

### **3.6. ACCESS TO THE SITE**

The nut processing plant project would be located on S. Westlawn Avenue, which is a paved road. Access to the site would include one primary and one emergency paved entrance.

The plant would primarily receive incoming in-hull pistachios that would be harvested from Eriksson LLC's adjoining acreage. Trailers would be staged north of the intersection of S. Westlawn Avenue and W. Cerini Avenue and then transported approximately one-quarter mile south on S. Westlawn Avenue to the site's primary entrance.

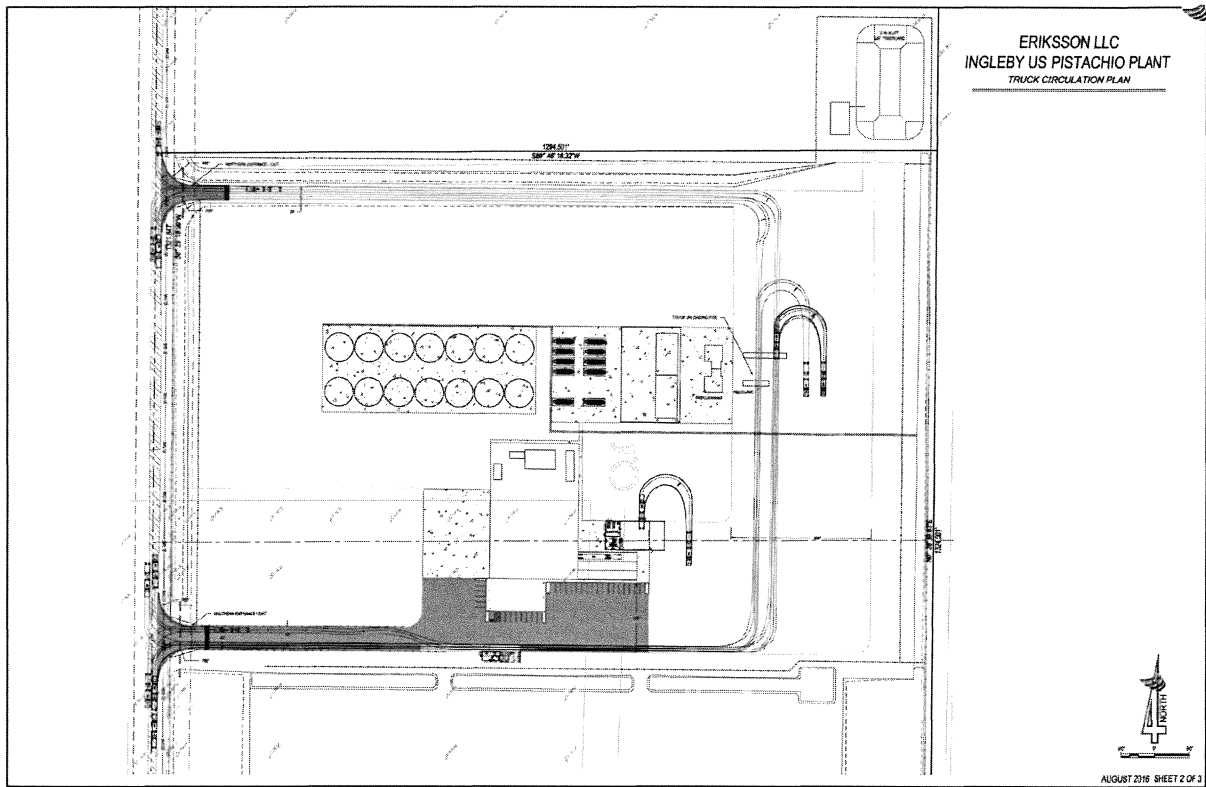
Regional traffic would access the site's primary entrance on S. Westlawn Avenue from W. Mt. Whitney Avenue, which connects to regional routes. To the east, project traffic accesses S. Westlawn Avenue from State Route (SR) 41. To the west and Interstate 5, project traffic would exit onto SR 145, turn east onto W. Mt. Whitney Avenue and north onto S. Westlawn Avenue.

The internal traffic circulation pattern is show in Figure 3-2.

### **3.7. NUMBER OF PARKING SPACES**

The project would include 27 parking spaces (26 regular and 1 accessible) to comply with the project-specific requirement of at least one off-street parking space for each two permanent employees. Parking would be south of the processing building and office.

Figure 3-2. Project Site Internal Traffic Circulation



### 3.8. GOODS SALES

The proposed project is a Pistachio Plant. No sales would occur on site. Freshly harvested in-hull pistachios would be hulled, dried, pre-processed and stored and then transferred from silos to tote bins or sacks for transport to off-site final processing

### 3.9. EQUIPMENT

The project would include the following equipment:

- Two pre-cleaning lines, each with a receiving pit, stickreel, two pre-cleaner discharge aspirators served by one or more high efficiency cyclones with a blower, and associated conveyors, elevators, and hoppers;
- San Joaquin Valley Air Pollution Control District permit-exempt processing equipment, including pistachio hullers/peelers, wash decks, float tanks, wet aspirators with cyclones and/or expansion boxes, decks with cyclones, mechanical separation equipment (sizers, graders, color sorters) and associated augers, conveyors, elevators, and hoppers;
- Up to eleven natural gas fired column dryers, approximately 27 MMBtu/hr rated heat input each;
- One natural gas fired sample dryer, approximately 1.4 MMBtu/hr rated heat input
- Up to 18 storage silos, each served by two 4.2 MMBtu/hr natural gas fired fan/heater units;
- Storage tanks for fire water and potable water; and
- Forklifts.

### 3.10. SUPPLIES/MATERIALS

The project would include the following supplies and materials:

- Raw materials – incoming pistachio nuts;
- Water treatment – chlorine gas or sodium hypochlorite;
- Sanitation – FDA approved sanitizers, degreasers;
- Equipment maintenance - food grade lubricating oil, gear oil, hydraulic oil, welding gases
- Propane for forklifts;
- Fumigant – hydrogen phosphide and sulfuryl fluoride;
- Tote bins and super sacks (no final packaging at this facility); and
- Office supplies.

### 3.11. DOES THE USE CAUSE AN UNSIGHTLY APPEARANCE

Implementation of the Pistachio Plant would change the visual appearance of the project area. However, the proposed project would be a huller facility to hull, dry, and store nuts coming directly from the field and to be held before going to a processing facility.

While the buildings are a change in the landscape from agricultural fields, the design and scope of the nut huller (metal building and storage silos) would be considered appropriate for an agricultural zone. Further, the proposed project would comply with zoning code, design guidelines

and site plan review requirements for Fresno County. The proposed project therefore would not be considered unsightly in appearance.

### 3.12. SOLID OR LIQUID WASTES TO BE PRODUCED

Nut processing generates primarily an organic waste stream during processing. Twigs, leaves and chaff are composted and used as mulch to be disked into farmland or for biomass conversion. Hulls and meal are separated and sold as a commodity for cattle feed. Any cardboard or plastic consumed in the process would be recycled. There would therefore be minimal solid waste stream sent to the land fill, limited to minor office waste. All sanitary system solid waste would be processed on-site with a septic system.

Liquid waste is anticipated to be less than 20,000,000 gallons of water per season (or about 61 acre feet). This water would be comprised primarily of hulling water. Other minor sources of waste water would be domestic waste discharged to the septic system and equipment washdown.

Hulling water would consist of water and hulls, shells, and skins removed by the hullers that would discharge to floor augers. The augers would discharge to a vault, from which the water and material would be pumped to a bank of parabolic screens (hydrasieves) to remove solids. Water would discharge to a settling pond. An additional pond may be constructed adjacent to the settling pond for emergency storage. The screened hulls would be pressed to reduce water content, conveyed to trucks and shipped under a bill of lading for cattle feed. Water would be pumped from the settling pond into the metered farming irrigation distribution system and applied to up to approximately 3,787.26 acres of farmland (Figure 3-3) as supplemental irrigation. Hulling water would be applied to the farmland in pistachio production via the existing micro-irrigation system. Row crops would be irrigated via flood/furrow or sprinkler, depending on the crop type. Water reuse would provide vital plant nutrients, e.g. nitrogen, potassium, and organic matter, in addition to moisture. Therefore, the daily volume of water applied to the farmland would be determined based on irrigation requirements and the appropriate loading rate of the various nutrients in the water. In general, the settling pond would be emptied as rapidly as practicable to minimize the potential for anaerobic conditions.

### 3.13. ESTIMATED VOLUME OF WATER TO BE USED (GALLONS/DAY)

Water use would be up to 20,000,000 gallons of water per year (or approximately 61 acre feet), primarily in hulling operations. Because of the seasonal nature of the processing plant, the amount of water used per day will be up to 1,200,000 gallons per day during the peak harvest season and approximately 750,000 gallons per day at the beginning and end of the harvest season.

The source of water supply would be existing groundwater wells. Water to be used for nut hulling and sanitation would be disinfected prior to use.

The proposed facility would also provide treated groundwater water for human consumption. Due to the short duration of the pistachio harvest and concurrent hulling season, no more than 24 persons will be employed year-round and the seasonal increase in employees will not exceed 60



day duration. Therefore, the proposed drinking water treatment and storage system would not be a public water system but would be an unregulated water system as long as these criteria are met.

### 3.14. DESCRIBED ANY PROPOSED ADVERTISING

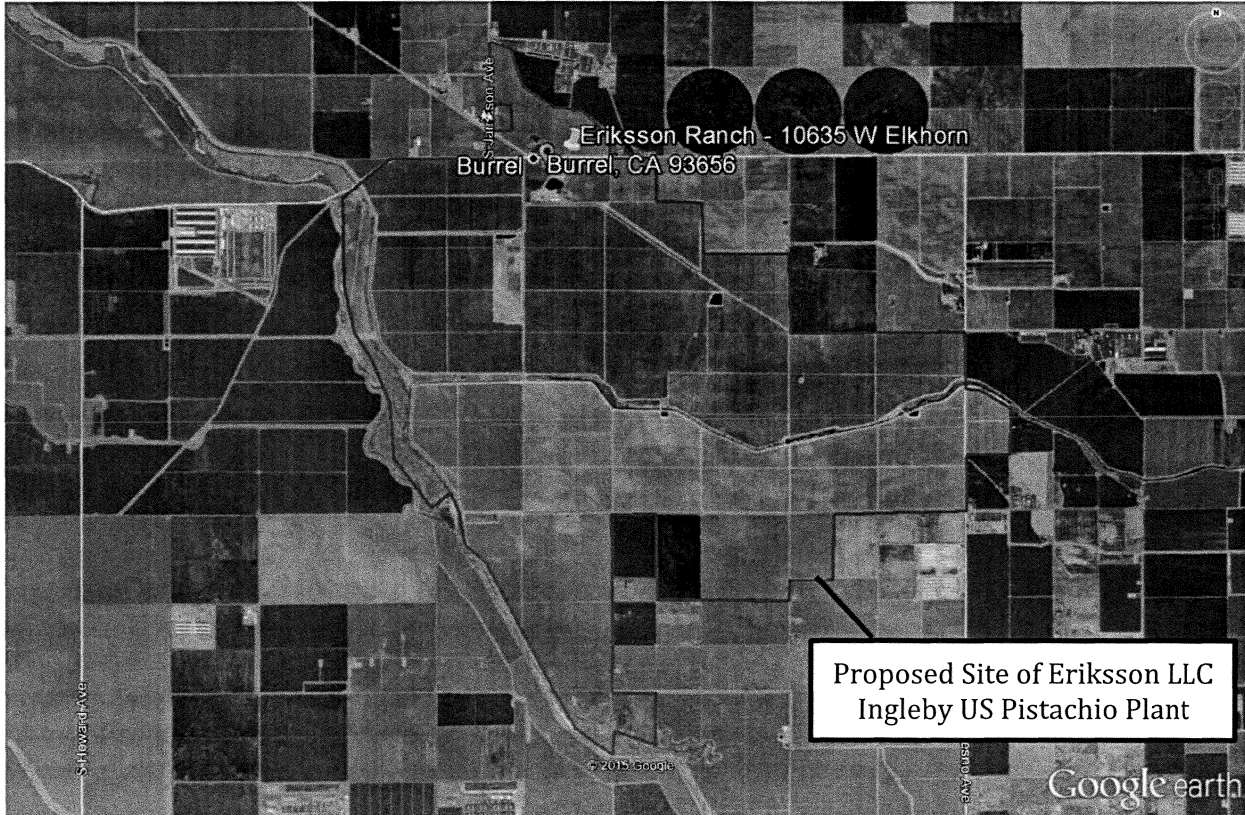
Signage would be installed in compliance with County Code, displaying the facility name, address and entry restrictions. The project signage would be located at the northern and southern facility entrances on S. Westlawn Avenue.

### 3.15. WILL EXISTING BUILDINGS BE USED? WILL NEW BUILDINGS BE CONSTRUCTED?

There are no existing buildings on the project site. The project would include up to 48,220 square feet (sf) of buildings. Additional structures would include a huller canopy, storage silos, fire water storage, process water storage and potable water storage.

These buildings would include: construction of a 720 sf scale house/guard shack with restroom; construction of a 36,000 sf processing building with restroom; construction of 7,500 sf office; and construction of a 4,000 sf shop. In addition, the project would include the construction of a canopy and the installation of wet and dry hulling equipment and a 1.4 MMBtu/hr natural gas fired sample dryer beneath the canopy.

**Figure 3-3. Acreage Available for Beneficial Reuse of Hulling Water**



### 3.16. BUILDING USES IN OPERATIONS

The proposed buildings would encompass various uses:

- The 720 sf scale house/guard would serve as the first line of site security and load weight measurement.
- The 36,000 sf processing building would be used for mechanical separation processes, such as sorting and grading, as well as temporary storage of tote bins or super sacks.
- The 7,500 sf office would house administrative operations.
- The 4,000 sf shop would be used equipment maintenance and storage of food grade lubricating oil, gear oil, hydraulic oil, and welding gases.

Other proposed structures would have the following uses:

- A canopy would protect the hulling equipment.
- Silos would store hulled pistachios.
- Tanks would store water to be used for fire protection, processing, drinking and sanitation.

### 3.17. OUTDOOR LIGHTED AND SOUND AMPLIFICATION

The new buildings would all include exterior lights attached to the structures. Exterior amplification would be in place for emergency conditions only.

### 3.18. LANDSCAPING AND FENCING

Eriksson's corporate policy is to minimize fencing to the extent feasible. Fencing required by County Code would consider fence placement, design and construction to minimize environmental impact. The facility would use wildlife-friendly tension wire fencing, supplemented by drainage swales and natural landscape barriers. The height of the tension wire fencing would not be anticipated to exceed five feet.

The facility would be landscaped with drought-tolerant native species in compliance with Fresno County regulations. General areas to be landscaped are shown in Figure 3-4.

### 3.19. OTHER INFORMATION

The project includes beneficial reuse of hulling water on up to approximately 3,787.26 acres of adjacent farmland owned by Eriksson LLC (Figure 3-3), which would be subject to the Regional Water Quality Control Board (RWQCB) review and permitting. The project would include hydrogen phosphide and sulfuryl fluoride structural and commodity fumigation, as needed.

### 3.20. IDENTIFY ALL OWNERS, OFFICERS AND/OR BOARD MEMBERS

Eriksson, LLC is the owner of the project site and the adjoining farmland upon which the application of facility wastewater for beneficial reuse is proposed.

### 3.21. CONSTRUCTION PROCESS

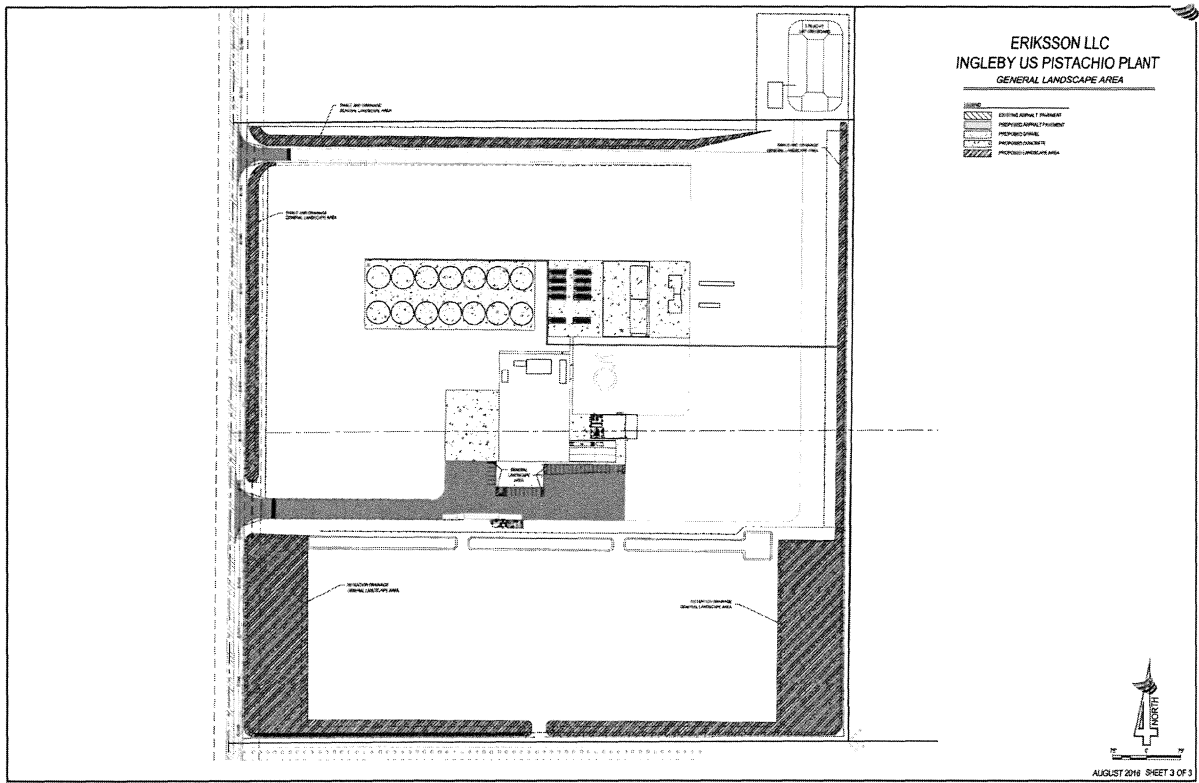
Construction of the Pistachio Plant will extend over approximately nine months in three phases: grading, concrete and gravel work (two to three months); structures (three to four months); and final installation and inspections (three months).

The following equipment would be delivered at the beginning of the construction period and would remain on-site throughout the construction process: loader, grader, backhoe, forklift, zoom boom, gradall, crane, ditch witch, scissor lift, and bobcat. Heavy equipment needs will vary over the construction period; not all equipment would be operated daily nor would all equipment be in operation the entire workday.

Initial site preparation would include: dirt work, gas lines, and water lines. Concrete and gravel work would include foundations for the silos, the huller shell, guard shack and shop. Components that would be fabricated off-site and delivered for installation on-site include: silo and dryer catwalks, and precleaning/hulling line equipment (conveyers, pre-cleaners, float tanks, huller stands).

Project elements that would be assembled on-site include: silos along with accessories (A-frames, catwalks, fan/heater units, floors); dryers (will be assembled then stacked with a crane); precleaning/hulling line equipment (50/50 on pre-fab and assembled on-site); scale, scale house/guard shack building; shop and processing building; and internal qualities (parking, lighting etc.). Construction traffic would include an average of 25 employees for six to seven months and a peak of 40 employees for two to three months during concrete and gravel work. There would be up to thirty delivery trucks per week conveying equipment and materials over a four month peak construction period.

Figure 3-4. General Landscape Area



### 3.22. ENVIRONMENTAL MITIGATION MEASURES/PROJECT COMMITMENTS

The project would at a minimum incorporate the following Environmental Mitigation Measures to minimize and avoid potential environmental impacts.

- Construction activities shall be limited to the project area as evaluated in the Initial Study. The work area will be clearly identified on the construction drawings and will be staked and flagged prior to initiation of construction activities.
- The project applicant shall comply with all rules and regulations by the San Joaquin Valley Air Pollution Control District
- The project applicant shall submit a complete Report of Waste Discharge to the Regional Water Quality Control Board at least 140 days prior to initiating any operations that would result in a discharge to land.
- Should cultural resources be discovered, during construction, activities will be halted until a qualified archaeologist can assess their significance. Prior to continuing construction activity, any mitigation and preservation measures recommended by the archaeologist shall be complied with. Should human bones be included in the find, the Kern County coroner will be informed. Should the remains be of Native American origin, descendants of the deceased, or if descendants cannot be located, the Native American Heritage Commission will be contacted for a recommendation for means of treating or disposing of the remains and any associated grave goods, all as provided in Public Resource Code Section 5097.98.

### 3.23. APPROVALS AND PERMITS

The proposed project will require the following approvals and permits.

- Fresno County (Lead Agency) – Approve the CUP; complete Site Plan Review; adopt the Negative Declaration; approve the proposed project; and issue the building permits; encroachment permit (for work in public rights of way).
- SJVAPCD (Responsible Agency) – Applicable rules and regulations.
- RWCQB (Responsible Agency) - Applicable rules and regulations.
- State Water Resources Control Board - Division of Drinking Water (Responsible Agency) - Applicable rules and regulations.

## APPENDIX A: SITE PHOTOGRAPHS

---



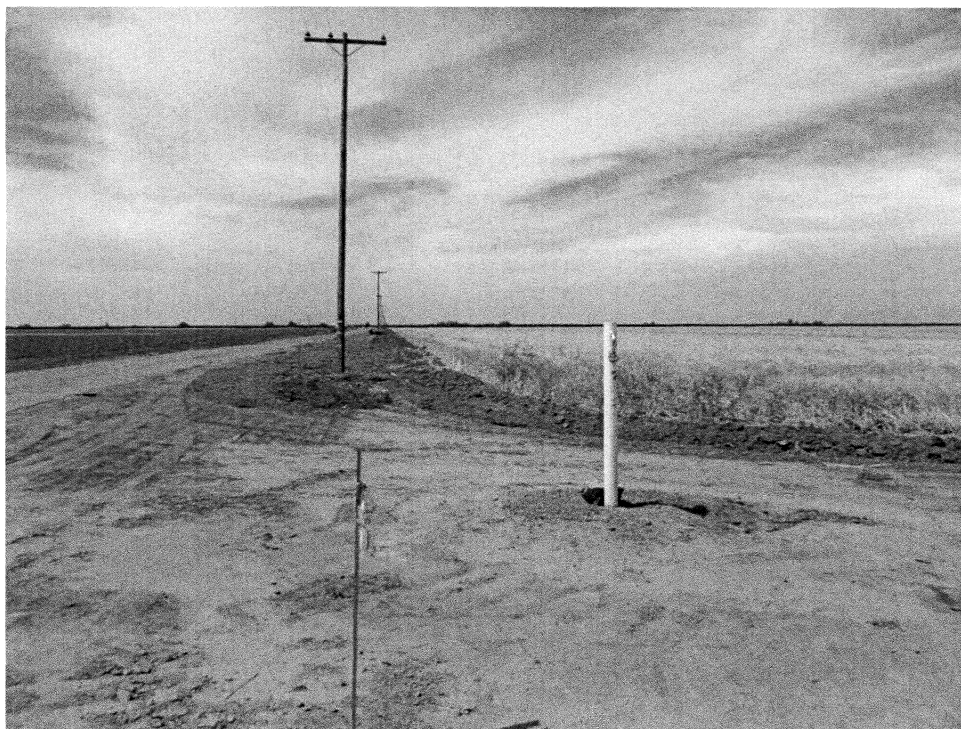
View from S. Westlawn and W. Cerini Avenues, looking south. Note gas transmission line cover in lower left of photograph.



View from the NE corner of the project site, looking south.



View from the SE corner of the project site, looking west along property boundary.



View from the SW corner of the project site, looking north along S. Westlawn Avenue.





## EXHIBIT 8

# County of Fresno

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

### EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Eriksson, LLC
- APPLICATION NOS.:** Initial Study Application No. 7001 and Classified Conditional Use Permit Application No. 3505
- DESCRIPTION:** Allow a pistachio processing facility (involves hulling, drying, processing, storage and off site shipment) with related facilities including 62.6-foot-tall silos on an approximately 34-acre portion of two contiguous parcels totaling 60.2 acres in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District, and allow wastewater from hulling operations of the said facility to be discharged off site onto 3,787.26 acres of farmland in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The project area is bordered by Fresno Slough and Elkhorn, Chateau Fresno and Harlan Avenues, with project site located at the southeast corner of W. Cerini and S. Westlawn Avenues, approximately 3,550 feet northwest of the unincorporated community of Lanare (19210 S. Westlawn, Riverdale, CA) (SUP. DIST. 4) (APNs 041-140-12, 30, 49; 050-010-01, 03, 06; 050-170-35, 39; 050-181-04, 06; 050-182-13, 30, 36; 050-200-27; 050-211-01, 19, 20; 050-240-15, 18, 19, 23, 36, 40; 050-270-11, 12, 55; 053-050-07, 22, 50, 51, 53, 56; 053-420-01S; 02S)

#### I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

**FINDING: NO IMPACT:**

The project site is farmland and is located in an agricultural area. Surrounding lands contain field crops and orchards with single-family residences. The site is not located along streets designated as scenic highway in the County General Plan and no scenic vistas or scenic resources including trees, rock outcroppings, or historic buildings were identified on or near the proposal. The project will have no impact on scenic resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject proposal would allow a pistachio processing facility with related facilities on a 34-acre portion of two contiguous parcels totaling 60.2 acres. The parcels have historically been cultivated with traditional row crops. The proposal would also allow processed wastewater from the hulling operations to be discharged off site to irrigate crops on 3,787.26 acres of farmland in the vicinity of the proposal.

The proposed improvements on the southerly 40.2-acre parcel identified by Assessors' Parcel Number 053-420-02S include a ~~36,000~~ **34,615** square-foot processing building, ~~7,500~~ **4,550** square-foot office building, ~~4,000~~ **3,750** square-foot shop **with 1,250 square-foot canopy**, and ~~720~~ **480** square-foot scale house/guard shack. Additional improvements include an ~~18,000~~ **16,000** square-foot huller canopy, ~~1,800~~ **1,400** square-foot storage silos, 1,770 square-foot water storage tanks and on-site parking. The proposed improvements on a two-acre portion of the northerly 20-acre parcel identified by Assessors' Parcel Number 053-420-01S include a wastewater ponding basin and wastewater screening area. The basin will receive storm water runoff from improvements on the southerly parcel.

The project area is dominated by agricultural fields. There are no developments in the vicinity of the proposal except for sparse residential uses and an animal shelter to the east. The nearest single-family residence is approximately 1,300 feet south of the proposal. Although the proposed buildings and structures (maximum 35 feet in height with 62.6-foot-tall silos with catwalks) are a change in the landscape from agricultural fields, the design and scope of the proposed facility would be considered appropriate for an agricultural zone. Given the existing landscape of the area, the proposed facility would not be considered unsightly in appearance. The project will have a have a less than significant visual impact on the surrounding land uses.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the Applicant's Operational Statement, the proposed buildings and structures will be provided with necessary exterior illumination to ensure the safety and security of the facility. Potential light and glare impacts are not expected to be significant in that a mitigation measure would require all lighting to be hooded and directed as to not shine toward adjacent properties and public streets.

\* **Mitigation Measure**

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

## II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site has historically been cultivated with row crops and contains no improvements. An approximately 32-acre portion of a 40.20-acre southerly parcel (APN 053-420-02S) will be developed with the proposed pistachio processing facility and a 2-acre portion of a 20-acre northerly parcel (APN 053-420-01S) will be developed with a wastewater ponding basin. The remaining acreage in both parcels (26.20 acres) will remain in agricultural production. The subject proposal will also allow processed wastewater from hulling operations to be discharged off site to irrigate crops on 3,787.26 acres of farmland.

The project is not in conflict with agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. Furthermore, the use is supportive of ongoing agricultural activities in the area. The subject parcels are classified as Prime Farmland and Farmland of Statewide Importance on the 2010 Fresno County Important Farmland Map and are currently under Williamson Act Land Conservation Contracts (AP-4796 and AP-5204). A request for cancellation of the Contracts was filed by the Applicant with the Policy Planning Section of the Fresno County Department of Public Works and Planning on April 22, 2016. The Agricultural Land Conservation Committee (ALCC) heard the cancellation on July 6, 2016 and recommends that the County Board of Supervisors approve cancellation petition.

A handful of parcels to receive processed wastewater from the facility are also under Williamson Act Land Conservation Contracts. No concerns regarding those parcels to receive wastewater for irrigation purposes were expressed by the Policy Planning Section of the Fresno County Department of Public Works and Planning.

- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the County Zoning Ordinance, the project site is currently zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size). The proposed development does

not conflict with the existing zoning and the project site does not contain any active forest land or support trees that may be commercially harvested. The project area is dominated by agricultural fields with limited improvements. The proposed facility would be considered appropriate for an agricultural zone and is not expected to bring any significant change to the area.

The Fresno County Agricultural Commissioners' Office reviewed the project and requires that the Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development. This requirement will be included as a Condition of Approval.

### III. AIR QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District (Air District) the project-specific criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG and 15 tons/year PM10. The project will not have significant adverse impact on air quality and is not subject to Air District Rule 9510 (Indirect Source Review).

The project, however, may be subject to an Authority to Construct (ATC) and the project proponent would be required to contact the Air District's Small Business Assistance office for the filing of an ATC. Other Air District Rules that may apply to this proposal include District Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed. These requirements will be included as Project Notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not create objectionable odors to affect people on or around the proposed facility.

The San Joaquin Valley Air Pollution Control District expressed no specific concerns regarding odor except that the project may be subject to District Rule 4102 (Nuisance). This Rule applies to any source operation (including odor) which may emit air contaminants or other materials.

#### IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

The project site is farmland. No wildlife or fish movement features (*e.g.*, waterways, arroyos, ridgelines) or any wildlife nursery sites are present on the property. The project will not impact these resources.

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

FINDING: NO IMPACT:

The project site contains no trees and therefore is not subject to the county tree preservation policy or ordinance. The site has historically been planted in row crops.

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

FINDING: NO IMPACT:

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

## V. CULTURAL RESOURCES

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

The project is located in an area of moderate archeological sensitivity and the construction activities resulting from this proposal may impact historical or archeological resources. Therefore, a mitigation measure would require that if cultural materials, including human remains, are unearthed during construction, all work is to be halted in the area of the find, and an archeologist is to be called in to evaluate the findings in order to make any necessary recommendations.

\* **Mitigation Measure**

- 1. In the event that cultural resources are unearthed during grading or construction activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.*

## VI. GEOLOGY AND SOILS

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

1. Rupture of a known earthquake?

FINDING: NO IMPACT:

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

2. Strong seismic ground shaking; or

3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Zone 3 Standards.

4. Landslides?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Compaction and over covering of soil will result due to the construction of buildings, parking and circulation areas for the project. Changes in topography and erosion could also result from site grading.

The Development Engineering Section of the Development Services Division reviewed the project and requires the following: 1) an Engineered Grading and Drainage Plan to show how additional storm water run-off generated by the proposal will be handled without adversely affecting adjacent properties; and 2) a Grading Permit or Voucher for any grading proposed with this application. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As discussed earlier, the project site's liquefaction and landslide potential is low. The development of the project would implement all applicable requirements of the most recent California Building Standards Code and as such would not expose persons to hazards associated with seismic design of buildings and shrinking and swelling of expansive soils.

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

FINDING: NO IMPACT:

According to the Applicant's Operational Statement, on-site sewage disposal systems for new restroom facilities associated with the scale house/guard shack and processing building will be installed on the property.

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and expressed no concerns related to soils capabilities to support the proposed sewage disposal system on the property.

## VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will generate less than significant Greenhouse Emissions (GHG). As such, the GHG emissions increases associated with this project would have a less than significant individual and cumulative impact on global climate change. Per the Applicant, this will be noted in the San Joaquin Valley Air Pollution Control District permit analysis for the project. The project will adhere to Air District Rules discussed above in Section III. A.B.C.D. Air Quality.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or



- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and requires that facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Further: 1) any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95; and 2) all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. These requirements will be included as Project Notes.

The Consolidated Mosquito Abatement District also reviewed the proposal and stated that in order to protect public health from nuisance and disease caused by mosquitos, potential mosquito development in the wastewater settling basin associated for the project must be mitigated. As such, the District requires that the following shall be included as Conditions of Approval for the project: 1) Any and all wastewater/process water applied to farmland shall infiltrate within 48 hours of the application; 2) Ponds shall be rapidly filled and/or dewatered to preclude the growth of emergent vegetation and ponds to hold water in excess of seven days shall be designed to maintain water depths in excess of four feet to preclude invasive emergent vegetation; 3) Pond edges must be maintained free of excess vegetation to prevent harborage for mosquito breeding and so that mosquito fish and other predator are not inhibited; and 4) Free and unencumbered access to the pond perimeter for vehicle and foot traffic shall be provided for inspection and mosquito control activities.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the proposed facility will be required to submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division and handle all hazardous waste in accordance with the California Health and Safety Code regulations.

The project is not located within one quarter-mile of a school. The nearest school, Burrel Elementary School, is approximately 2.7 miles northwest of the project site.

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

FINDING: NO IMPACT:

The project is not located on a hazardous materials site. No concerns were expressed by the Fresno County Department of Public Health, Environmental Health Division.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located within an airport land use plan area, within two miles of a public use airport, or in the vicinity of a private airstrip. The nearest airport, Swanson Ranch Number 2 Airport, is approximately 3.9 miles east of the site.

The project was routed to Naval Air Station (NAS), Lemoore for review and comments located approximately 5.6 miles south of the project site. According to the NAS, Lemoore, the project shall be evaluated through the Federal Aviation Administration's (FAA) Obstruction Evaluation/Airport Airspace Analysis (OE/AAA). As such, a Project Note would require that per Title 14 of the Code of Federal Regulations (14 CFR) Part 77, the Applicant shall file FAA Form 7460-1 with the FAA at least 45 days prior to construction of the project.

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

FINDING: NO IMPACT:

The project site is located in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity. These conditions preclude the possibility of the proposed project conflicting with an emergency response or evacuation plan. No impacts would occur.

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

FINDING: NO IMPACT:

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

## IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICATION IMPACT:

See discussion above in Section VI. E. Geology and Soils for waste discharge resulting from the proposed sewage disposal system.

The project would allow a pistachio processing facility in the AE-20 Zone District and discharge of processed wastewater from hulling operation onto agricultural fields with crops. According to the Applicant's Operational Statement, hulling water would consist of water and hulls, shells, and skins removed from the hullers. After the solid is mechanically removed from the water, it will be used as a soil amendment, sold to a licensed composter, or sold for biomass conversion or as animal feed. The water, on the other hand, will be discharged to a settling pond for storage and later be pumped from the pond into the farming irrigation distribution system and applied onto approximately 3,787.26 acres of farmland as supplemental irrigation. The source of water supply for the project would be the existing groundwater wells. Water to be used for nut hulling and sanitation would be disinfected prior to use.

According to Regional Water Quality Control Board, Central Valley Region (Water Board) review of the proposal: 1) the use of up to 61 acre-feet of pistachio processing wastewater onto an approximately 3,787.26 acres of cultivated farmland would be subject to Regional Water Quality Control Board Waste Discharge Requirements; and 2) Water Code Section 13260 requires that any person discharging waste or proposing to discharge waste shall file with the regional board a Report of Waste Discharge (RWD). Furthermore, Section 13264 of the Water Code states that no person shall initiate any new discharge of waste or make any material changes in any discharge prior to filing the report required by Section 13260, and no person shall take any of these actions after filing the report but before whichever of the following occurs first: 1) the issuance of waste discharge requirements pursuant to Section 13263; 2) the issuance of a waiver pursuant to Section 13269; and 3) the expiration of 140 days after compliance with Section 13260 if the waste to be discharged does not create or threaten to create a condition of pollution or nuisance given the regional board is a responsible agency for purposes of CEQA and at least 90 days have expired since certification or approval of environmental documentation by the lead agency. These requirements will be included as Project Notes.

According to Fresno County Department of Public Health, Environmental Health Division review of the proposal: 1) to protect groundwater, any abandoned water wells that exist on the property that are not intended for use, shall be properly destroyed under permits and inspections from the Health Department prior to commencement of work; and 2) should any abandoned underground petroleum storage tank(s) be found during the project, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Health Department. These requirements will be included as Project Notes.

The State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) also reviewed the proposal and offered no comments. According to SWRCB-DDW, the proposed facility would not be a public water system due to the short period of increased seasonal usage.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project will use approximately 20,000,000 gallons of water per year (or approximately 61 acre feet) primarily in hulling operation provided by the existing groundwater wells. Approximately 1,200,000 gallons of water per day will be used during peak harvest season and approximately 750,000 gallons per day will be used at the beginning and end of the harvest season. The processed wastewater from the facility (approximately 61 acres) will be discharged off site to irrigate crops on 3,787.26 acres of farmland near the project site.

The project site is not in a low water area. The Water/Geology/Natural Resources (WGNR) Section of the Fresno County Department of Public Works and Planning reviewed the proposal and requires that the location groundwater is removed from should be the location to first receive processed wastewater to the maximum extent feasible in order to recharge the area from which the groundwater was mined. This will be included as a Condition of Approval.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No stream or river is located on the project site. The Riverdale Irrigation District's (RID) North Turner Ditch runs along the northern boundary of the parcel identified by APN 053-420-01S. RID has a 60-foot right-of-way at this section of the ditch and requires that all facilities shall stay off of the North Turner Ditch right-of-way and no discharge water shall be placed in the District ditch. This will be included as a Condition of Approval.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in IX. A. above.

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

FINDING: NO IMPACT:

No housing is proposed with this application.

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

FINDING: NO IMPACT:

According to Federal Emergency Management Agency (FEMA) FIRM Panel 2875J, the project site is not subject to flooding from one percent chance storm.

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

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

FINDING: NO IMPACT:

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

## X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project will not physically divide an established community. The nearest unincorporated community of Lanare is approximately 3,550 feet southeast of the subject proposal.

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

FINDING LESS THAN SIGNIFICANT IMPACT:

The subject property is designated Agriculture in the Fresno County General Plan which allows certain non-agricultural uses such as the proposed facility by discretionary approval provided the use meets General Plan Policy LU-A.3., criteria a. b. c. d. & f., as well as other policies as discussed below.

General Plan Policy LU-A.3., criteria LU-A.3.a. states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively

within urban areas. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available. Criteria LU-A.3.f. states that service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services for the use shall be considered.

With regard to Criteria “a”, the proposed pistachio processing facility is an agricultural use and requires a large parcel of land to develop. The project location in an agricultural area surrounded by active farmlands to be irrigated with processed wastewater from the facility is essential for the proposed use. With regard to Criteria “b”, the project will utilize an approximately 34-acre portion of a 60.2-acre property classified as Prime Farmland and Farmland of Statewide Importance on the 2010 Fresno County Important Farmland Map. The remaining acreage (26.2 acres) is anticipated to remain in agricultural production. With regard to Criteria “c”, the project is not located in a water-short area. The recycled wastewater from the facility will be applied onto 3,787.26 acres of farmland to the maximum extent feasible to replenish the groundwater resources. With regard to Criteria “d”, the project is located approximately 3,550 feet and five miles, respectively to the northwest of the unincorporated community of Lanare and City of Riverdale, which can provide adequate workforce. With regard to Criteria “f”, community sewer and water services are currently unavailable to the property. The project will utilize the existing water well(s) and the proposed septic system with leach fields.

General Plan Policy LU-A.12 requires that the County shall seek to protect agricultural activities from encroachment of incompatible land uses, Policy LU-A.13 requires that the County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations, and Policy LU-A.14 requires that the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

The proposed use is compatible with agricultural zoning and is an allowed use on land designated for agriculture with discretionary approval and adherence to the applicable General Plan Policies. The proposed facility will set back approximately 405 **301** feet to the north, 476 feet to the south, 250 **434** feet to the east, and 440 **219** feet to the west of the adjoining farmlands. Furthermore, the north and south portions of the 60.2-acre project site will remain in agricultural production and provide additional buffering. The project is permanent in nature and will adhere to all mitigation measures included in this report.

General Plan Policy PF-C.17 requires that the County shall, prior to consideration of any water supply evaluation, determine adequacy of water supply to meet the highest demand that could be permitted on the land in question. The project is not located in a low water area. The existing groundwater wells will be used as a source of water supply and the processed wastewater from the facility will be discharged off site onto farmland in order to replenish the groundwater resources. A Condition of Approval from the Water/Geology/Natural Resources Section of the Fresno County Department of

Public Works and Planning would require that processed wastewater shall be placed in close proximity to the location where the water was originally mined from. General Plan Policy HS-G.1 requires that all proposed development shall incorporate design elements necessary to minimize adverse noise impacts on surrounding land uses. The Fresno County Department of Public Health, Environmental Health Division reviewed the project and expressed no concerns related to noise.

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

FINDING: NO IMPACT:

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

## XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

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

## XII. NOISE

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

FINDING: NO IMPACT:

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

Any noise impacts associated with construction are expected to be short term. Construction noise is considered exempt from compliance with the Fresno County

Noise Ordinance provided that noise-generating construction activity should be limited to the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

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

FINDING: NO IMPACT:

The project site is not located near an airport. The nearest airport, Swanson Ranch Number 2 Airport, is approximately 3.9 miles east of the project site.

### XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

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

### XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Fresno County Fire Protection District's (CalFire) review of the project did not identify any concerns with the proposal. The project is required to comply with the California Code of Regulations Title 24 – Fire Code, and requires approval of County-approved site plans by the Fire District prior to issuance of building permits by the County. The project may also be subject to joining the Community Facilities District (CFD) before plans are submitted to the Fresno County Fire Protection District. These requirements will be included as Project Notes and addressed through Site Plan Review recommended as a Condition of Approval.

- 2. Police protection?



FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Sheriff's Office reviewed the project and stated that a less than significant impact to law enforcement operations are expected from this proposal.

3. Schools; or

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

The project will have no impact on schools, parks or other public facilities.

## XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No impacts on recreational resources were identified in the project analysis.

## XVI. TRANSPORTATION/TRAFFIC

A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or

B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project is expected to generate approximately 10 one-way employee trips (5 round trips) by year-round employees and 80 one-way employee trips (40 round trips) by seasonal employees during peak harvest season. Traffic trips by seasonal employees are expected to be less than significant due to a ridesharing rate of 50 to 70 percent. Ride sharing will result in 4 to 6 employees per vehicle.

During peak harvest season, the facility is expected to generate an average of 40 one-way truck trips (20 round trips) and a maximum of 96 one-way truck trips (48 round trips) per day. Truck trips during peak harvest season span one to two months per year. During off-peak harvest season, the facility will generate 2 to 6 truck trips (up to 3 round trips) per day.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and based on the total trip generation during the peak harvest season, did not express any traffic-related concerns or require a Traffic Impact Study for the project.

The California Department of Transportation also reviewed the proposal and expressed no concerns with the project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located approximately 3.9 miles west of the nearest airport (Swanson Ranch Number 2 Airport). The tallest proposed structure (silos) on the property is 62.6 feet in height. As noted in Section VIII. F. Hazards and Hazardous Material, the project would require to file a FAA Form 7460-1 with the Federal Aviation Administration.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not propose to alter existing roadway designs within the project area which has been designed in accordance with Fresno County roadway standards to avoid roadway hazards and other traffic-related hazardous features. No concerns related to this proposal were expressed by the Road Maintenance and Operations Division except that Westlawn Avenue at the project location is in a poor condition and may need improvement in order to handle the truck traffic proposed with this project.

The Development Engineering Section of the Department of Public Works and Planning review of the proposal requires that: 1) any work done within the right-of-way to connect a new driveway or improve an existing driveway shall require an encroachment permit from the Road Maintenance and Operations Division; and 2) 10' by 10' corner cutoffs should be improved for sight distance purposes at the existing driveway onto Westlawn Avenue. These requirements will be included as Project Notes and addressed during Site Plan Review recommended as a Condition of Approval.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

Access to the project site will be from Westlawn Avenue. The project will not change emergency access to the site or affect access to nearby uses. Further review of emergency access will occur at the time the project is reviewed by the Fresno County Fire Protection District during the Site Plan Review recommended as a Condition of Approval and prior to issuance of building permits.

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

FINDING: NO IMPACT:

The project will not conflict with any adopted transportation plans. As such, no impacts associated with public transit or pedestrian and bicycle hazards are expected from this proposal.

## XVII. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICATION IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

The project will generate small amounts of commercial waste consisting of cardboard or plastics that will be sent to the land fill. The waste disposal will be through regular trash collection service.

## XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project has been analyzed for potential impacts, and appropriate project-specific mitigation measures have been developed to reduce project impacts to less than significant levels. The project is required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project would not directly or indirectly cause substantial adverse effects on human beings. Air quality, hazardous materials, and noise would have the only potential effects through which the project could have a substantial effect on human beings. However, all potential effects of the proposed project related to air quality,

hazardous materials, and noise are identified as less than significant. The impact analysis included in this report indicates that for all other resource areas, the proposed project would either have no impact, less than significant impact, or for impacts that would not affect human beings, less than significant impact with mitigation incorporated.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3505, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to biological resources, mineral resources, noise, population and housing, and recreation.

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

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

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

EJ:

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3500-3599\3505\IS-CEQA\CUP3505 IS wu.docx