



# County of Fresno

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

## ADDENDUM

### Planning Commission Staff Report Agenda Item No. 8 November 18, 2021

**SUBJECT:** Initial Study No. 7938 and Classified Conditional Use Permit Application No. 3690

Allow a value-added agricultural facility that will consists of a processing facility for raw agricultural materials including tomato pumice, grape seed, and industrial help for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno (3025 N. Chateau Fresno Avenue, Fresno, CA/8008 W. Shields Avenue, Fresno, CA) (APN: 512-120-19S) (Sup. Dist.: 1).

**OWNER/  
APPLICANT:** Chenguang Biotech America, LLC.

**STAFF CONTACT:** Thomas Kobayashi, Planner  
(559) 600-4224

David Randall, Senior Planner  
(559) 600-4052

#### **RECOMMENDATION:**

- Adopt the Mitigated Negative Declaration based on Initial Study (IS) No. 7938; and
- Approve Classified Conditional Use Permit Application No. 3690 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Staff Report and Exhibits Dated October 14, 2021

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 7938 was prepared for the subject application by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate and is included as Exhibit 7 of the attached Exhibit 1 Staff Report and Exhibits Dated October 14, 2021.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: September 2, 2021.

**PUBLIC NOTICE:**

Notices were sent to 16 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

A motion made by the Planning Commission at the October 22, 2020, Planning Commission hearing requested this project be continued to the November 18, 2021 Planning Commission hearing. As the item was continued to a date certain, no new notices were mailed.

**PROCEDURAL CONSIDERATIONS:**

A Classified Conditional Use Permit Application may only be approved only if five 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 Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

This item was originally heard at the October 14, 2021, Planning Commission meeting and was continued by the Planning Commission. The Planning Commission expressed concern of the project site's proximity to existing Central Unified School District school sites. At the request of the Planning Commission, a letter was mailed to the Central Unified School District on October 25, 2021 inviting the Central Unified School District to provide comment on the project and/or attend the public hearing for the continued item.

**PUBLIC COMMENT:**

No members of the public spoke at the October 14, 2020, Planning Commission hearing.

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Classified Conditional Use Permit Application can be made. Staff therefore recommends

approval of Classified Conditional Use Permit Application No. 3690.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7556; and
- Move to determine the required Findings can be made as recommended in the Staff Report and move to approve Classified Conditional Use Permit Application No. 3690, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed as Exhibit 1 in the attached Exhibit 1 Staff Report and Exhibits dated October 14, 2021; 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 Unclassified Conditional Use Permit Application No. 3626; 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 October 14, 2021, Staff Report Exhibit 1.

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# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 October 14, 2021

**SUBJECT:** Initial Study No. 7938 and Classified Conditional Use Permit Application No. 3690

Allow a value-added agricultural facility that will consist of a processing facility for raw agricultural materials including tomato pumice, grape seed, and industrial hemp for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno (3025 N. Chateau Fresno Avenue, Fresno, CA/8008 W. Shields Avenue, Fresno, CA) (APN 512-120-19S) (Sup. Dist. 1).

**OWNER/  
APPLICANT:** Chenguang Biotech America, LLC.

**STAFF CONTACT:** Thomas Kobayashi, Planner  
(559) 600-4224

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration based on Initial Study (IS) No. 7938; and
- Approve Classified Conditional Use Permit Application No. 3690 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 and Detail Drawings
6. Applicant's Operational Statement
7. Summary of Initial Study No. 7938
8. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agricultural	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	38.33 acres	No change
Project Site	N/A	20 acres
Structural Improvements	Existing Agricultural Processing Facility, Single-Family Residence, Residential Accessory Structure (14 Existing Buildings)	Utilization of existing buildings and construction of 7 new structures and related improvements
Nearest Residence	Approximately 320 feet southwest	No change
Surrounding Development	Rural Residential and Agricultural	No change
Operational Features	N/A	Primarily Seasonal Operation (July-September) 24 hours, 7 days a week
Employees	N/A	50 employees
Customers	N/A	Up to 20 visitors, limited to a few times a year
Traffic Trips	N/A	Up to 80 trips a day

Criteria	Existing	Proposed
Lighting	Existing Outdoor Lighting	Outdoor Lighting on proposed structures
Hours of Operation	N/A	Primarily Seasonal Operation (July-September) 24 hours, 7 days a week

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 7938 was prepared for the subject application by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration (Exhibit 8) is appropriate.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: September 2, 2021

**PUBLIC NOTICE:**

Notices were sent to 16 property owners within 1320 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 Application may be approved only if five 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 Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

Review of existing building permit records confirm the existing built environment of the subject parcel. These buildings include an office building, a packing shed, and other related structures for the packing shed. There are no in-process violations on the subject parcel.

The Applicant’s Operational Statement indicates that the subject site along with the discussed improvements is also planted with fig orchards. At the proposed full build-out of the subject facility, the remaining fig orchards are to remain onsite.

Processing of and sale of industrial hemp is regulated by the California Department of Food and Agriculture.

*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	AE-20  Front yard: 35 feet  Side yard: 20 feet  Rear yard: 20 feet	Front yard: 155 feet  Side yard: 61 feet  Rear yard: 53.7 feet	Y
Parking	One parking space for every two employees on site	No change.  Per estimated employee number, 25 spaces required	Y
Lot Coverage	No requirement	No change	Y
Space Between Buildings	No animal or fowl pen, coop, stable, barn or corral shall be located within forty (40) feet of any dwelling or other building used for human habitation	No change	Y
Wall Requirements	No requirement unless pool is present onsite	No change	Y
Septic Replacement Area	100 percent replacement	No change	Y
Water Well Separation	Septic Tank: 100 feet  Disposal Field: 100 feet  Seepage Pit: 150 feet	No change	Y

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Site Plan Review Section of the Department of Public Works and Planning: A Site Plan Review (SPR) is required per Section 855-N.36(5) of the Fresno County Zoning Ordinance to determine necessary on-site and off-site improvements.

Internal access roads shall comply with required widths by the Fire District for emergency apparatus.

A dust palliative should be required on all unpaved parking and circulation areas.

The project shall comply with County parking requirements. A site plan should be submitted showing parking dimension, back-up space, width of isles, turn around radius, etc.

Off-street parking requirements shall be one (1) parking space for every two (2) employees on site, for a total of 25 parking stalls including two (2) ADA stalls. One of which, shall be an ADA van accessible parking stall located as close as possible to the main entrance of the main building.

Parking stalls, including ADA stalls, shall be located near the main office entrance of new proposed development.

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. A four (4) foot path of travel for disabled persons shall be constructed and striped in accordance with state standards.

ADA stalls shall be concrete, or asphalt concrete paved and must be located on the shortest possible route to the main entrance so disabled persons do not cross driveway into parking lot.

Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width as approved by the Road Maintenance and Operations Division. If only the driveway is to be paved, the first 100 feet of the edge of the ultimate right-of-way shall be concrete or asphalt.

Any proposed gate that provides initial access to this site shall be setback from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater.

An proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of a Landscape and Irrigation Plan per Governor's Drought Executive Order of 2015. The Landscape and Irrigation Plan shall be submitted to the Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval prior to the issuance of Building Permits.

All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are expressly prohibited for commercial uses in the AE (Exclusive Agricultural) Zone District.

Outdoor lighting should be hooded and directed away from adjoining streets and properties.

No building or structure erected in the AE-20 Zone District shall exceed 35 feet in height per Section 816.5.D of the Fresno County Zoning Ordinance.

The front yard shall not be less than thirty-five (35 feet from the ultimate right-of-way).

The side yard shall not be less than twenty (20) feet from the ultimate right-of-way.

Development Engineering Section of the Department of Public Works and Planning: According to FEMA FIRM Panels 1540H and 1445H, the parcel is not subject to flooding from the 100-year storm.

Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines, or into County road right-of-way, and must be retained on-site per County Standards.

If the proposed development does not increase the net impervious surface on-site and the existing drainage patterns are not changed, there will be no engineered grading and drainage plan required. However, according to the site plan, additional impervious surface appears to be created and the existing ponding basin is to be removed. Therefore, a grading and drainage

plan and calculations will be required to verify the new drainage pattern and the adequacy of the new ponding basin.

Any proposed wastewater storage pond shall be constructed in accordance with the Design Specifications, Drawings, and Construction Quality Assurance (CQA) Plan approved by the California Regional Water Quality Control Board (CA RWQCB). CA RWQCB should be consulted for their requirements.

Any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards. Stalls should be 18 feet by 9 feet and backing distance must be a minimum of 29 feet for 90-degree parking stalls. Also 5 feet should be provided beyond the last stall in any row to provide for backing. Any proposed handicap accessible parking stalls and curb ramps shall be in compliance with ADA standards and the maximum surface slope within the disabled parking space(s) and adjacent access aisle(s) shall not exceed 2% in any direction.

Any proposed or existing driveway should be set back a minimum of 10 feet from the property line.

For unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative.

Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site, and shall not swing outward.

A grading permit or voucher is required for any grading proposed with this application.

Fresno Irrigation District: The Fresno Irrigation District does not own, operate, or maintain any facilities located on the subject property.

For information purposes, FID's active Silvia No. 47 runs southerly, crossing Shields Avenue approximately 660 feet east of the subject property and Chateau Fresno Avenue approximately 1,500 feet south of the subject property. Should this project include any street and/or utility improvements along Shields Avenue, Chateau Fresno Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

For informational purposes, a private facility known as the Minor-Thornton A No. 459 runs westerly and traverses the northwest corner of the subject property. FID records indicate that this facility is active and should be treated as such.

The above comments provided by reviewing Agencies and Departments will be included as project notes unless stated otherwise. No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

### **Finding 1 Analysis:**

Review of existing building permit records and submitted site plan indicate that existing and proposed buildings comply with applicable development standards of the underlying zone district. Per Section 855-N.36.5, the subject use is also required to submit and receive approval of a Site Plan Review. Through compliance of the applicable development standards and required approval of a Site Plan Review, staff believes that the subject parcel is adequate in size and shape to accommodate the proposed use.

**Recommended Conditions of Approval:**

See recommended Conditions of Approval attached as Exhibit 1.

**Finding 1 Conclusion:**

Finding 1 can be made as the analysis above indicates that the project parcel is adequate in size and shape to accommodate the proposed use.

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	The subject parcel fronts N. Chateau Fresno Avenue and W. Shields Avenue	No change
Direct Access to Public Road	Yes	Access to subject parcel from N. Chateau Fresno Avenue	Additional access point along N. Chateau Fresno Avenue
Road ADT		W. Shields Avenue: 2600 VPD  N. Chateau Fresno Avenue: 300 VPD	160 one-way trips
Road Classification		W. Shields Avenue: Arterial  N. Chateau Fresno Avenue: Local	No change
Road Width		W. Shields Avenue: 50 feet of Right-of-Way  N. Chateau Fresno Avenue: 60 feet of Right-of-Way	No change
Road Surface		Paved asphalt	No change
Traffic Trips		W. Shields Avenue: 2600 VPD  N. Chateau Fresno Avenue: 300 VPD	160 one-way trips
Traffic Impact Study (TIS) Prepared	No	N/A	Based on prepared Trip Generation and Distribution Study, no TIS required
Road Improvements Required		N/A	None required

## **Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:**

Road Maintenance and Operations Division of the Department of Public Works and Planning: Shields Avenue is a County maintained road classified as an Arterial road with an existing 50 feet of road right-of-way and an ultimate right-of-way of 106 feet. Pavement width is 24.3 feet with dirt shoulders, ADT of 2,600 VPD , and PCI of 75.8. Roadway is in fair condition.

Chateau Fresno Avenue is a County maintained road classified as a Local road with an existing 60 feet of road right-of-way and an ultimate right-of-way of 60 feet. No additional right-of-way is required. Pavement width is 23.8 feet with dirt shoulders, ADT is 300 FPD, and a PCI of 51. The roadway is in fair condition.

Shields Avenue currently has 50 feet of road right-of-way. An additional 23 feet of right-of-way along the south frontage of the subject parcel is required to comply with the ultimate right-of-way of Shields Avenue.

Any setbacks for new construction should be based on the ultimate road right-of-way for Shields Avenue.

Driveway approach shall be limited to a maximum of 35 feet per Fresno County Improvement Standards D-3. The use of wide driveways may be acceptable if a high volume of trucks is expected to be used at the proposed facility.

An encroachment permit from the Road Maintenance and Operations Division is required for any work performed in the County road right-of-way.

Development Engineering Section of the Department of Public Works and Planning: Typically, in an arterial classification, if not already present, on-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion, so that vehicles do not back out onto the roadway. Direct access to an arterial road is usually limited to one common point. No new access points are allowed without prior approval, and existing driveways shall be utilized.

The above comments provided by reviewing Agencies and Departments will be included as project notes unless stated otherwise. No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

## **Finding 2 Analysis:**

The subject parcel has already been utilized as a value-added agricultural processing facility. Review of the proposed use would continue the existing use, but as a commercial operation with the processing of agricultural products not originating from the subject parcel. Additional trip generation in the form of accepting agricultural products not originating from the subject parcel will be largest impact resulting from the project. Existing access points from N. Chateau Fresno Avenue and W. Shields Avenue is expected to be utilized. Review of the use in terms of transportation impacts determined that a Traffic Impact Study was not required. Both N. Chateau Fresno Avenue and W. Shields Avenue will be adequate to service the proposed use.

## **Recommended Conditions of Approval:**

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

**Finding 2 Conclusion:**

Finding 2 can be made as the analysis above indicates that the existing roadways and improvements are adequate to accommodate the proposed use.

*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	19.62 acres	Orchard	AE-20	N/A
South	40 acres	Field Crop and Single-Family Residence	AE-20	Approximately 320 feet
East	57.23 acres	Orchard	AE-20	N/A
West	28.73 acres	Vineyard and Single-Family Residence	AE-20	Approximately 821 feet
	9.77 acres	Vineyard and Single-Family Residence		

**Reviewing Agency/Department Comments:**

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. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.

All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous waste.

It is recommended that the Applicant consider having the existing septic tank systems pumped and have the tanks and leach fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.

Should a new sewage disposal system be proposed, it shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.

If any underground storage tank(s) are found during construction, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.

As a measure to protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project,



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 Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor.

Due to the proximity of residential uses and the City Limits of Fresno, consideration should be given to conformance with the Fresno County Noise Ordinance and the Noise Element of the City of Fresno General Plan.

The proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications should require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating construction activities should be limited to daytime hours.

Should the structures have an active rodent or insect infestation, the infestation should be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties.

In the process of remodeling the existing structures, the contractor may encounter asbestos containing construction materials coated with lead-based paints. If asbestos containing materials are encountered, the San Joaquin Valley Air Pollution Control District should be contacted. If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work, the contractor should contact the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, the United State Environmental Protection Agency, Region 9, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service.

Regional Water Quality Control Board: The discharge of process wastewater to land is subject to regulation under individual WDRs or, if eligible, Central Valley Water Board Resolution R5-2020-0002 (Waiver of Waste Discharge Requirements for Small Food Processors, Wineries and Related Agricultural Processors within the Central Valley Region, or Waiver). The Waiver is structured to regulate food processing discharges on a tiered basis, based on the volume of waste discharged to land annually. In accordance with California Water Code Section 13260, if the project proponent proposes to discharge process wastewater to land, the project proponent is required to submit a Report of Waste Discharge (RWD) to apply for WDRs or coverage under the Waiver.

If there is a discharge of process wastewater, the project proponent must also comply with the Basin Plan amendments adopted by the Central Valley Water Board in 2018, which created the new Central Valley-Wide Salt and Nitrate Control Programs. The new program were the result of a collaborative stakeholder initiative, known as Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS). The Salt and Nitrate Control Programs have specific requirements for both existing and new dischargers in the Central Valley. The Project Proponent would need to demonstrate compliance with these programs as part of the Report of Waste Discharge.

The discharge of domestic wastewater is preferably conveyed to a community sewer and wastewater treatment system. Since it appears the discharge of domestic wastewater will be to an existing onsite septic system, the discharge of treated wastewater to land may be regulated by the Central Valley Water Board or Fresno County depending on the treatment method and

discharge volume. Pursuant to the Waste Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs.

All wastewater discharges must comply with the Antidegradation Policy and Tulare Lake Basin Plan. The antidegradation analysis is a mandatory element in the land discharge WDRs permitting process.

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order 2014-0057-DWQ.

State Water Resources Control Board: A Preliminary Technical Report prepared by Quad Knopf Engineering, regarding the project was submitted to the State Water Resources Control Board on June 29, 2021. The State Water Board has reviewed the report and has found the Preliminary Technical Report to be complete. The proposed water system may move forward to submit full permit application materials to the State Water Resources Control Board for permitting of a Public Water System.

San Joaquin Valley Air Pollution Control District: Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT). The project may be subject to District Rule 2010 (Permits required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the project proponent by the District.

The purpose of District Tule 9510 (Indirect Source Review) is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated.

The project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to construction.

The Project may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

North Central Fire Protection District: The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. Prior to received North Central Fire Protection District (NCFPD) conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno, Public Works and Planning for review. The Applicant must deliver a minimum of one set of plans to the NCFPD.

The above comments provide by reviewing Agencies and Departments will be included as project notes unless state otherwise. No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments, including the Agricultural Commission’s Office.

**Analysis:**

Per comments received from the Department of Public Health, Environmental Health Division, the Regional Water Quality Control Board, the State Water Resources Control Board, the San Joaquin Valley Air Pollution Control District, and the North Central Fire Protection District, the project will be subject to additional regulatory requirements. These requirements will include submittal of a Hazardous Materials Business Plan and approval of permits from the San Joaquin Valley Air Pollution Control District. Additional requirements required by the Regional Water Quality Control Board will address proposed operational characteristics of the project to ensure compliance with the State discharge standards. In addition to the listed regulatory requirements, the prepared Initial Study for this project determined that the proposal would not result in significant adverse impacts with the inclusion of a mitigation measure regarding outdoor lighting.

**Recommended Conditions of Approval:**

*See recommended Mitigation Measure Reporting Program attached as Exhibit 1.*

**Finding 3 Conclusion:**

Finding 3 can be made as the analysis above determines that the project as conditioned will not have an adverse effect upon surrounding properties.

*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, special agricultural uses and agriculturally-related activities, including value-added processing facilities and certain non-agricultural uses. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</p> <p>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</p>	<p>The proposed use as reviewed by the Zoning Section indicated that the use is allowed subject to a Conditional Use Permit.</p> <p>Per Criteria “a”, the subject use intends to process agricultural products produced from the subject site and other agricultural products received from other farming operations. In considering the operational characteristics, the proposed use would be more efficient located in agricultural areas as the length of trips associated with receipt of agricultural products would be located closer.</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>in a non-urban area because of unusual site requirements or operational characteristics.</p> <p>Criteria “b”: The use should not be sited on productive agricultural lands if less productive land is available in the vicinity.</p> <p>Criteria “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 (1/4) mile radius.</p> <p>Criteria “d”: A probable workforce should be located nearby or be readily available.</p> <p>Criteria “e”: For proposed agricultural commercial center uses the following additional criteria shall apply:</p> <ol style="list-style-type: none"> <li>1. Commercial uses should be clustered in centers instead of single uses.</li> <li>2. To minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of four (4) miles from any existing or approved agricultural or rural residential commercial center or designated commercial area of any city or unincorporated community.</li> <li>3. New commercial uses should be located within or adjacent to existing centers</li> <li>4. Sites should be located on a major road serving the surrounding area.</li> <li>5. Commercial centers should not encompass more than one-quarter (1/4) mile of road frontage, or one-eighth (1/8) mile if both sides of the road are involved, and should not provide potential for developments exceeding ten (1) separate business activities, exclusive of caretakers’ residences.</li> </ol> <p>Criteria “f”: For proposed value-added agricultural processing facilities, the evaluation under criteria “a” above shall consider the service requirements of the use and the capability and capacity of cities and</p>	<p>For Criteria “b”, portions of the subject parcel are already utilized as an agricultural processing facility. The project intends to expand the facility to accept agricultural produce for processing from other sources. Review of aerials of the subject parcel and reference of the submitted site plan indicate that the expanded use would convert previously farmed land. The remaining land would still be in agricultural production. Based on the existing use and small portion of land in agricultural production, the proposed use and resulting conversion of agricultural producing land would not have a significant impact on available productive agricultural land.</p> <p>Under Criteria “c”, review of operational characteristics in terms of impacts on water resources determined that additional permitting and review with State and local agencies would occur to ensure consistency with State and local requirements for water resources.</p> <p>In regard to Criteria “d”, the subject parcel is located approximately 0.53 miles west of the City of Fresno. It can be assumed that a workforce is available from the City of Fresno.</p> <p>The project is not for a proposed agricultural commercial center, therefore Criteria “e” does not apply.</p> <p>In considering Criteria “f”, as noted, the use shall provide an agricultural processing facility. Proposed services for sewer and water requirements will be subject to additional State and local regulatory requirements for safe development. As noted, this proposed use would allow a value-added agricultural processing facility to be utilized among their agricultural produce source for processing.</p> <p>The project does not propose a church, school, or existing commercial use and is not subject to Criteria “g” or “h”.</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>unincorporated communities to provide the required services.</p> <p>Criteria “g”: For proposed churches and schools, the evaluation under criteria LU-A.3.a shall include consideration of the size of the facility. Such facilities should be no larger than needed to service the surrounding agricultural community.</p> <p>Criteria “h”: When approving a discretionary permit for an existing commercial use, the criteria listed shall apply except for LU0A.3.b, e.2, e.4 and e.5.</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>The Applicant proposes to continue agricultural producing operations on the subject parcel and would be located as a buffer between adjacent properties and the proposed value-added processing facility.</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 agricultural land and that mitigation be required where appropriate.</p>	<p>The prepared Initial Study determined that the conversion of productive agricultural land would be less than significant and not require mitigation.</p>
<p>General Plan Policy PF-A.17: The County shall , prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:</p> <p>Criteria “a”: A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</p> <p>Criteria “b”: A determination of the impact that use of the proposed water supply will</p>	<p>The Water and Natural Resources Division determined that available water supplies for the area are sufficient for the proposed use. A water supply evaluation was not required.</p> <p>The State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB) requires additional permitting for the proposed operation which would be included as Project Notes for the project.</p>

Relevant Policies:	Consistency/Considerations:
<p>have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</p> <p>Criteria “c”: A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that is it economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</p>	

**Reviewing Agency Comments:**

Policy Planning Section of the Department of Public Works and Planning: The subject site is designated Agriculture and not Williamson Act Contracted.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments including the Agricultural Commission’s Office.

**Finding 4 Analysis:**

Review of relevant General Plan Policies above indicate that the project proposal does not conflict with the Fresno County General Plan.

**Recommended Conditions of Approval:**

*None*

**Finding 4 Conclusion:**

Based on the above analysis, the project was found to be consistent with the Fresno County General Plan. Finding 4 can be made.

***Finding 5:*** *That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.*

**Finding 5 Analysis:**

The proposed mitigation measures and conditions of approval were developed based on studies and consultation with specifically qualified staff, consultants, and outside agencies. They were developed to address the specific impacts of the proposed project and were designed to address the public health, safety and welfare. Additional comments and project notes have been included to assist in identifying existing non-discretionary regulations that also apply to the project. The Applicant has signed an acknowledgement agreeing to the proposed mitigation measures and has not advised staff of any specific objection to the proposed conditions of approval.

**Finding 5 Conclusion:**

Based on staff's analysis, the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare. Finding 5 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 Application can be made. Staff therefore recommends approval of Classified Conditional Use Permit Application No. 3690, subject to the recommended Mitigation Measures, Conditions of Approval and Project Notes.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 7938; and
- Move to determine the required Findings can be made as recommended in the Staff Report and move to approve Classified Conditional Use Permit Application No. 3690, 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 Application No. 3690; 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.

TK:  
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**Mitigation Monitoring and Reporting Program  
Initial Study No. 7938  
Classified Conditional Use Permit Application No. 3690  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.	Applicant	Applicant/Department of Public Works and Planning (PW&P)	Ongoing
2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities.
Conditions of Approval					
1.	Development of the property shall be in substantial compliance with the Site Plans, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission.				
2.	Prior to the issuance of building permits, 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.				
3.	There shall be no cultivation of Cannabis (non-industrial hemp strains) on the subject site.				
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document Conditions of Approval reference recommended Conditions for the project.					
Notes					
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>					
1.	The Site Plan Review Section provide the following comments: a. Internal access roads shall comply with required widths by the Fire District for emergency apparatus. b. A dust palliative should be required on all unpaved parking and circulation areas.				



**Notes**

- c. The project shall comply with County parking requirements. A site plan should be submitted showing parking dimension, back-up space, width of isles, turn around radius, etc.
- d. Off-street parking requirements shall be one (1) parking space for every two (2) employees on site, for a total of 25 parking stalls including two (2) ADA stalls. One of which, shall be an ADA van accessible parking stall located as closes as possible to the main entrance of the main building.
- e. Parking stalls, including ADA stalls, shall be located near the main office entrance of new proposed development.
- f. 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. A four (4) foot path of travel for disabled persons shall be constructed and striped in accordance with state standards.
- g. ADA stalls shall be concrete, or asphalt concrete paved and must be located on the shortest possible route to the main entrance so disabled persons do not cross driveway into parking lot.
- h. Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width as approved by the Road Maintenance and Operations Division. If only the driveway is to be paved, the first 100 feet of the edge of the ultimate right-of-way shall be concrete or asphalt.
- i. Any proposed gate that provides initial access to this site shall be setback from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater.
- j. Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of a Landscape and Irrigation Plan per Governor's Drought Executive Order of 2015. The Landscape and Irrigation Plan shall be submitted to the Department of Public Works and Planning, Site Plan Review (SPR) Unit for review and approval prior to the issuance of Building Permits.
- k. All proposed signs require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are expressly prohibited for commercial uses in the AE (Exclusive Agricultural) Zone District.
- l. Outdoor lighting should be hooded and directed away from adjoining streets and properties.
- m. No building or structure erected in the AE-20 Zone District shall exceed 35 feet in height per Section 816.5.D of the Fresno County Zoning Ordinance.
- n. The front yard shall not be less than thirty-five (35 feet from the ultimate right-of-way.
- o. The side yard shall not be less than twenty (20) feet from the ultimate right-of-way.

The Development Engineering Section provide the following comments:

2.

**Notes**

- a. Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines, or into County road right-of-way, and must be retained on-site per County Standards.
- b. If the proposed development does not increase the net impervious surface on-site and the existing drainage patterns are not changed, there will be no engineered grading and drainage plan required. However, according to the site plan, additional impervious surface appears to be created and the existing ponding basin is to be removed. Therefore, a grading and drainage plan and calculations will be required to verify the new drainage pattern and the adequacy of the new ponding basin.
- c. Any proposed wastewater storage pond shall be constructed in accordance with the Design Specifications, Drawings, and Construction Quality Assurance (CQA) Plan approved by the California Regional Water Quality Control Board (CA RWQCB). CA RWQCB should be consulted for their requirements.
- d. Any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards. Stalls should be 18 feet by 9 feet and backing distance must be a minimum of 29 feet for 90-degree parking stalls. Also 5 feet should be provided beyond the last stall in any row to provide for backing. Any proposed handicap accessible parking stalls and curb ramps shall be in compliance with ADA standards and the maximum surface slope within the disabled parking space(s) and adjacent access aisle(s) shall not exceed 2% in any direction.
- e. Any proposed or existing driveway should be set back a minimum of 10 feet from the property line.
- f. For unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative.
- g. Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site, and shall not swing outward.
- h. A grading permit or voucher is required for any grading proposed with this application.
- i. Typically, in an arterial classification, if not already present, on-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion, so that vehicles do not back out onto the roadway. Direct access to an arterial road is usually limited to one common point. No new access points are allowed without prior approval, and existing driveways shall be utilized.

3.

The Fresno Irrigation District provide the following comments:

- a. For informational purposes, FID's active Silvia No. 47 runs southerly, crossing Shields Avenue approximately 660 feet east of the subject property and Chateau Fresno Avenue approximately 1,500 feet south of the subject property. Should this project include any street and/or utility improvements along Shields Avenue, Chateau Fresno Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

- b. For informational purposes, a private facility known as the Minor-Thornton A No. 459 runs westerly and traverses the northwest corner of the subject property. FID records indicate that this facility is active and should be treated as such.

4.

The Road Maintenance and Operations Division provide the following comments:

- a. Shields Avenue is a County maintained road classified as an Arterial road with an existing 50 feet of road right-of-way

**Notes**

and an ultimate right-of-way of 106 feet. Pavement width is 24.3 feet with dirt shoulders, ADT of 2,600 VPD , and PCI of 75.8. Roadway is in fair condition.

- b. Chateau Fresno Avenue is a County maintained road classified as a Local road with an existing 60 feet of road right-of-way and an ultimate right-of-way of 60 feet. No additional right-of-way is required. Pavement width is 23.8 feet with dirt shoulders, ADT is 300 FPD, and a PCI of 51. The roadway is in fair condition.
- c. Shields Avenue currently has 50 feet of road right-of-way. An additional 23 feet of right-of-way along the south frontage of the subject parcel is required to comply with the ultimate right-of-way of Shields Avenue.
- d. Any setbacks for new construction should be based on the ultimate road right-of-way for Shields Avenue.
- e. Driveway approach shall be limited to a maximum of 35 feet per Fresno County Improvement Standards D-3. The use of wide driveways may be acceptable if a high volume of trucks is expected to be used at the proposed facility.
- f. An encroachment permit from the Road Maintenance and Operations Division is required for any work performed in the County road right-of-way.

5.

The Department of Public Health, Environmental Health Division provide the following comments:

- a. 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. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
- b. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous waste.
- c. It is recommended that the Applicant consider having the existing septic tank systems pumped and have the tanks and leach fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.
- d. Should a new sewage disposal system be proposed, it shall be installed under permit and inspection by the Department of Public Works and Planning, Building and Safety Section.
- e. If any underground storage tank(s) are found during construction, the Applicant shall apply for and secure and Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.
- f. As a measure to protect ground water, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, 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

**Notes**

destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor.

- g. The proposed project may result in significant short-term localized noise impacts due to construction equipment use. Construction specifications should require that all construction equipment be maintained according to manufacturers' specifications, and that noise-generating construction equipment be equipped with mufflers. Noise-generating construction activities should be limited to daytime hours.
- h. State of California and local authority permitting and licensing for industrial hemp processing is required.
- i. Should the structures have an active rodent or insect infestation, the infestation should be abated prior to remodel of the structure in order to prevent the spread of vectors to adjacent properties.
- j. In the process of remodeling the existing structures, the contractor may encounter asbestos containing construction materials coated with lead-based paints. If asbestos containing materials are encountered, the San Joaquin Valley Air Pollution Control District should be contacted. If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work, the contractor should contact the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, the United State Environmental Protection Agency, Region 9, and the State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service.

6.

The Regional Water Quality Control Board provide the following comments:

- a. The discharge of process wastewater to land is subject to regulation under individual WDRs or, if eligible, Central Valley Water Board Resolution R5-2020-0002 (Waiver of Waste Discharge Requirements for Small Food Processors, Wineries and Related Agricultural Processors within the Central Valley Region, or Waiver). The Waiver is structured to regulate food processing discharges on a tiered basis, based on the volume of waste discharged to land annually. In accordance with California Water Code Section 13260, if the project proponent proposes to discharge process wastewater to land, the project proponent is required to submit a Report of Waste Discharge (RWD) to apply for WDRs or coverage under the Waiver.
- b. If there is a discharge of process wastewater, the project proponent must also comply with the Basin Plan amendments adopted by the Central Valley Water Board in 2018, which created the new Central Valley-Wide Salt and Nitrate Control Programs. The new program were the result of a collaborative stakeholder initiative, known as Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS). The Salt and Nitrate Control Programs have specific requirements for both existing and new dischargers in the Central Valley. The Project Proponent would need to demonstrate compliance with these programs as part of the Report of Waste Discharge.
- c. The discharge of domestic wastewater is preferably conveyed to a community sewer and wastewater treatment system. Since it appears the discharge of domestic wastewater will be to an existing onsite septic system, the discharge of treated wastewater to land may be regulated by the Central Valley Water Board or Fresno County depending on the treatment method and discharge volume. Pursuant to the Waste Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs.



Notes	
	<p>d. All wastewater discharges must comply with the Antidegradation Policy and Tulare Lake Basin Plan. The antidegradation analysis is a mandatory element in the land discharge WDRs permitting process.</p> <p>e. Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order 2014-0057-DWQ.</p>
7.	<p>A Preliminary Technical Report prepared by Quad Knopf Engineering, regarding the project was submitted to the State Water Resources Control Board on June 29, 2021. The State Water Board has reviewed the report and has found the Preliminary Technical Report to be complete. The proposed water system may move forward to submit full permit application materials to the State Water Resources Control Board for permitting of a Public Water System.</p>
8.	<p>The San Joaquin Valley Air Pollution Control District provide the following comments:</p> <p>a. Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT). The project may be subject to District Rule 2010 (Permits required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the project proponent by the District.</p> <p>b. The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.</p> <p>c. In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated.</p> <p>d. The project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to construction.</p> <p>e. The Project may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).</p>
9.	<p>The project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. Prior to received North Central Fire Protection District (NCFPD) conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno, Public Works and Planning for review. The Applicant must deliver a minimum of one set of plans to the NCFPD.</p>











# EXISTING LAND USE MAP

CUP 3690



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

**LEGEND:**

Subject Property

Ag Contract Land



Department of Public Works and Planning  
Development Services Division



# EXHIBIT 5

Project Information
Applicant: CHENGLANG BIOTECH AMERICA, LLC N. CHATEAU AVE. FRESNO, CA.
Address: 8008 W. SHIELDS AVE. FRESNO, CA. 93722
A.P.N.: 510-120-195
Site Area: AREA = 38.33 AC / 1,668,654 sq. ft. EXISTING ZONE: AE20 - EXCLUSIVE AG. EXISTING USE: OLD PACKING HOUSE PROPOSED USE: INDUSTRIAL HEMP - EXTRACTION AND DISTRIBUTION AS WELL AS AGRICULTURE CULTIVATION OF EXISTING ORCHARD AND THE PROCESSING & DISTRIBUTION OF THOSE PRODUCTS

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# Chengyang Biotech American

8008 West Shields Ave  
Fresno, CA 93722



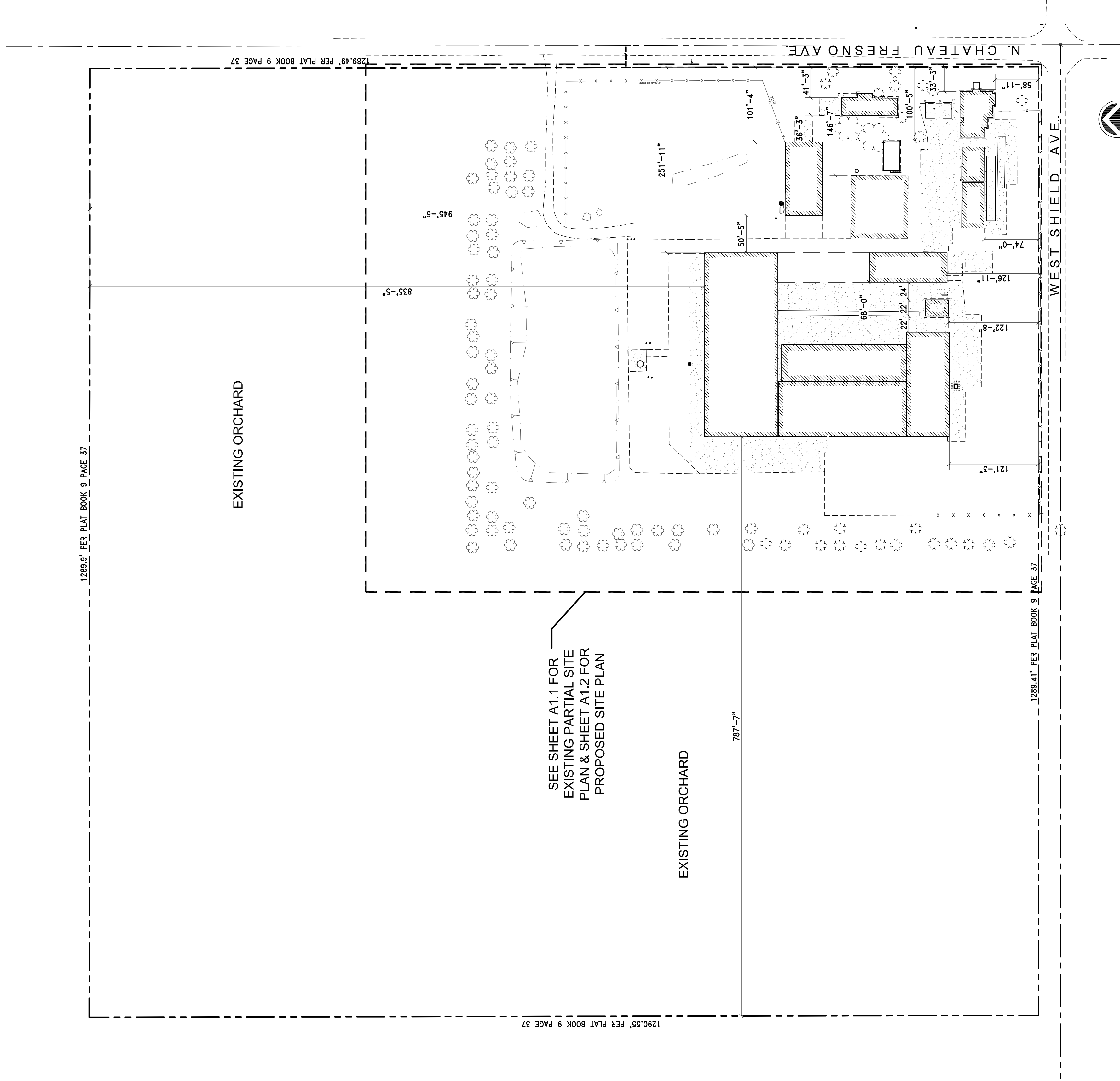
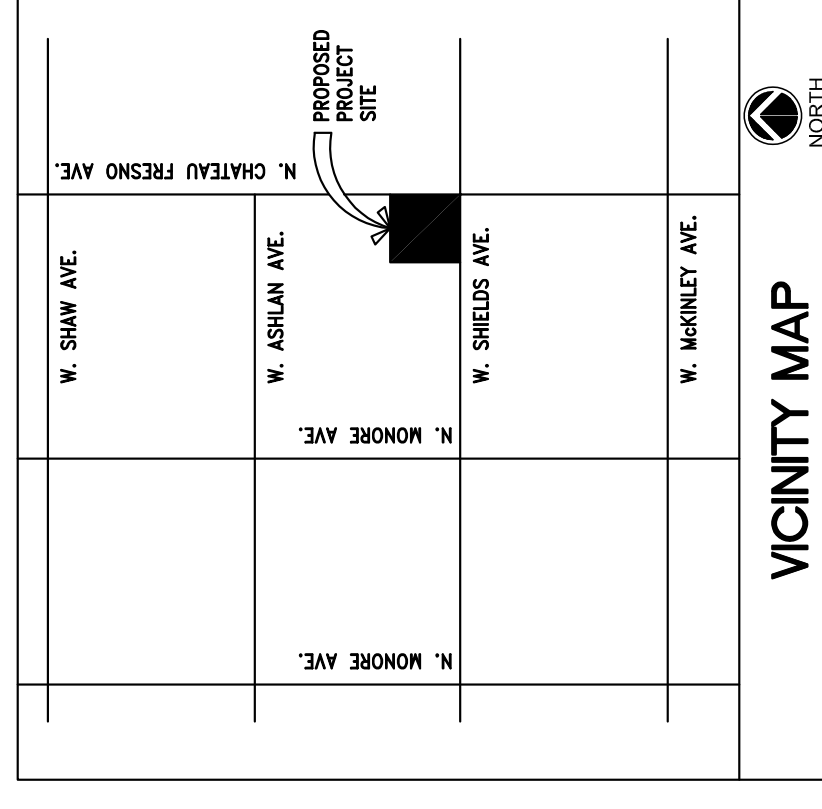
Date: 09.11.2020  
Drawn By: Susan Jones  
Project # 20038

Overall Site  
Plan

Revisions  
X

SHEET No.

A1.0



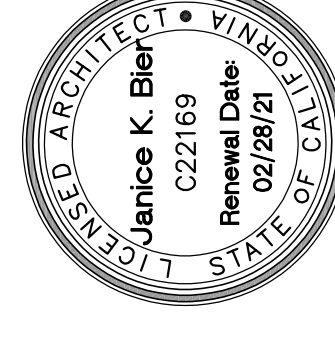
SEE SHEET A1.1 FOR  
EXISTING PARTIAL SITE  
PLAN & SHEET A1.2 FOR  
PROPOSED SITE PLAN

EXISTING ORCHARD

EXISTING ORCHARD

OVERALL SITE PLAN

1"=80'-0"



Date: 09.11.2020  
Drawn By: Susan Jones  
Project # 20038

Existing Site  
Plan

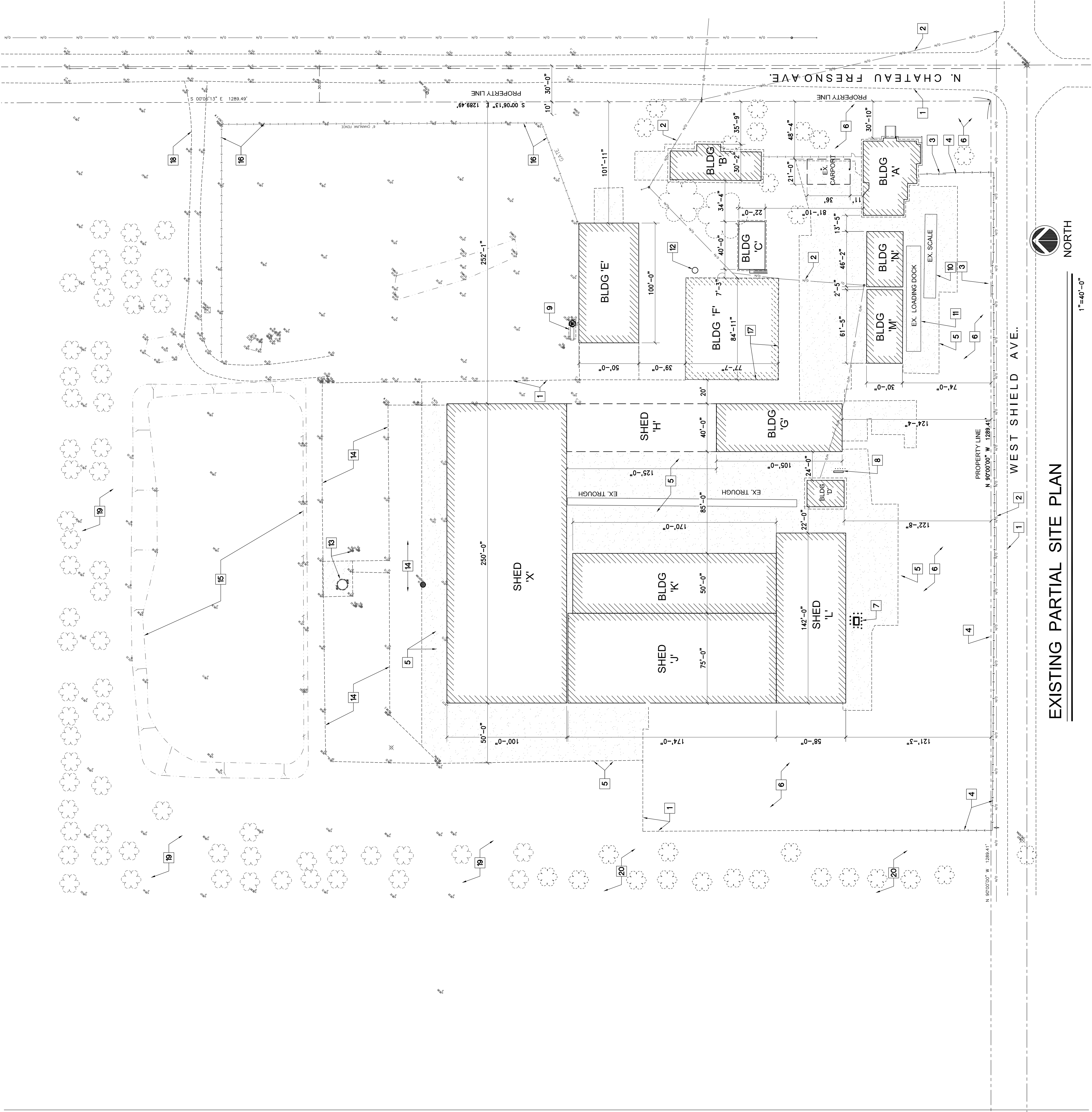
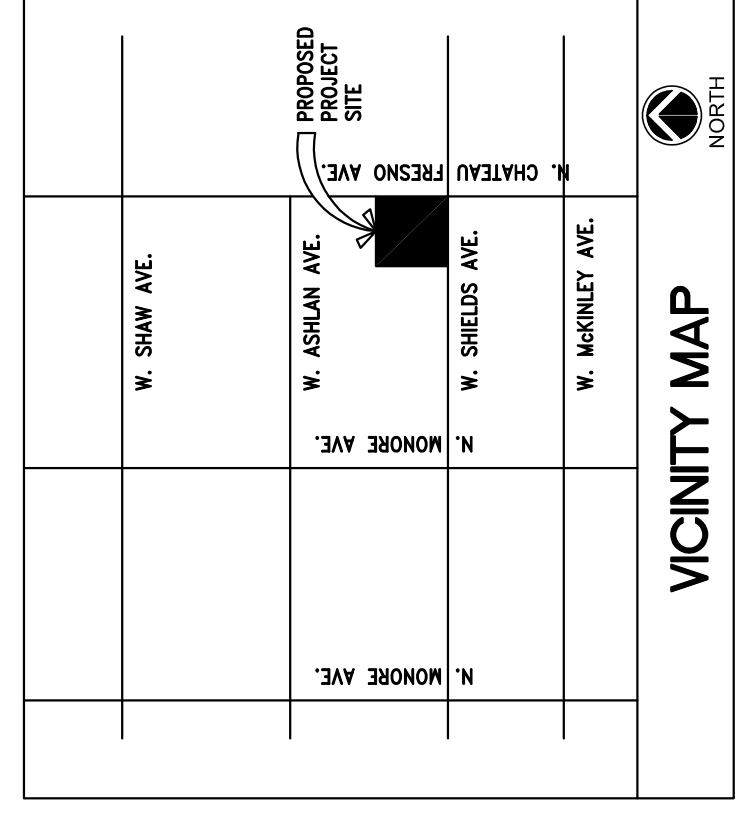
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**A1.1**

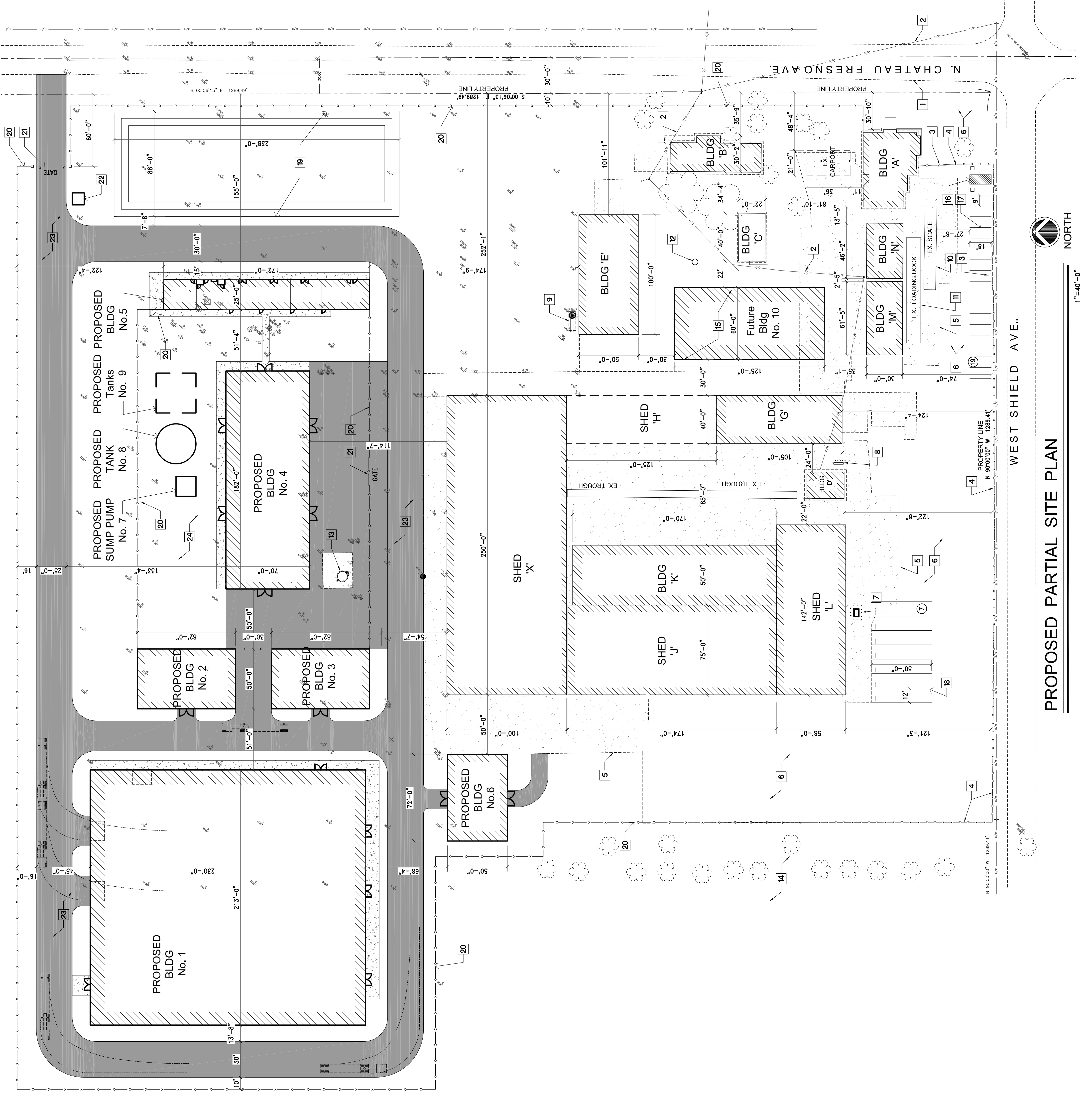
Project Information	
Applicant:	CHENGUANG BIOTECH AMERICA, LLC N. CHATEAU AVE. FRESNO, CA.
Address:	8008 W. SHIELDS AVE. FRESNO, CA. 93612
A.P.N.:	510-120-185
Site Area:	AREA = 38.33 AC / 1,669,854 sq. ft. EXISTING ZONE: AE20 - EXCLUSIVE AG. EXISTING USE: OLD PACKING HOUSE PROPOSED USE: INDUSTRIAL HEMP, EXTRACTION AND DISTRIBUTION AS WELL AS AGRICULTURE, CULTIVATION OF EXISTING ORCHARD AND THE PROCESSING & DISTRIBUTION OF THOSE PRODUCTS

No.	Description
1	EXISTING EDGE OF PAVEMENT
2	EXISTING OVERHEAD ELECTRICAL
3	EXISTING CHAIN LINK ROLLING GATE
4	EXISTING 7' HIGH CYCLONE WIRE FENCE REPAIR AS NEEDED
5	EXISTING CONCRETE PAVING TO BE PATCHED AND REPAIRED AS NEEDED
6	EXISTING ASPHALT PAVING TO BE PATCHED AND REPAIRED AS NEEDED
7	EXISTING P&E TRANSFORMER ON CONC. PAD WITH BOLLARDS
8	EXISTING GAS METERS
9	EXISTING PROPANE TANK
10	EXISTING TRUCK SCALE
11	EXISTING LOADING DOCK
12	EXISTING WELL
13	EXISTING SUMP PUMP WITH PORTION OF PAVED CONCRETE & BOLLARDS TO REMAIN
14	EXISTING PORTION OF PAVED CONCRETE TO BE REMOVED
15	EXISTING CATCH BASIN TO BE REMOVED
16	EXISTING PORTION OF CYCLONE WIRE FENCE AND GATE TO BE REMOVED
17	EXISTING BUILDING TO BE DEMOLISHED
18	EXISTING DIRT ROAD TO BE REMOVED
19	EXISTING PORTION ORCHARDS SHOWING PORTION OF TREES TO BE REMOVED
20	EXISTING PORTION ORCHARD TO REMAIN

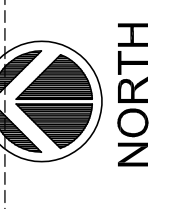
No.	DESCRIPTION	BLDG. AREA	OCCUP. TYPE
A	EXISTING 1 STORY OFFICE BUILDING	2,565sf	B
B	EXISTING 1 STORY RESIDENCE	1,939sf	R-1
C	EXISTING TWO STORY RESIDENCE BUILDING (2CAR GARAGE 1ST FLR)	880sf	R-1
D	EXISTING 1 STORY LAB & RESTROOMS	682sf	B
E	EXISTING ONE STORY PRE-FAB METAL BUILDING TO BE USED AS STORAGE	880sf	S-1
F	EXISTING ONE STORY PROCESSING & PACKING PLANT TO BE DEMOLISHED	6,593sf	F-1
G	EXISTING ONE STORY COLD STORAGE BUILDING TO BE USED AS PACKING	4,200sf	F-1
H	EXISTING PRE-FAB METAL SHED STORAGE	5,000sf	S-1
X	EXISTING PRE-FAB METAL SHED FRUIT STORAGE AREA	25,000sf	S-1
J	EXISTING PRE-FAB METAL SHED STORAGE AREA	13,050sf	S-1
K	EXISTING 2 STORY DEHYDRATION BUILDING TO BE USED AS STORAGE	8,500sf	S-1
L	EXISTING PRE-FAB METAL SHED FRUIT TO BE USED AS STORAGE AREA	8,236sf	S-1
M	EXISTING SULFUR BUILDING TO BE USED AS STORAGE AREA	1,844sf	S-1
N	EXISTING COLD STORAGE BUILDING TO BE USED AS STORAGE	1,400sf	S-1







PROPOSED PARTIAL SITE PLAN



NORTH

1"=40'-0"

**Ex. Building Legend**

No.	DESCRIPTION	BLDG AREA	OCCUP. TYPE
A	EXISTING 1STORY OFFICE BUILDING	2,565sf	B
B	EXISTING 1 STORY RESIDENCE	1,939sf	R-1
C	EXISTING TWO STORY RESIDENCE BUILDING (2CAR GARAGE 1ST FLR)	880sf	R-1
D	EXISTING 1 STORY LAB & RESTROOMS	682sf	B
E	EXISTING ONE STORY PRE-FAB METAL BUILDING TO BE USED AS STORAGE	880sf	S-1
F	EXISTING ONE STORY BLDG DEMOLISHED	6,933sf	F-1
G	EXISTING ONE STORY COLD STORAGE BUILDING TO BE USED AS PACKING	4,200sf	F-1
H	EXISTING PRE-FAB METAL SHED STORAGE	5,000sf	S-1
X	EXISTING PRE-FAB METAL SHED FRUIT STORAGE AREA	25,000sf	S-1
J	EXISTING PRE-FAB METAL SHED STORAGE AREA	13,050sf	S-1
K	EXISTING 2 STORY DEHYDRATION BUILDING, TO BE USED AS STORAGE	8,500sf	S-1
L	EXISTING PRE-FAB METAL SHED FRUIT STORAGE AREA	8,236sf	S-1
M	EXISTING SULFUR BUILDING TO BE USED AS STORAGE AREA	1,844sf	S-1
N	EXISTING COLD STORAGE BUILDING TO BE USED AS STORAGE	1,400sf	S-1

**New Building Legend**

No.	DESCRIPTION	BLDG AREA	OCCUP. TYPE
1	1 STORY DRYING PLANT AREA	48,990sf	F-1
2	1 STORY PRODUCTS STORAGE	4,100sf	S-1
3	1 STORY PELLET STORAGE	4,100sf	S-1
4	1 STORY EXTRACTION PLANT AREA	12,740sf	F-1
5	1 STORY EXTRACTION PLANT OFFICE MIXED USES 1a. BREAK ROOM 1b. RESTROOMS 1c. GENERATOR ROOM 1d. HIGH VOLTAGE ELECT. RM 1e. EQUIPMENT ROOM	4,300sf	B
6	1 STORY BOILER	3,600sf	U
7	SUMP PUMP		
8	COOLING TOWER / FIRE TANK		
9	UNDERGROUND SOLVENT TANKS		
10	FUTURE STORAGE BUILDING	7,500sf	S-1

**Proposed Site Keynotes**

No.	Description
1	EXISTING EDGE OF PAVEMENT
2	EXISTING OVERHEAD ELECTRICAL TO REMAIN
3	EXISTING CHAIN LINK ROLLING GATE TO REMAIN
4	EXISTING 7" HIGH CYCLONE WIRE FENCE TO REMAIN REPAIRED AS NEEDED
5	EXISTING ASPHALT PAVING TO BE PATCHED AND REPAIRED AS NEEDED
6	EXISTING P&E TRANSFORMER ON CONC. PAD WITH BOLLARDS TO REMAIN
7	EXISTING GAS METERS TO REMAIN
8	EXISTING PROPANE TANK TO REMAIN
9	EXISTING TRUCK SCALE TO REMAIN
10	EXISTING TRUCK SCALE TO REMAIN
11	EXISTING LOADING DOCK TO REMAIN
12	EXISTING WELL TO REMAIN
13	EXISTING SUMP PUMP WITH PORTION OF PAVED CONCRETE TO REMAIN
14	EXISTING PORTION OF TREES FROM ORCHARD TO BE REMAIN
15	NEW FUTURE STORAGE BLDG
16	NEW ACCESSIBLE PARKING STALL WITH STRIPING, SINGAGE, LOADING ZONE
17	NEW EMPLOYEE PARKING STALLS WITH CONCRETE WHEEL STOPS
18	TRUCK PARKING STALLS
19	NEW CATCH BASIN
20	NEW PERIMETER FENCING 7 FEET HIGH
21	NEW VEHICULAR SLIDING GATE
22	NEW SECURITY GUARD BLDG
23	NEW ASPHALT PAVED ROAD
24	NEW LANDSCAPE AREA
25	NEW FENCE GATE

**Project Information**

Applicant: CHENGUANG BIOTECH AMERICA, LLC  
N. CHATEAU AVE. FRESNO, CA

Address: 8008 W. SHIELDS AVE.  
FRESNO, CA 93722

A.P.N.: 510-120-195

Site Area:  
AREA = 38.33 AC / 1,669,654 sq. ft.  
EXISTING ZONE: AE20 - EXCLUSIVE AG.

EXISTING USE: OLD PACKING HOUSE  
PROPOSED USE: INDUSTRIAL HELP, EXTRACTION AND DISTRIBUTION AS WELL AS AGRICULTURE CULTIVATION OF EXISTING ORCHARD AND THE PROCESSING & DISTRIBUTION OF THOSE PRODUCTS

PARKING PROVIDED:  
STANDARD STALLS = 17 STALLS  
ACCESSIBLE STALLS = 2 STALLS  
TOTAL PARKING = 19 STALLS  
PLUS TRUCK PARKING = 7 STALLS

**SJA** Design Group

1915 Carolinas Ave.  
Clovis CA 93611  
PH: 559, 593.9692

**Chenguang Biotech American**  
8008 West Shields Ave  
Fresno, CA 93722



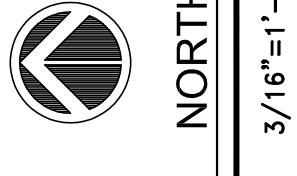
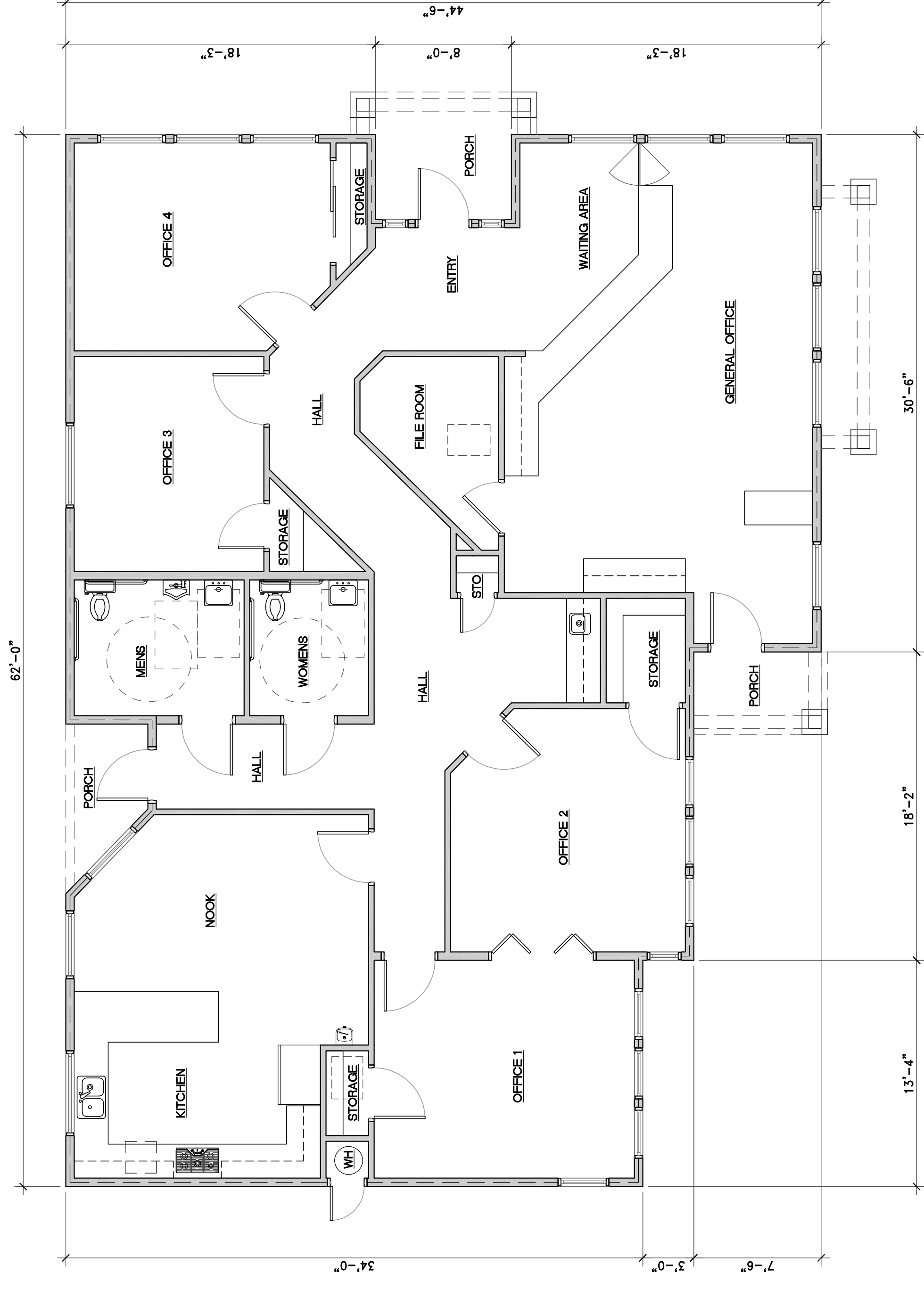
Date: 09.11.2020  
Drawn By: Susan Jones  
Project # 20038

Proposed Site Plan

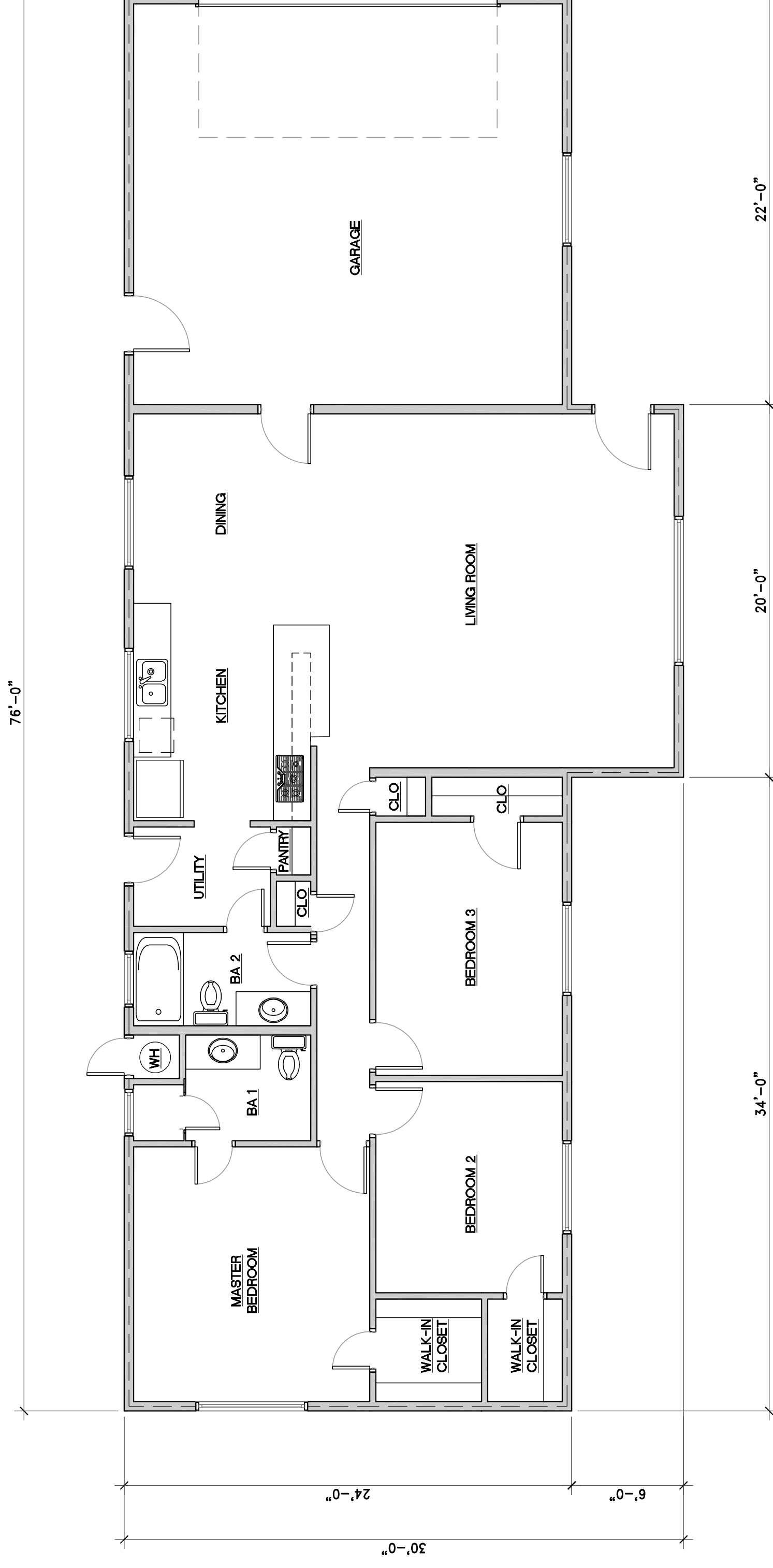
Revisions  
△ X

VICINITY MAP

SHEET No.  
**A1.2**



**FLOOR PLAN- EXISTING OFFICE (Building 'A')**



**FLOOR PLAN- EXISTING RESIDENCE (Building 'B')**



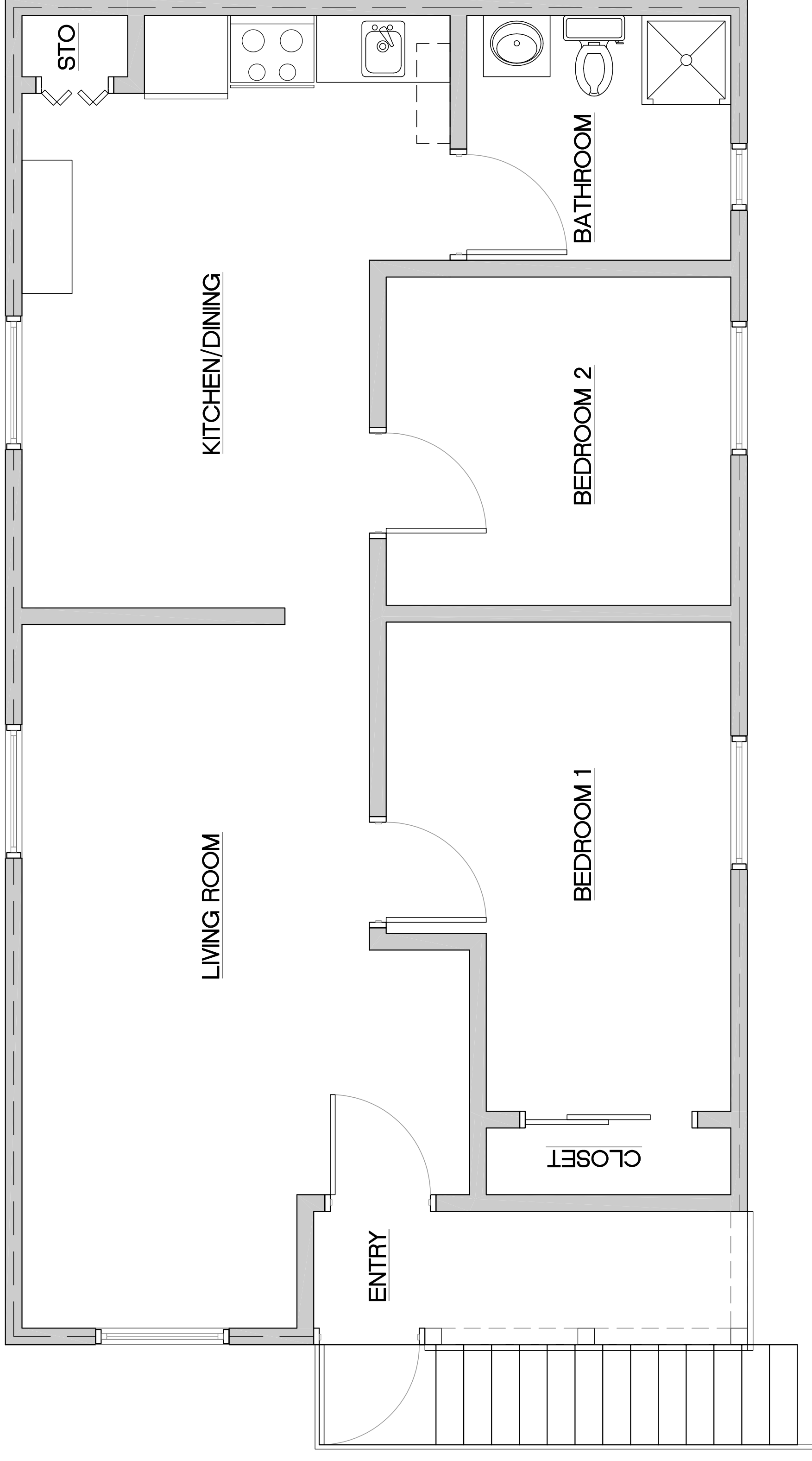
Date: 09.11.2020  
Drawn By: Susan Jones  
Project # 20038

**Floor Plan-  
Ex. RR / Lab &  
Residence 2**

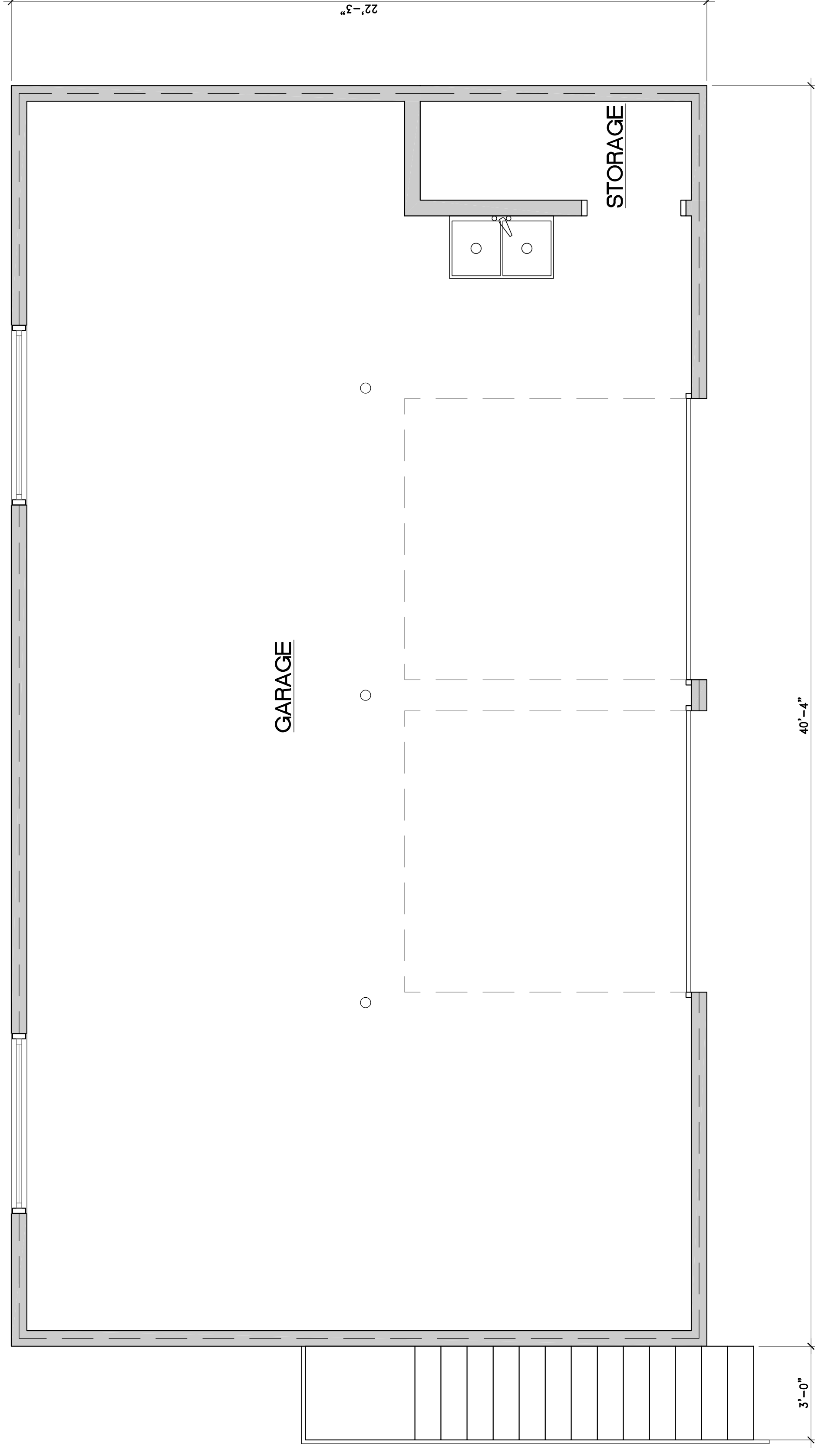
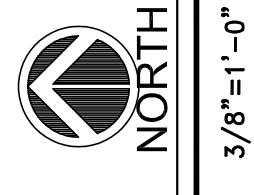
Revisions  
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SHEET No.

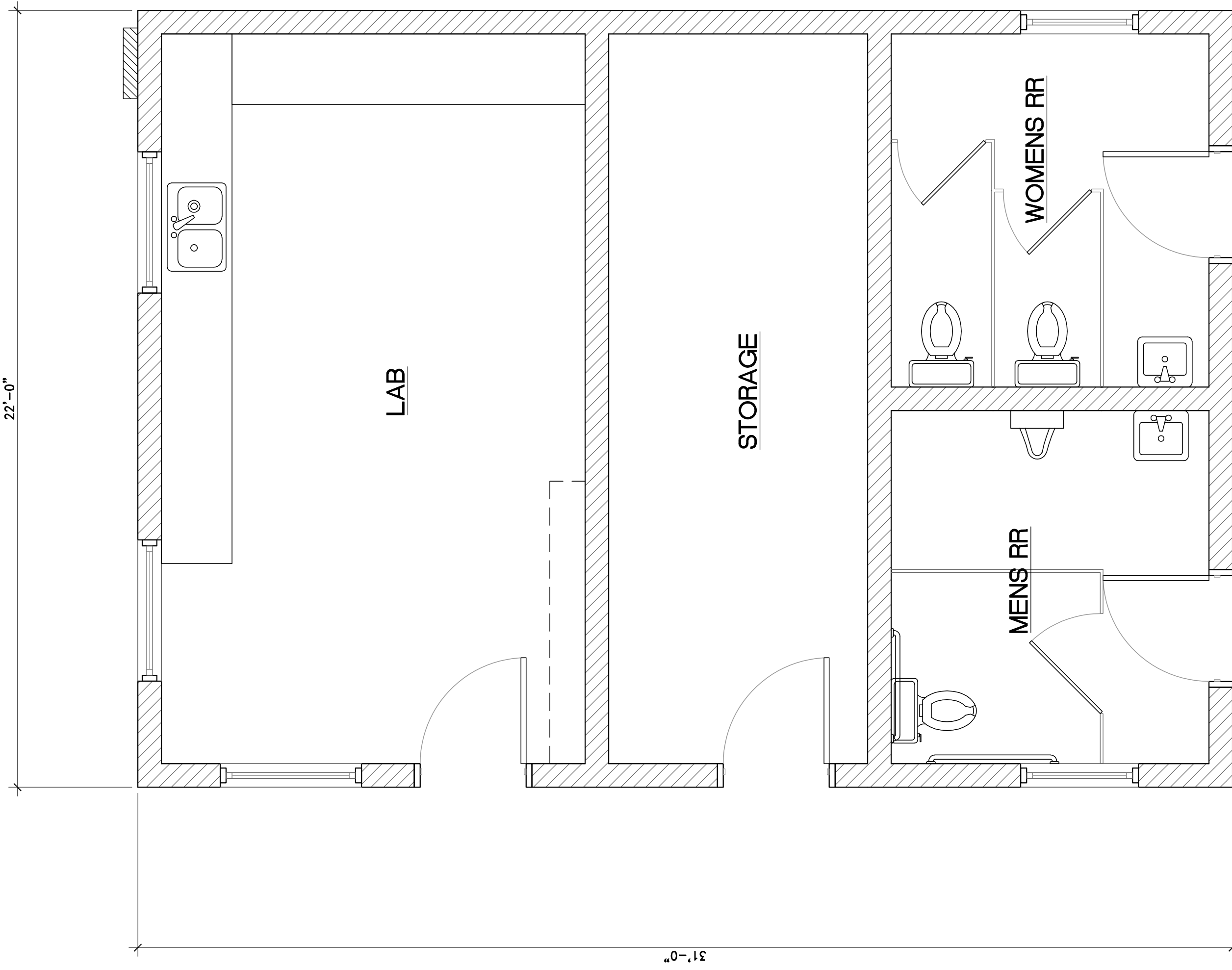
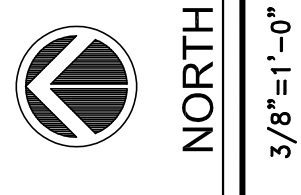
**A2.1**



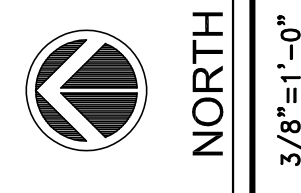
EXISTING RESIDENCE 2- 2ND FLOOR (Building 'C')



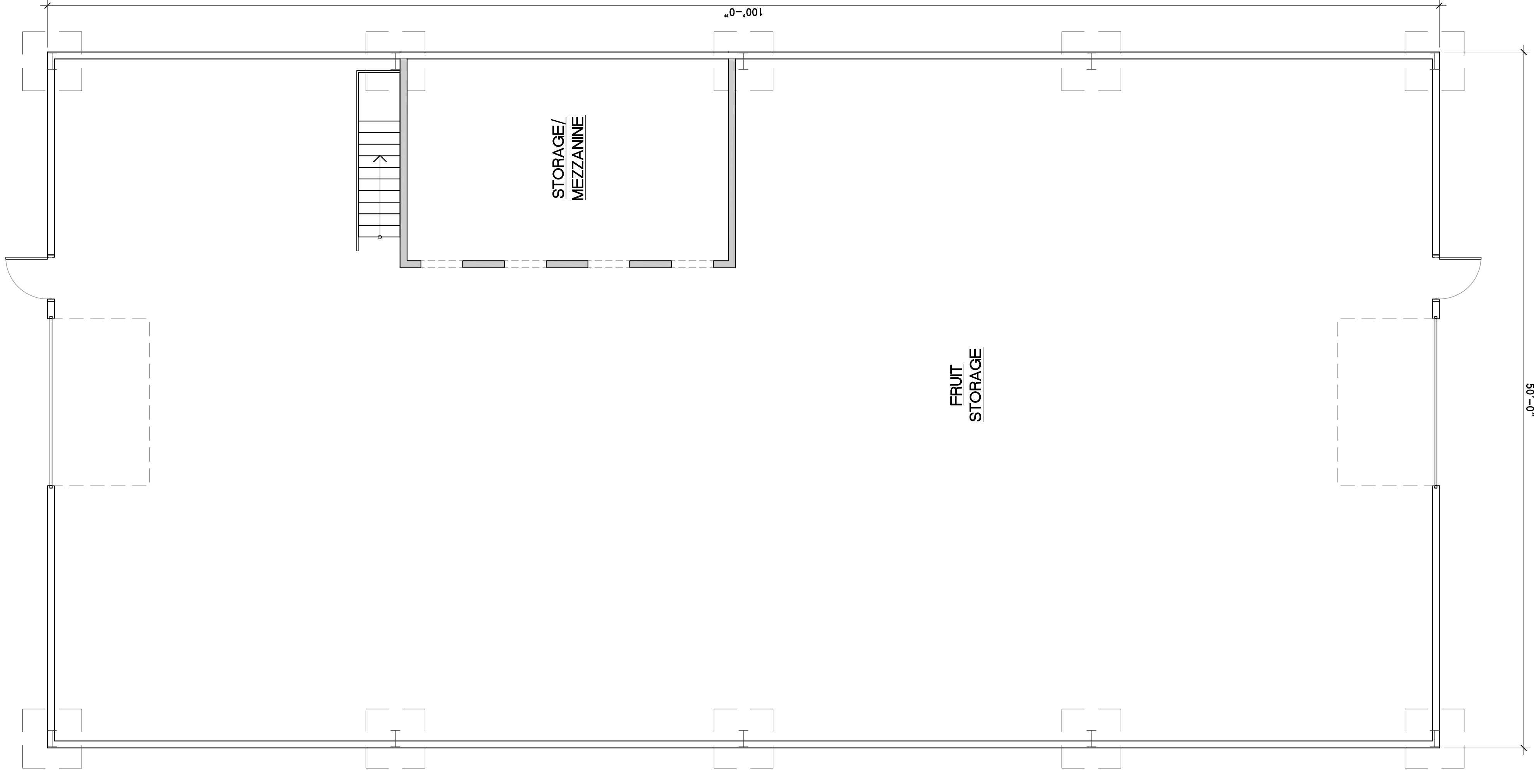
EXISTING RESIDENCE 2- 1ST FLOOR (Building 'C')



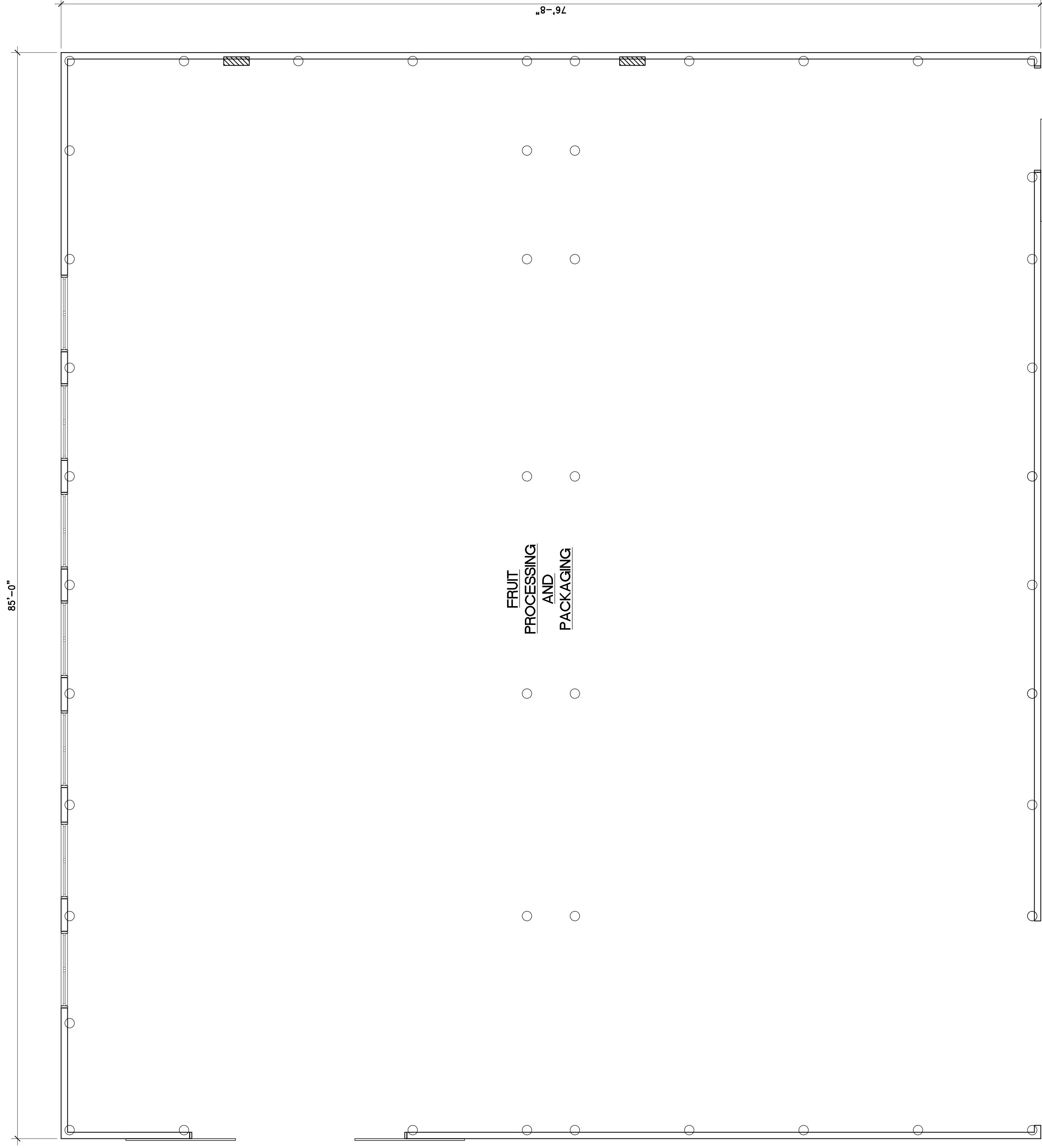
EXISTING RR & Lab (Building 'D')



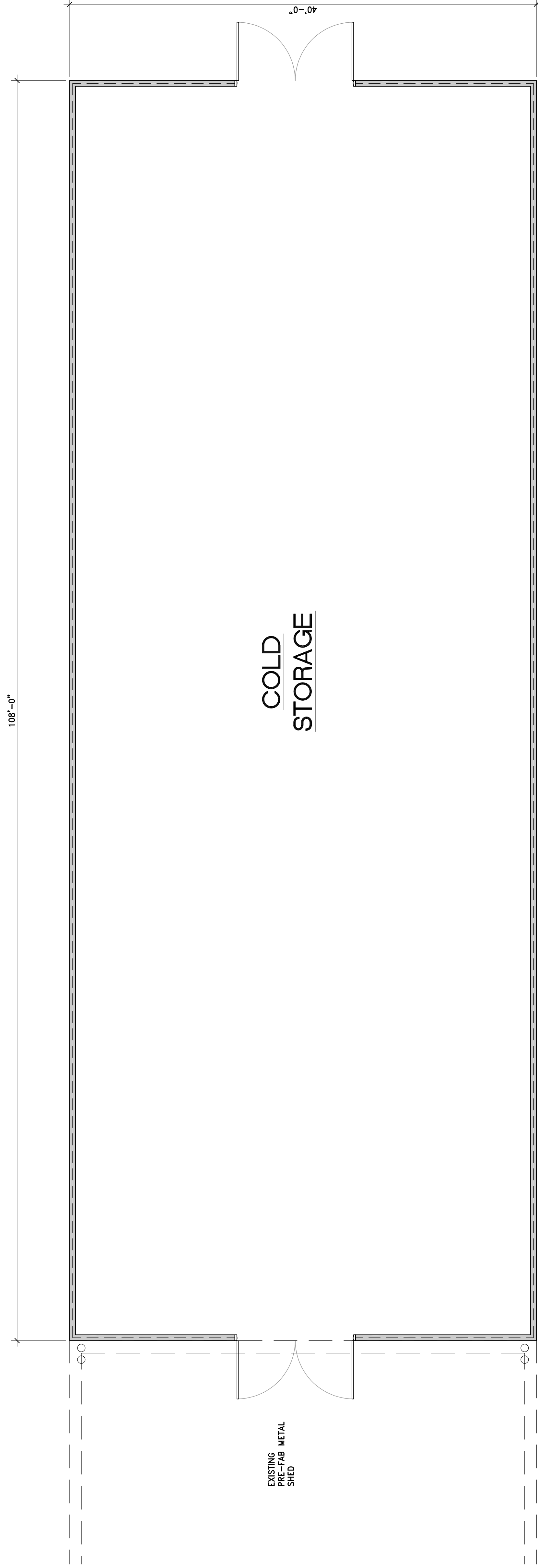
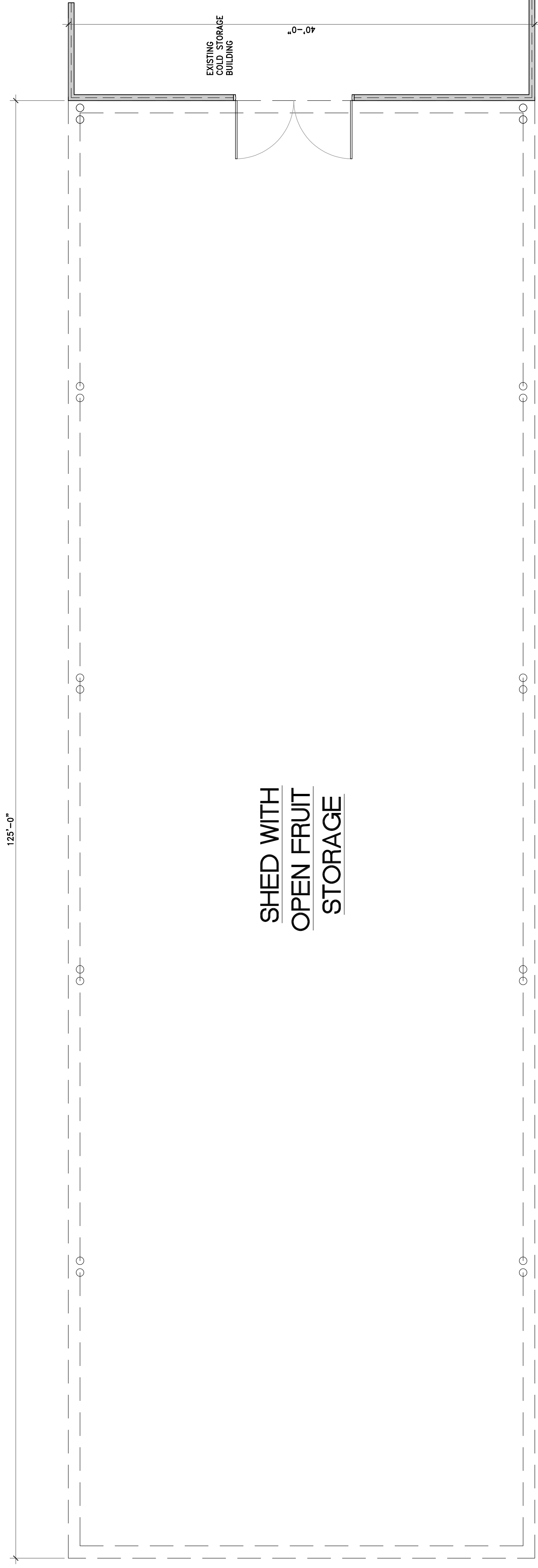




**FLOOR PLAN- EXISTING FRUIT STORAGE (Building 'E')**  
NORTH  
3/16"=1'-0"



**FLOOR PLAN- EXISTING PROCESSING AND PACKAGING PLANT (Building 'F')**  
NORTH  
3/16"=1'-0"





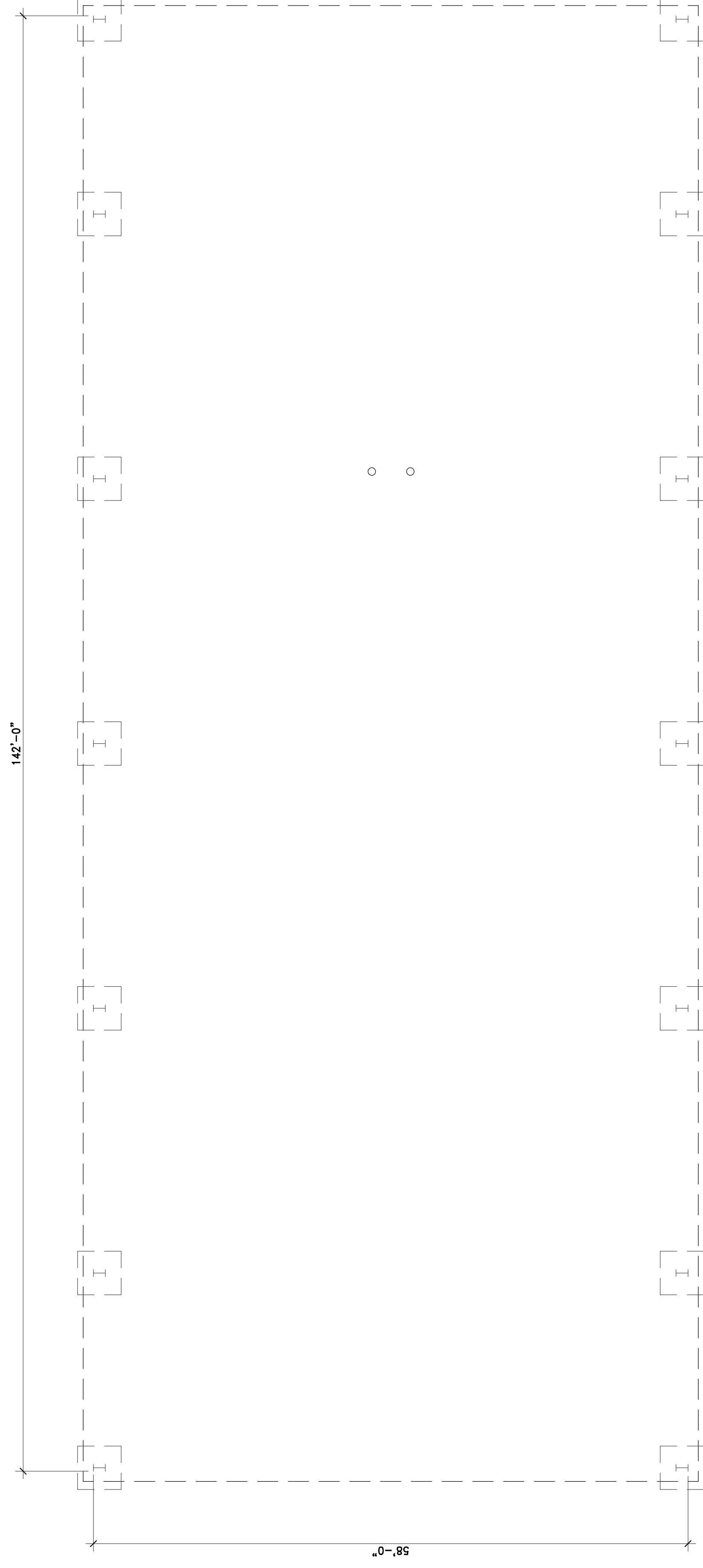
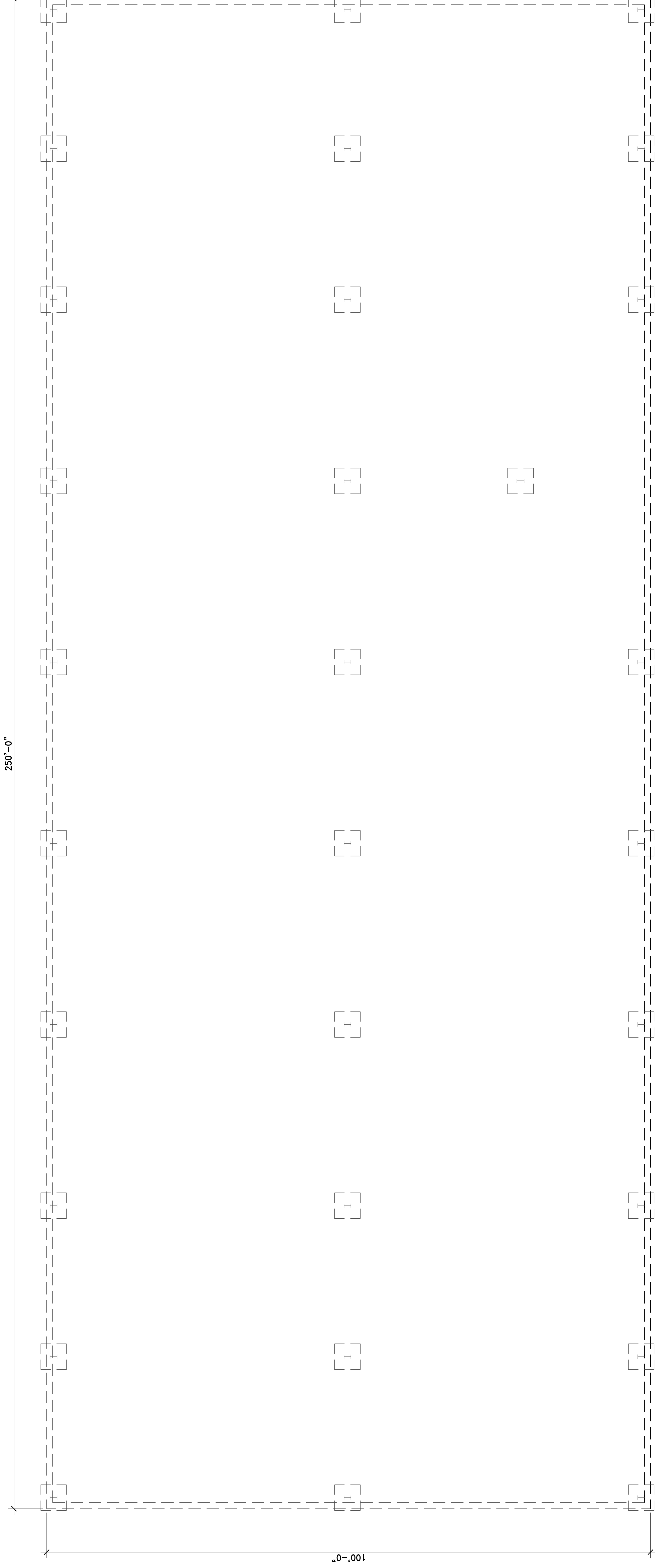
Date: 09.11.2020  
Drawn By: Susan Jones  
Project # 20038

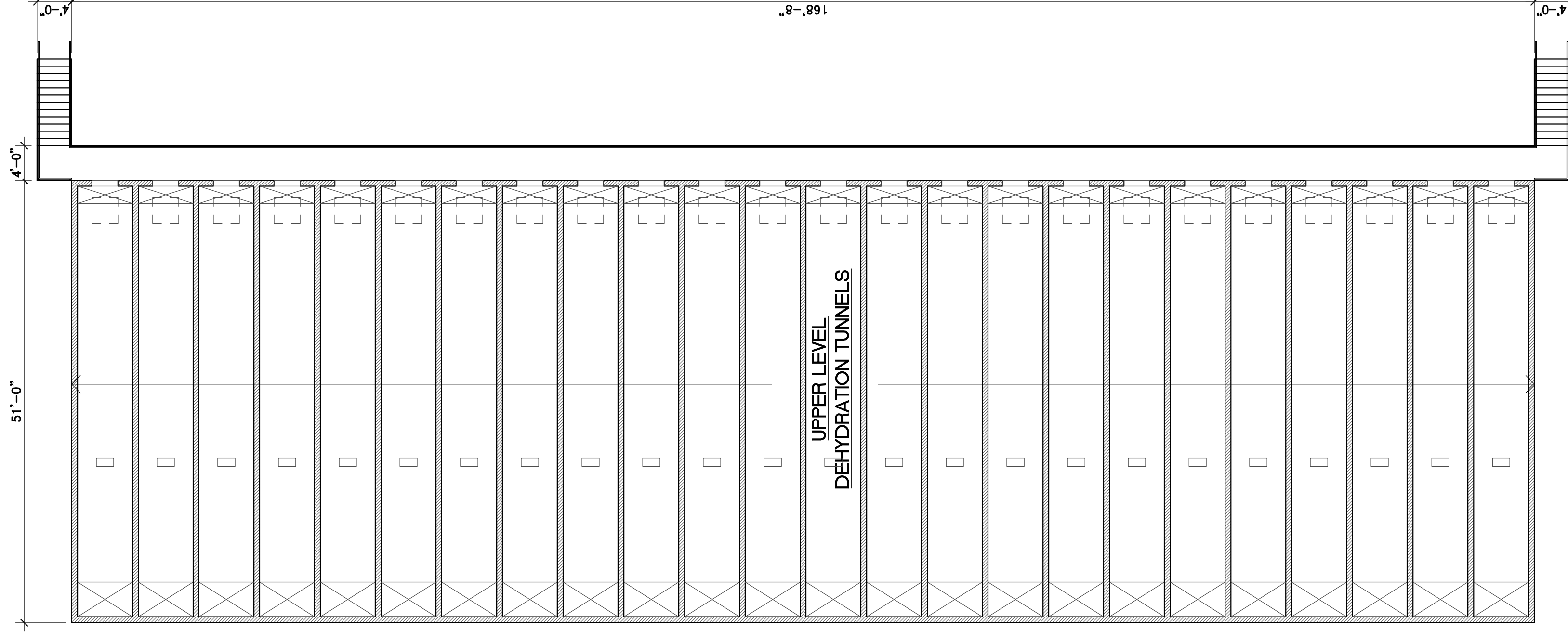
**Floor Plan-  
Ex. Fruit Storage  
& Processing  
Plant**

Revisions  
X

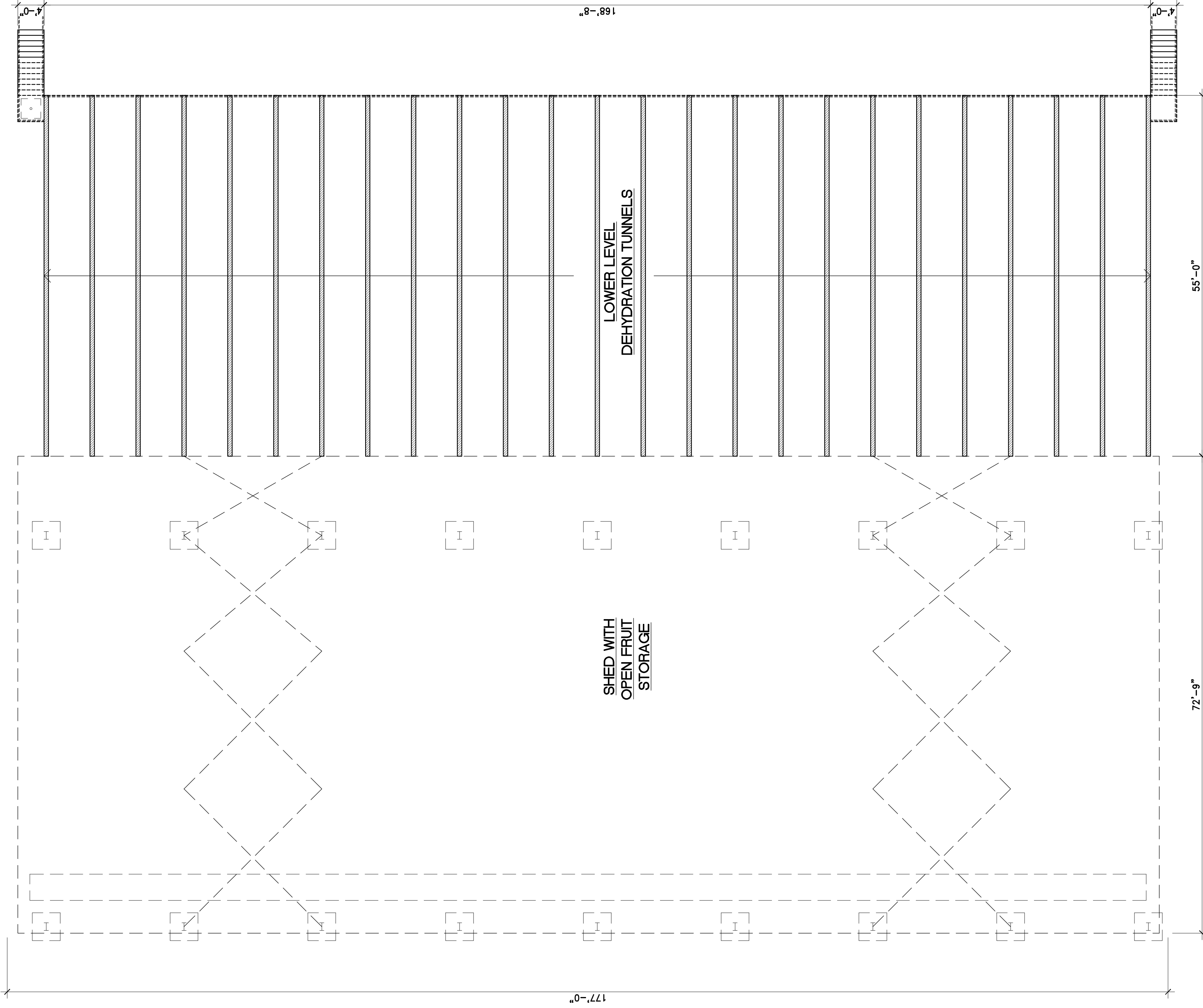
SHEET No.

**A2.4**

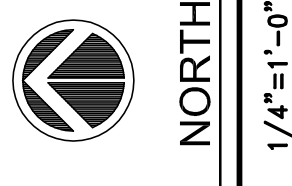
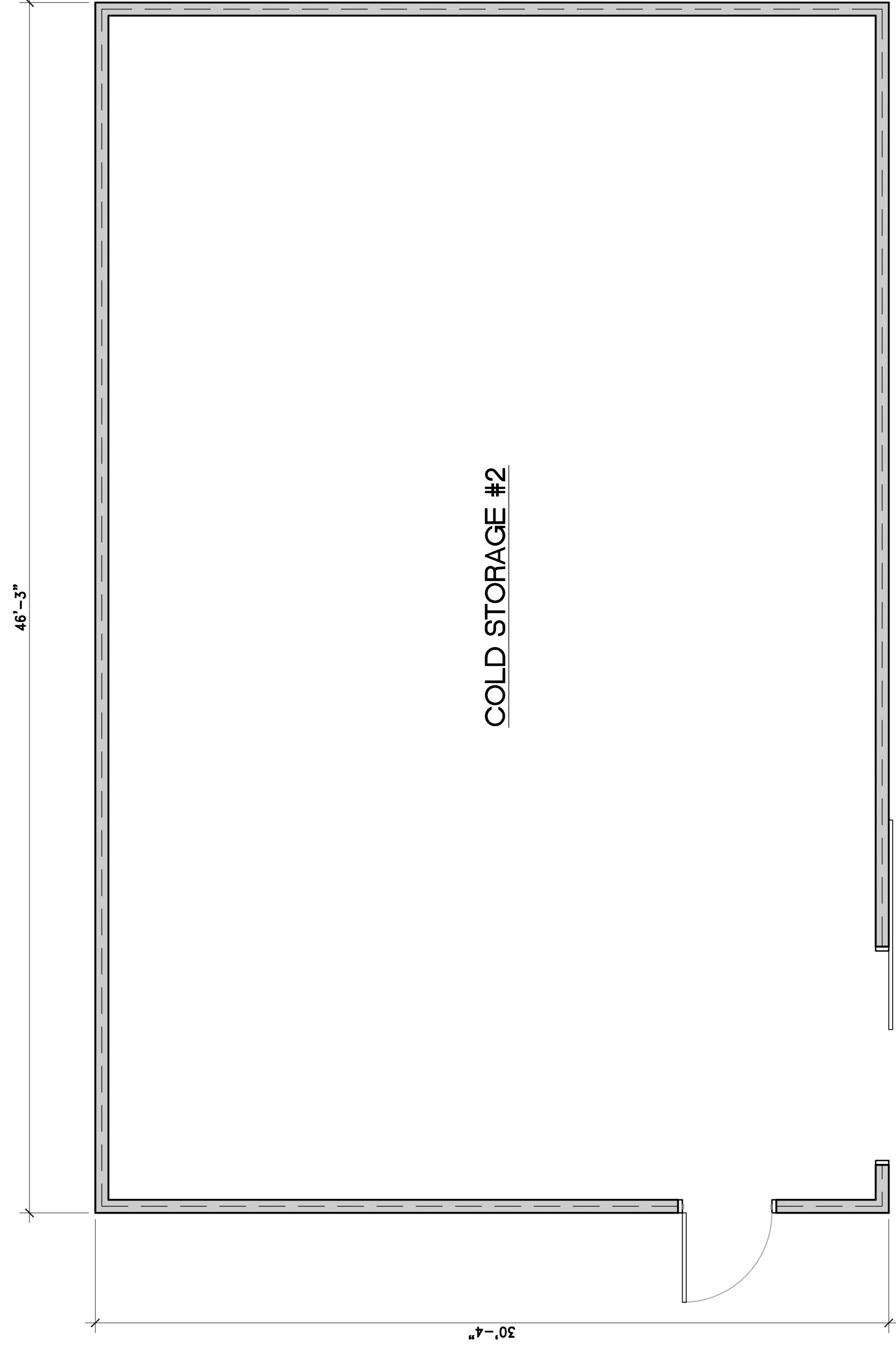




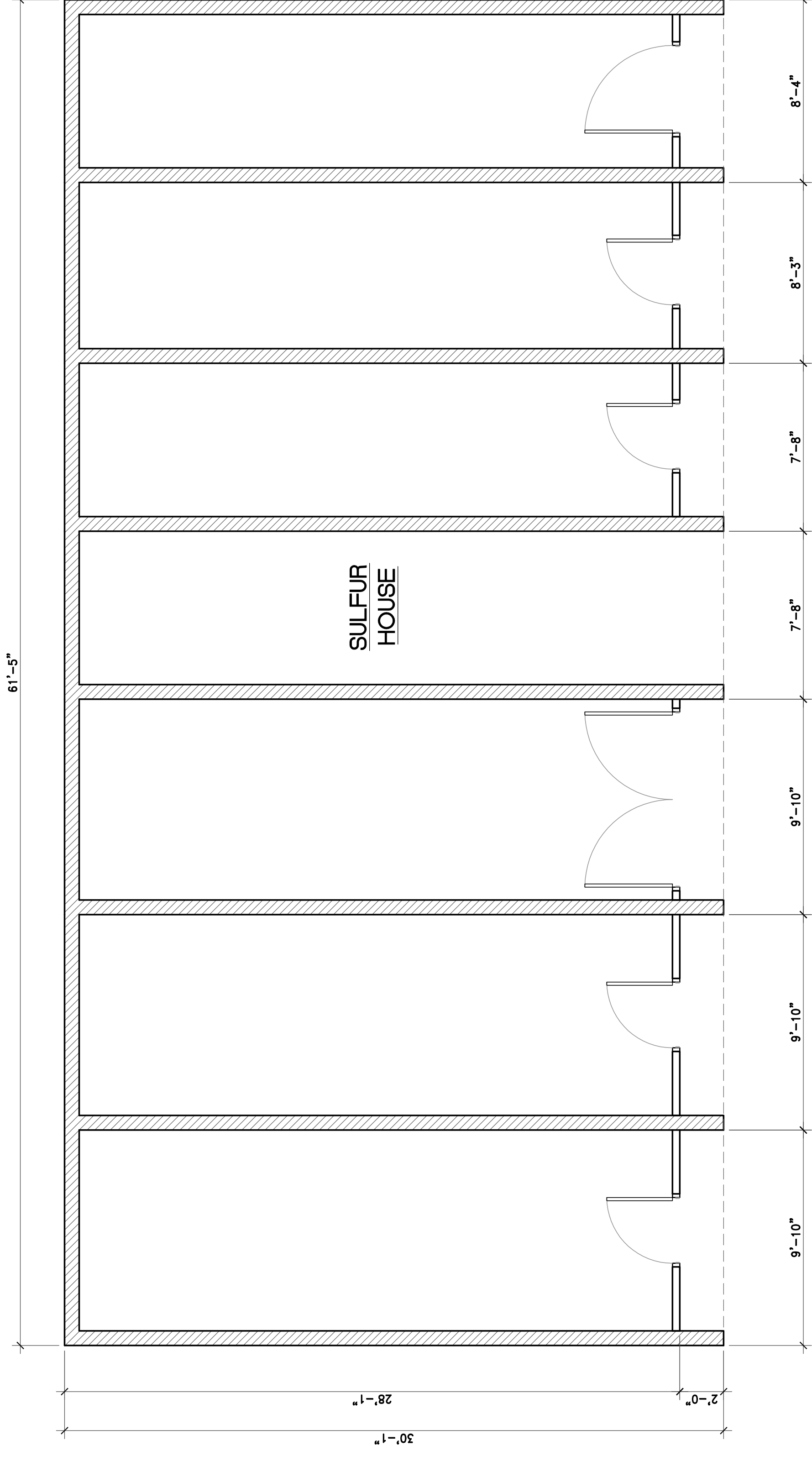
**EX. DEHYFRATION BLDG UPPER LEVEL (Building 'K')** NORTH  
3/32"=1'-0"



**FLOOR PLAN- EX. DEHYFRATION BLDG LOWER LEVEL (Shed 'J' & Bldg 'K')** NORTH  
3/32"=1'-0"



FLOOR PLAN- EXISTING COLD STORAGE 2 (Building 'N')



FLOOR PLAN- EXISTING SULFUR HOUSE (Building 'M')

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 8008 West Shields Ave  
 Fresno, CA 93722



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 Project # 20038

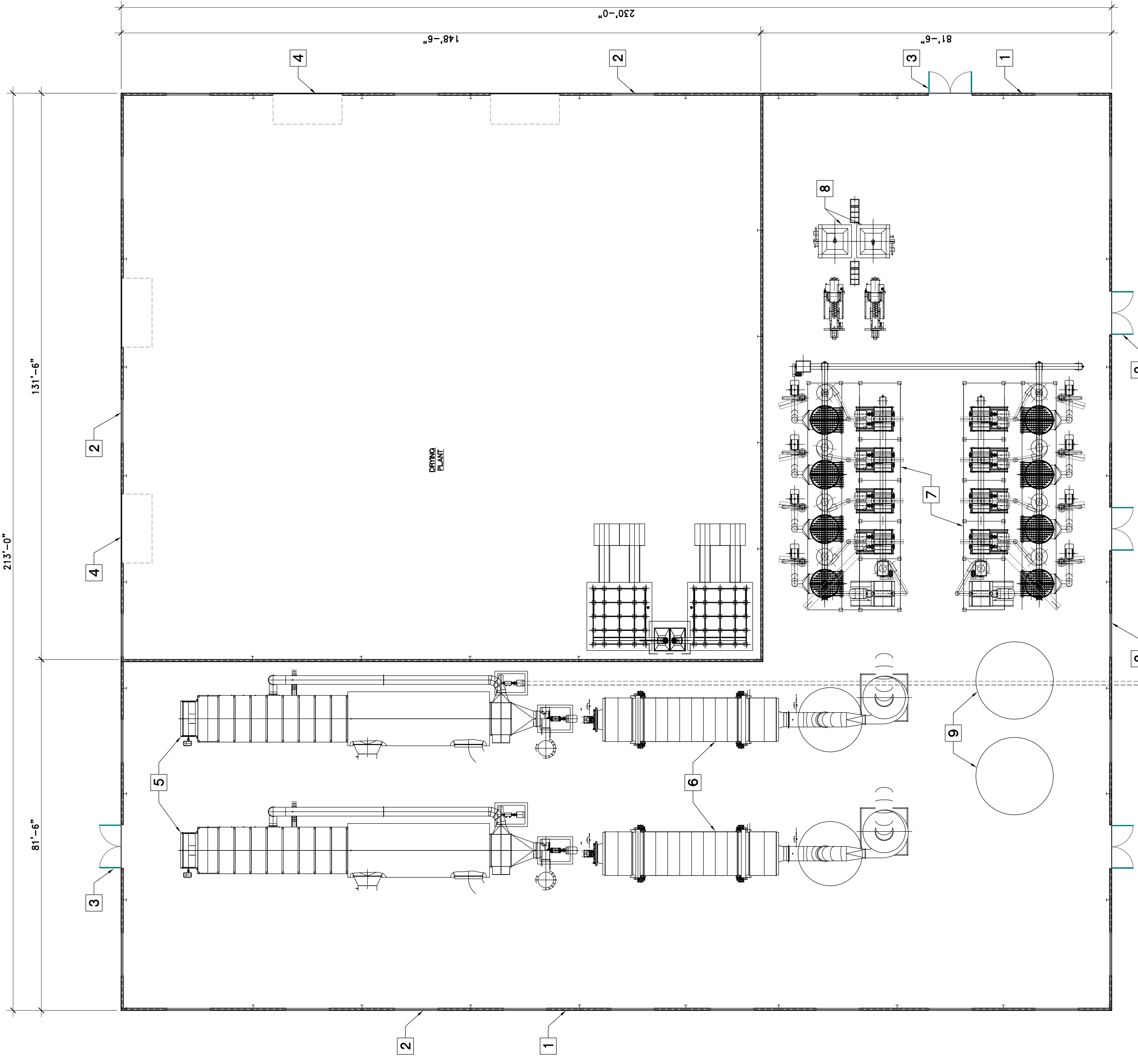
Ex. Cold Storage  
 2 & Ex. Sulfur  
 House

Revisions  
 X

SHEET No.  
 A2.6

**SJA**  
 Design Group  
 1915 Carolina Ave.  
 Clovis CA 93611  
 PH: 559.593.9692

Keynotes	
No.	Description
1	PRE MANUFACTURED METAL BUILDING
2	PEMB WINDOWS
3	HOLLOW METAL DOOR
4	16'W x 18'H ROLL UP DOOR
5	HOT AIR GENERATOR
6	DRYING MACHINE
7	SCREENING MACHINE
8	PELLETIZER
9	SEED DRYING MACHINE



NORTH

1/16"=1'-0"

**FLOOR PLAN- BUILDING No. 1**

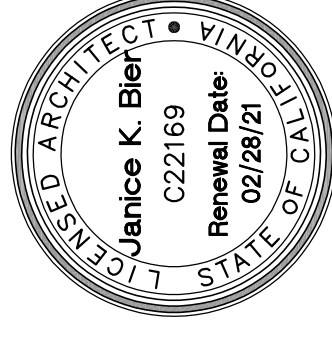


Keynotes	
No.	Description
1	PRE MANUFACTURED METAL BUILDING
2	PEMB WINDOWS
3	16"W x 18"H ROLL UP DOOR
4	HOLLOW METAL DOOR
5	EXTRACTION EQUIPMENT
6	55 GALLON DRUMS (200L) FINISH PRODUCTS STORED ON GROUND

1915 Carolina Ave.  
Clovis CA 93611  
PH: 559.593.9692



Chenguang Biotech American  
808 West Shields Ave  
Fresno, CA 93722



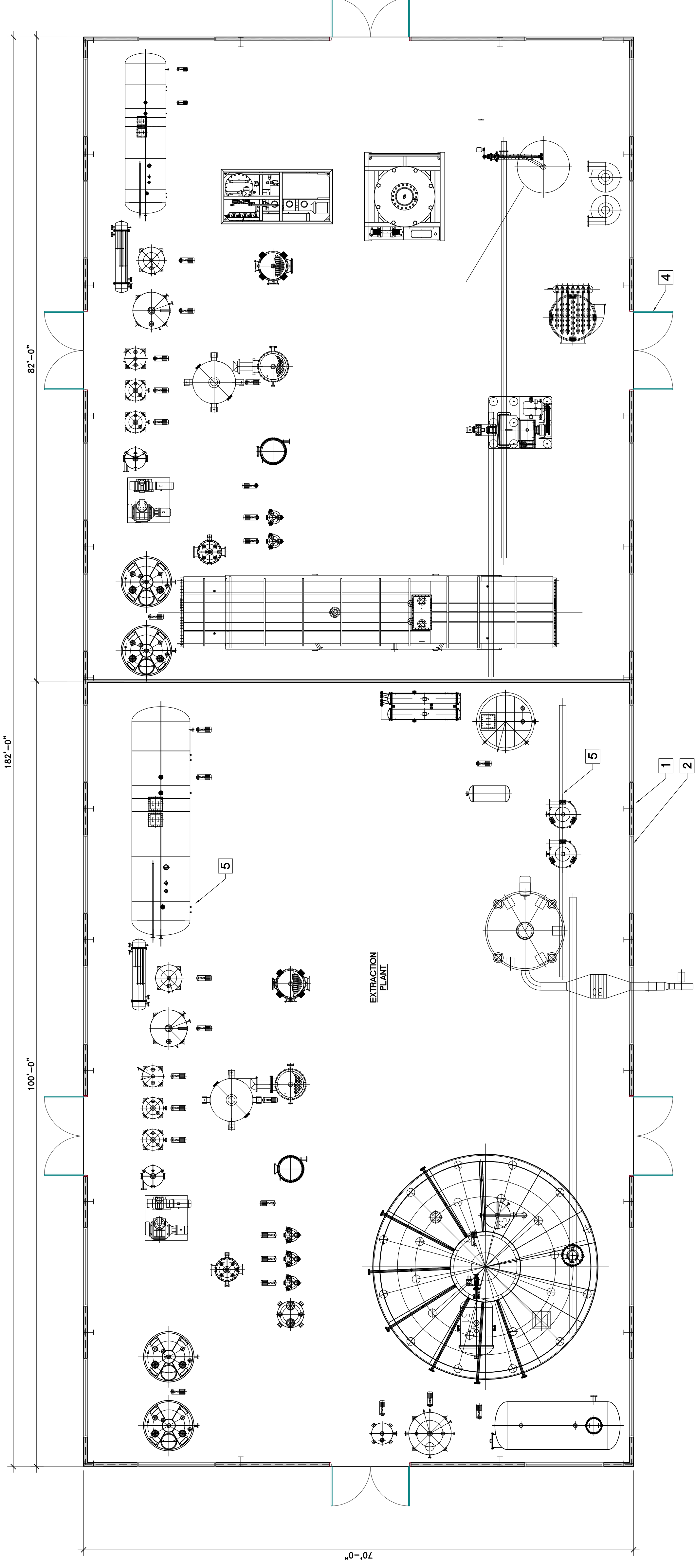
Date: 09.11.2020  
Drawn By: Susan Jones  
Project # 20038

Building  
No. 2&3  
Floor Plan

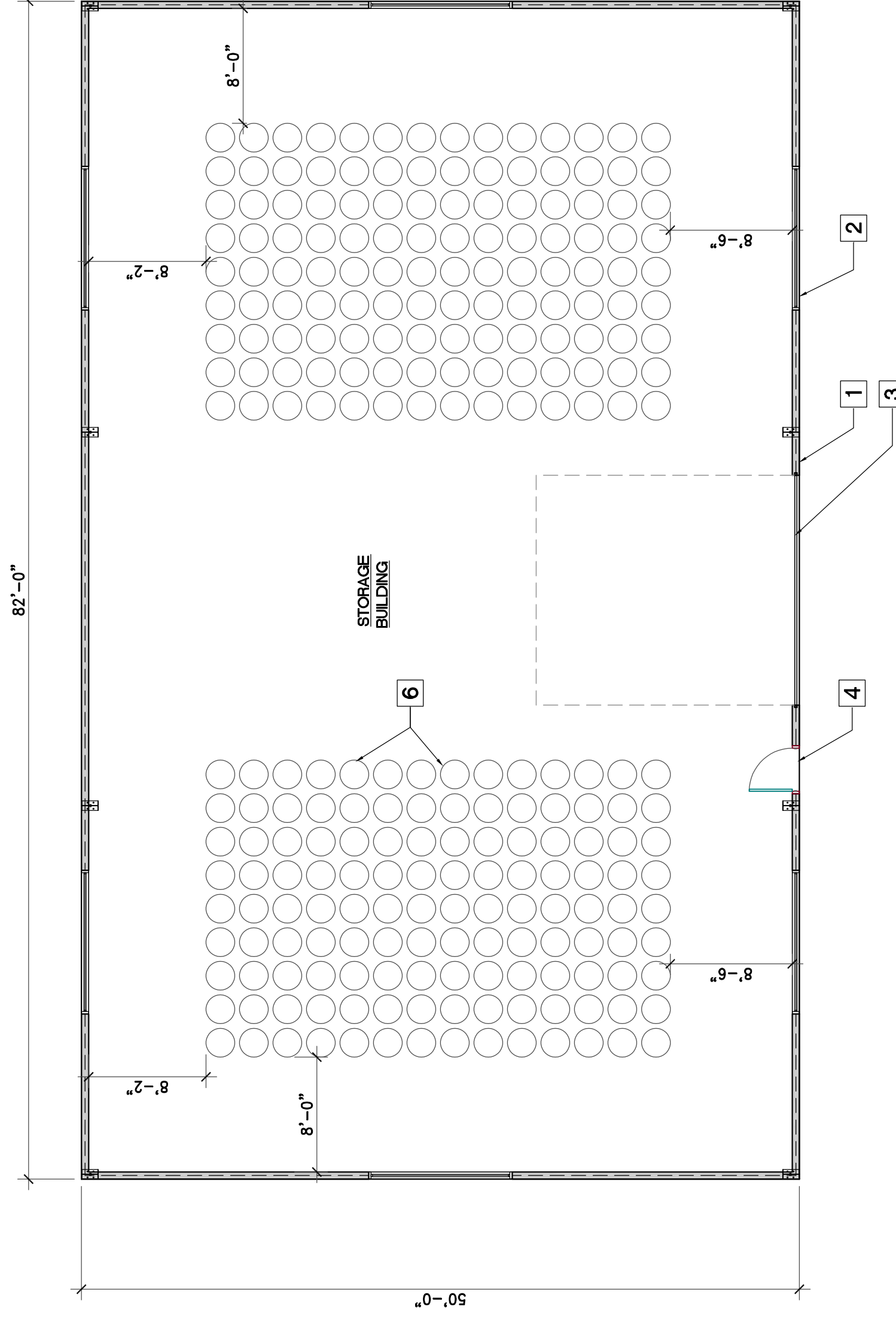
Revisions  
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SHEET No.

A2.8



FLOOR PLAN- BUILDING NO. 4

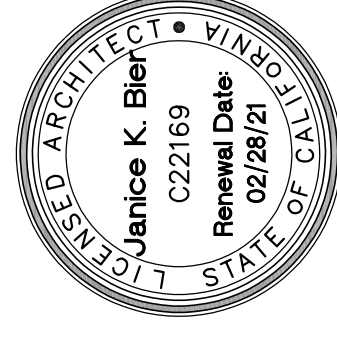


FLOOR PLAN- BUILDING NO. 2 - BLDG 3 SIM.



NORTH

1/8"=1'-0"



Date: 09.11.2020  
Drawn By: Susan Jones  
Project #: 20038

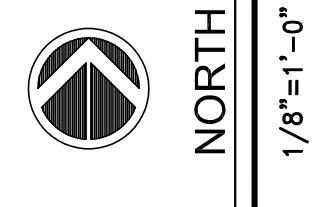
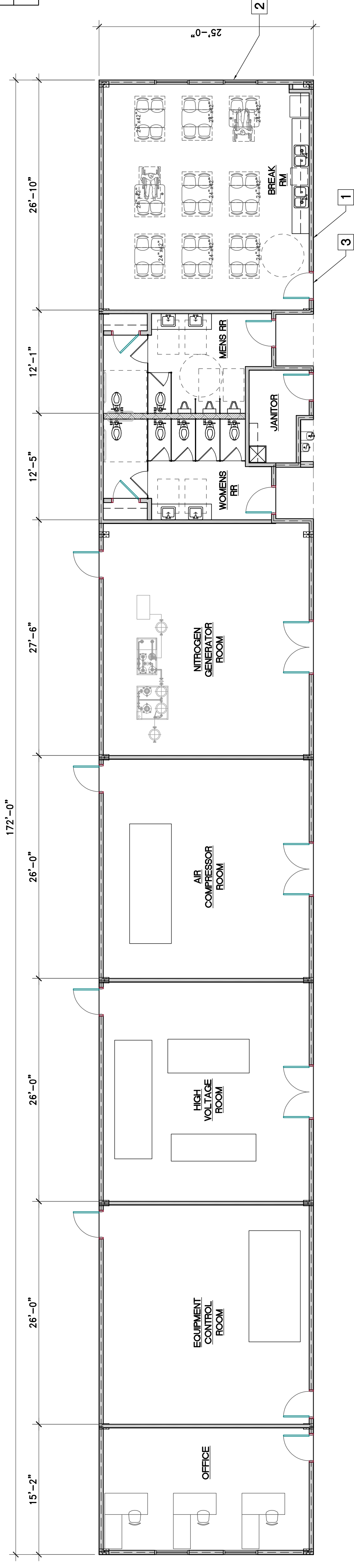
**Building No. 5 & 6**  
**Floor Plan**

Revisions  
X

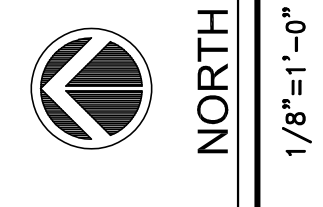
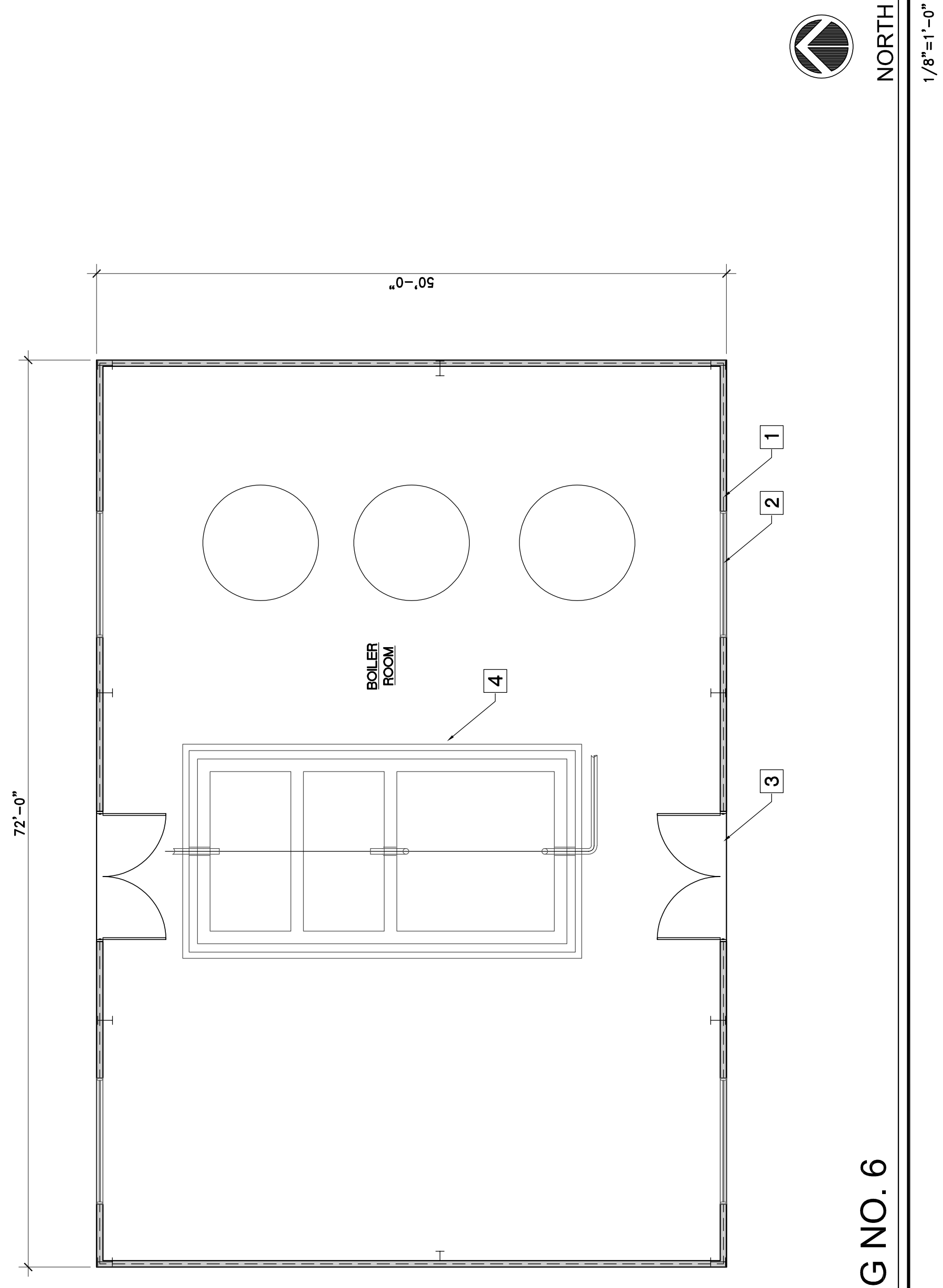
SHEET No.

**A2.9**

Keynotes	
No.	Description
1	PRE MANUFACTURED METAL BUILDING
2	PEMB WINDOWS
3	HOLLOW METAL DOOR
4	BOILER ROOM EQUIPMENT



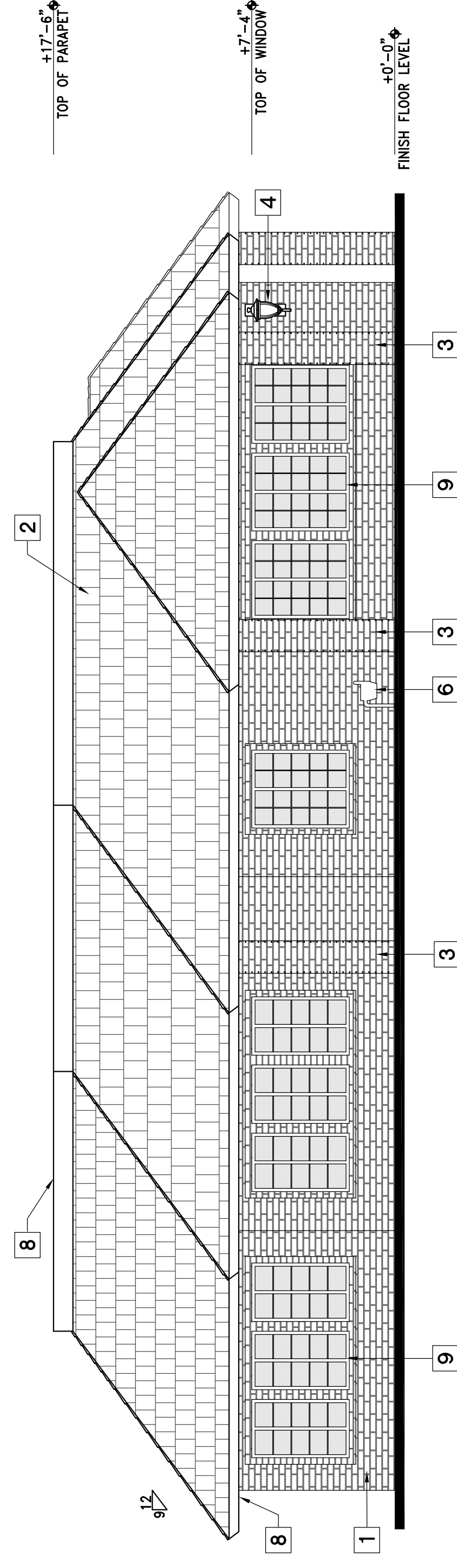
**FLOOR PLAN- BUILDING NO. 5**



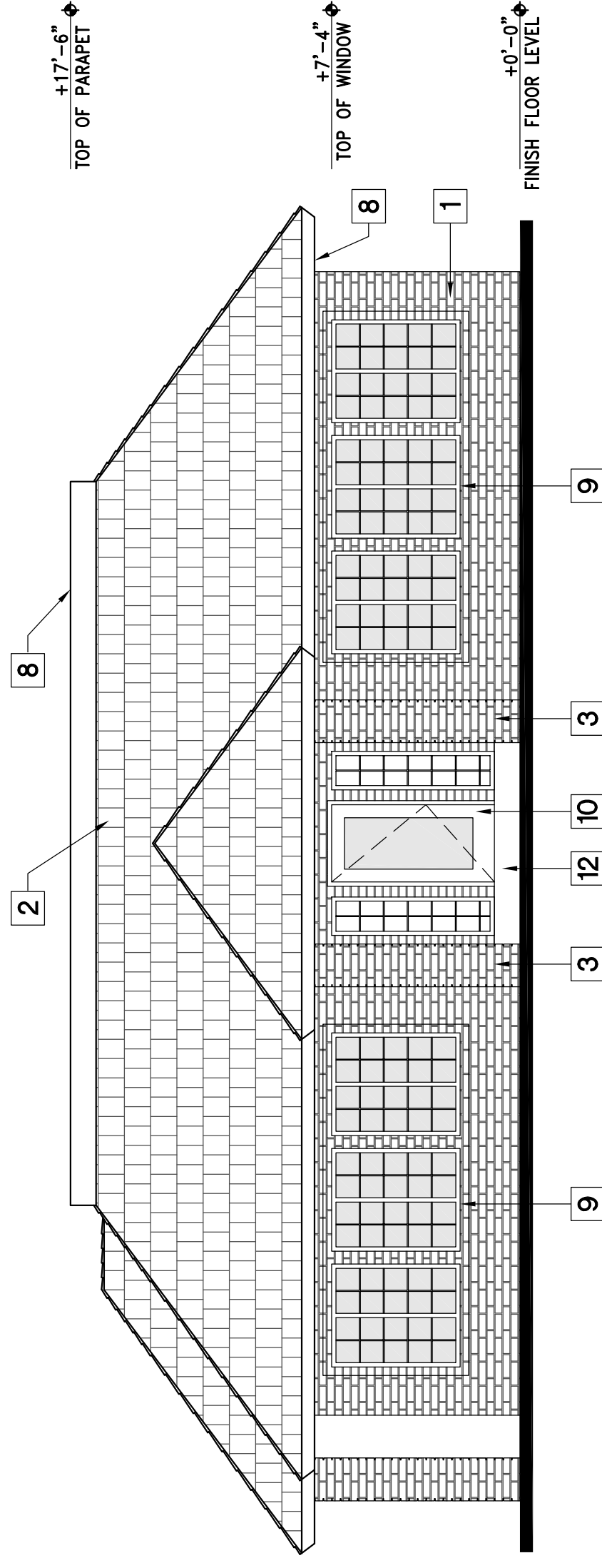
**FLOOR PLAN- BUILDING NO. 6**



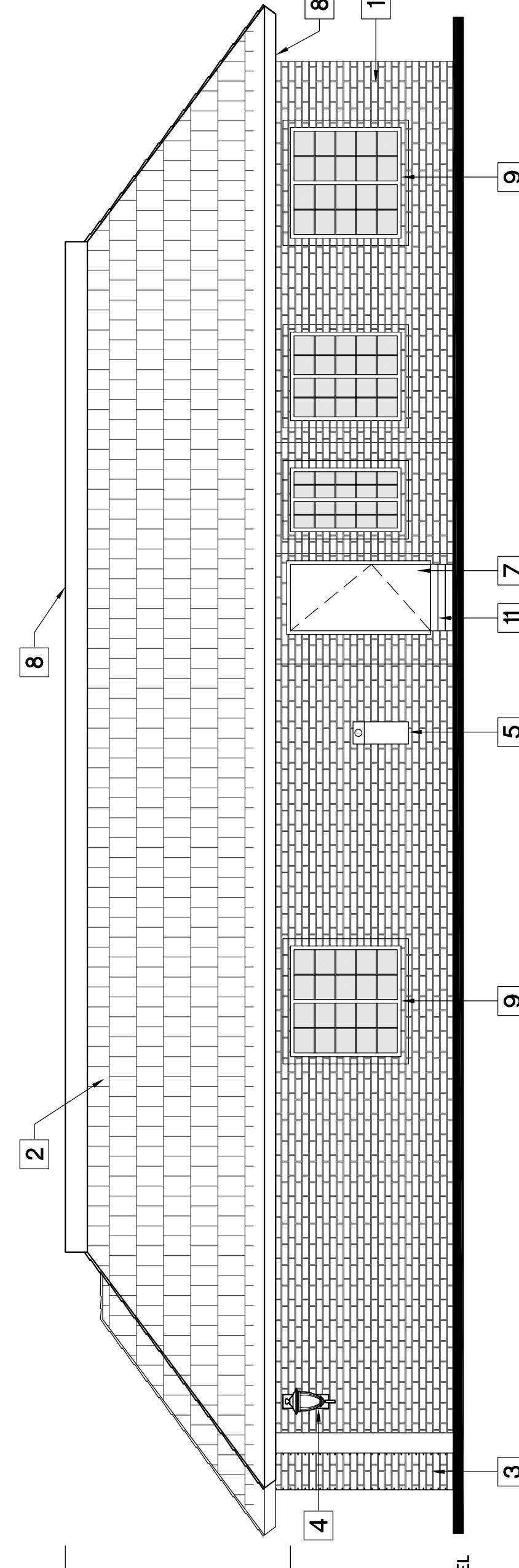
Keynotes	
No.	Description
1	EXISTING BRICK VENEER EXTERIOR WALL
2	EXISTING FLAT ROOF TILE
3	EXISTING BUILDING COLUMN
4	EXISTING DECORATIVE LIGHT FIXTURE
5	EXISTING SERVICE PANEL
6	EXISTING GAS METER
7	EXISTING HOLLOW METAL DOOR
8	EXISTING FASCIA BOARD
9	EXISTING WINDOWS
10	EXISTING FULL LIGHT DOOR
11	EXISTING CONCRETE STEPS
12	EXISTING CONCRETE RAMP



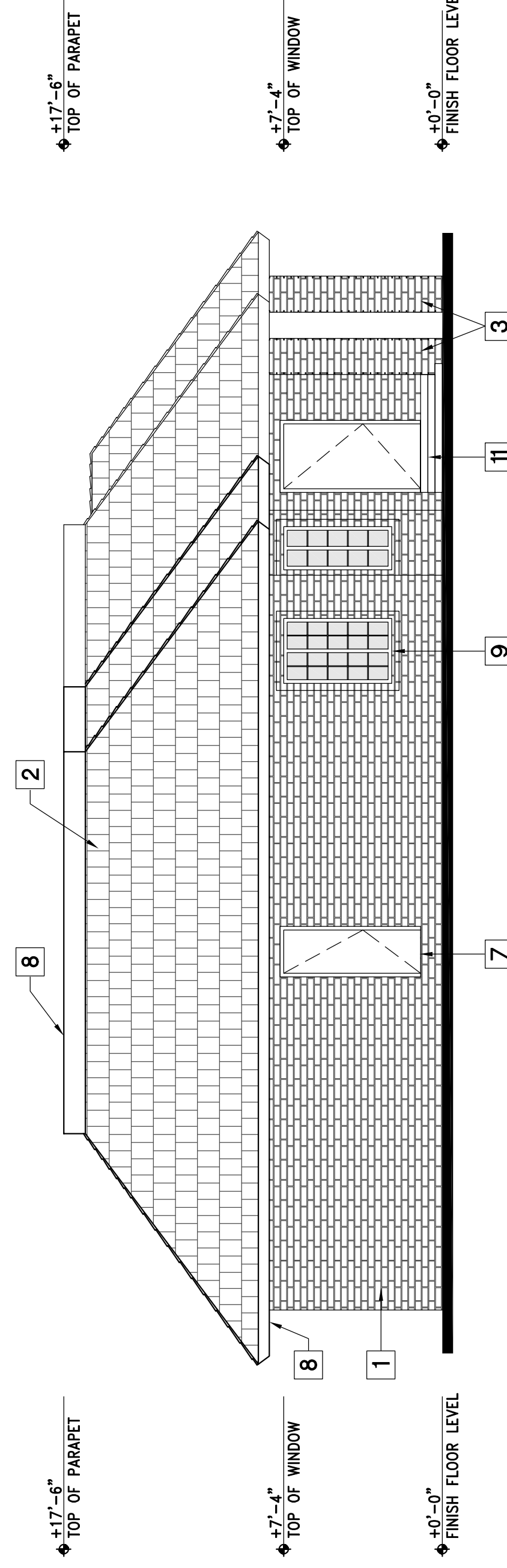
South Elevation - Office Bldg 'A'



East Elevation - office bldg 'A'



North Elevation - Office Bldg 'A'



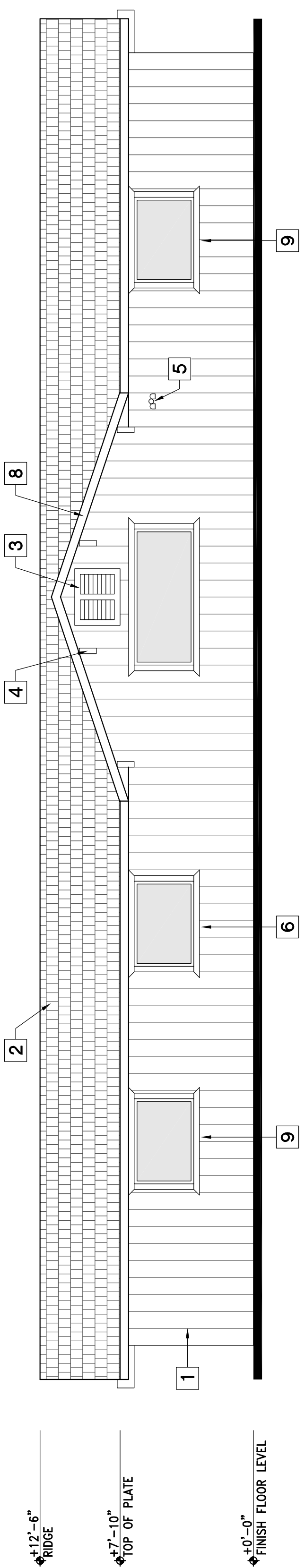
West Elevation - office bldg 'A'

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 8008 West Shields Ave  
 Fresno, CA 93722



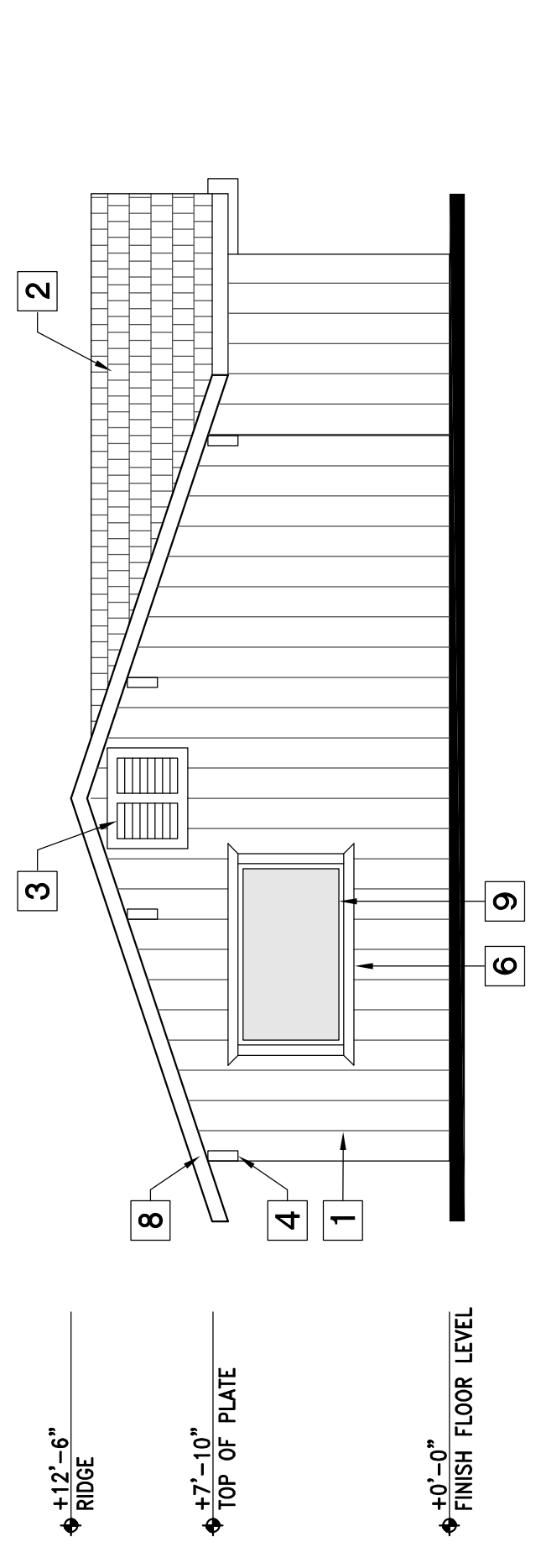
1915 Carolina Ave.  
 Clovis CA 93611  
 PH: 559.583.9692

Keynotes	
No.	Description
1	EXISTING PLYWOOD SIDING
2	EXISTING FLAT ROOF TILE
3	EXISTING GABLE END VENTS
4	EXISTING 4X12 OUTRIGGER
5	EXISTING FLOOD LIGHT
6	EXISTING WOOD TRIM
7	EXISTING EXTERIOR DOOR
8	EXISTING FASCIA BOARD
9	EXISTING WINDOWS
10	EXISTING GARAGE DOOR
11	EXISTING SERVICE PANEL
12	EXISTING GAS METER
13	EXISTING AC UNIT



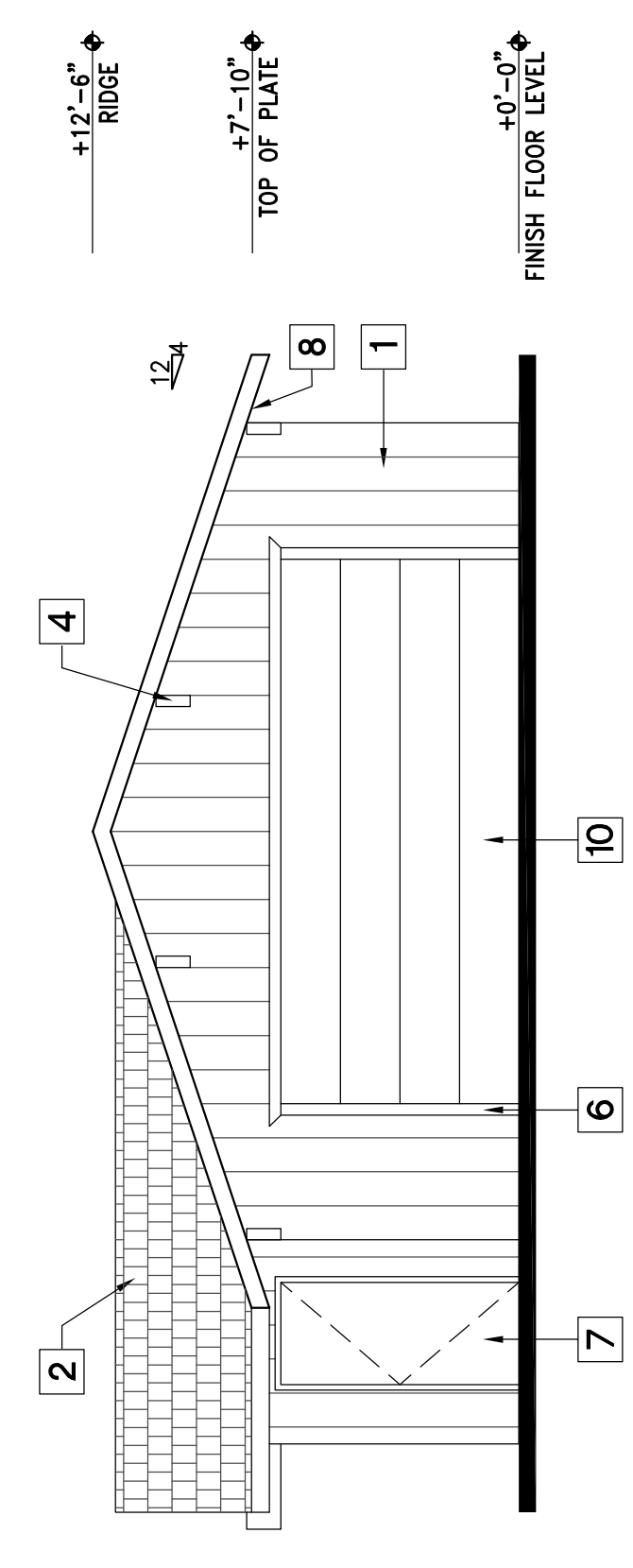
East Elevation - Residence Bldg 'B'

3/16"=1'-0"



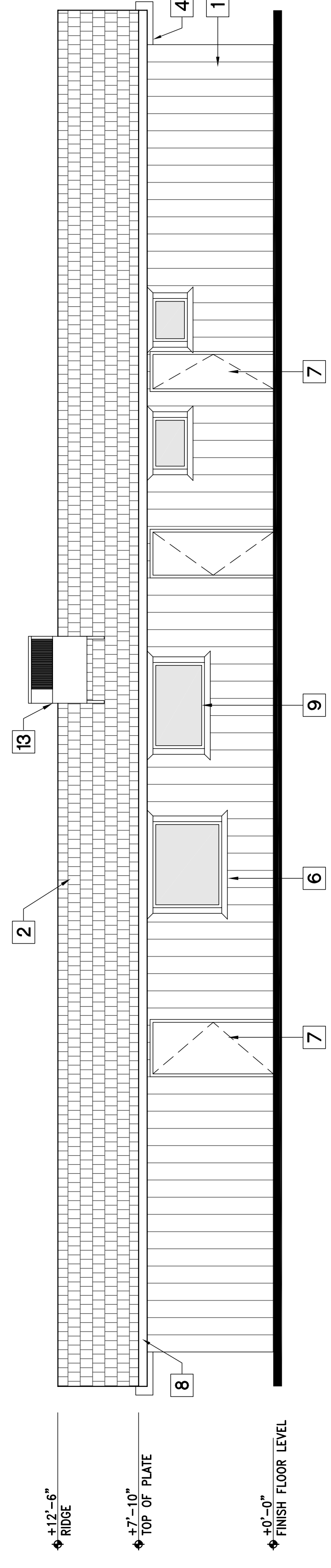
South Elevation Residence Bldg 'B'

3/16"=1'-0"



North Elevation Residence Bldg 'B'

3/16"=1'-0"



West Elevation Residence Bldg 'B'

3/16"=1'-0"

Date: 06.02.2020  
 Drawn By: Susan Jones  
 Project # 20038

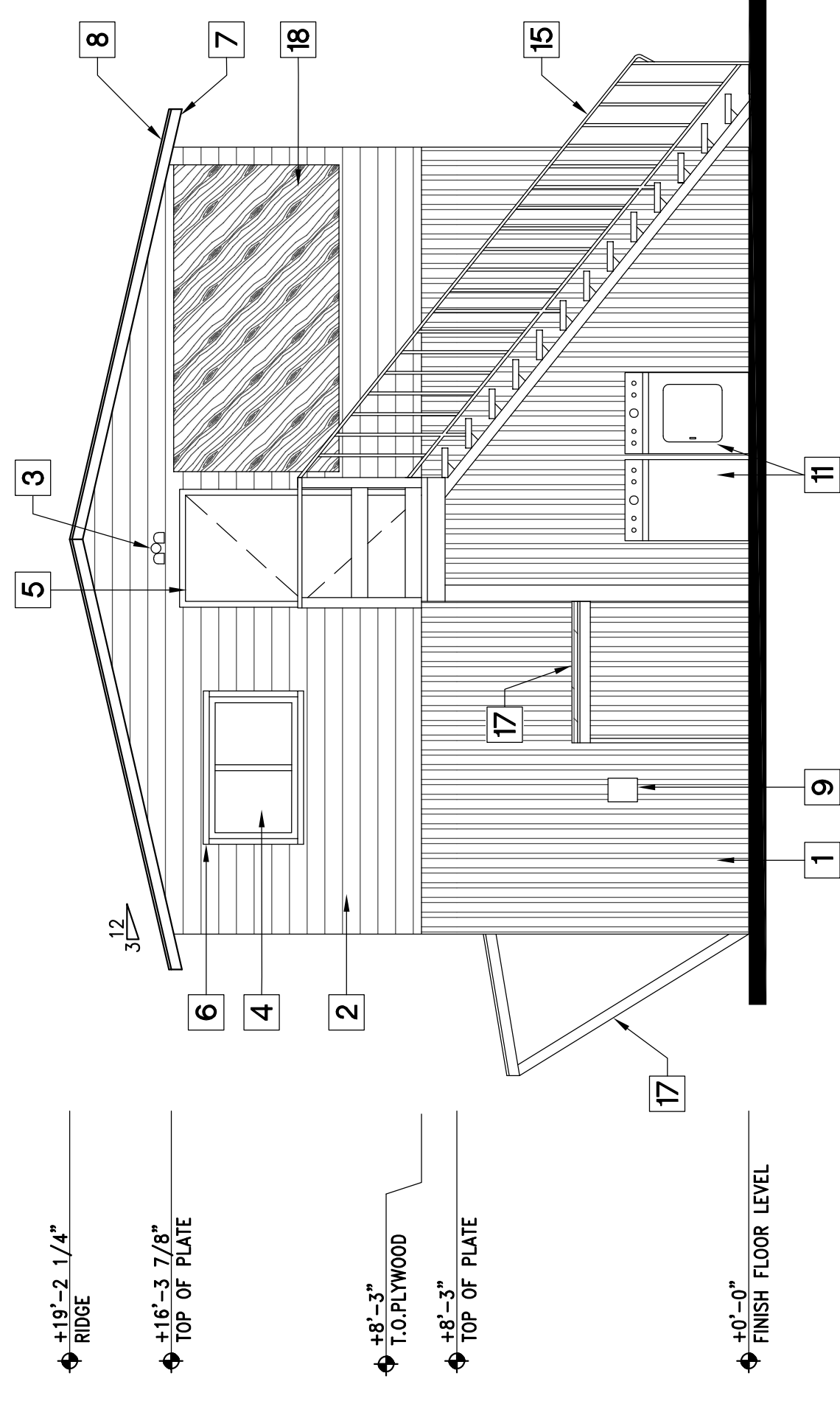
Exterior Elev  
 Residence  
 Bldg 'B'

Revisions  
 X

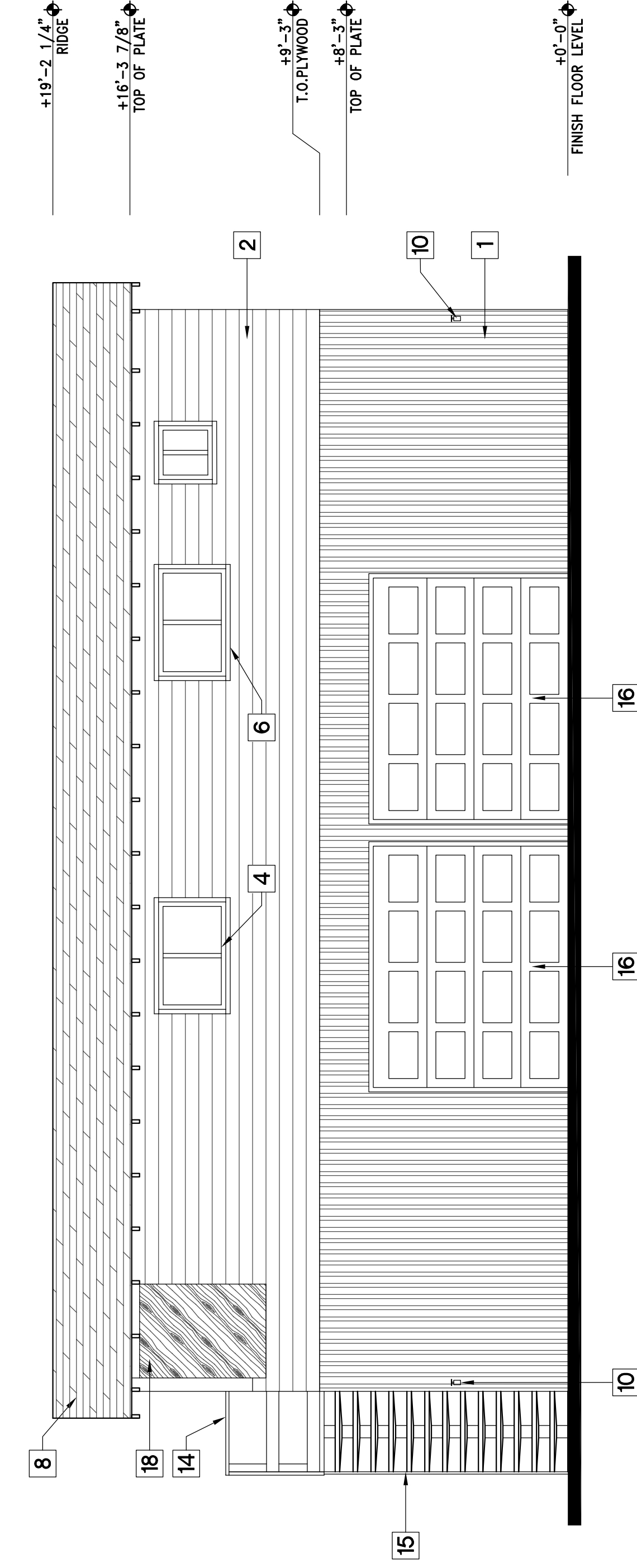
SHEET No.

A3.2

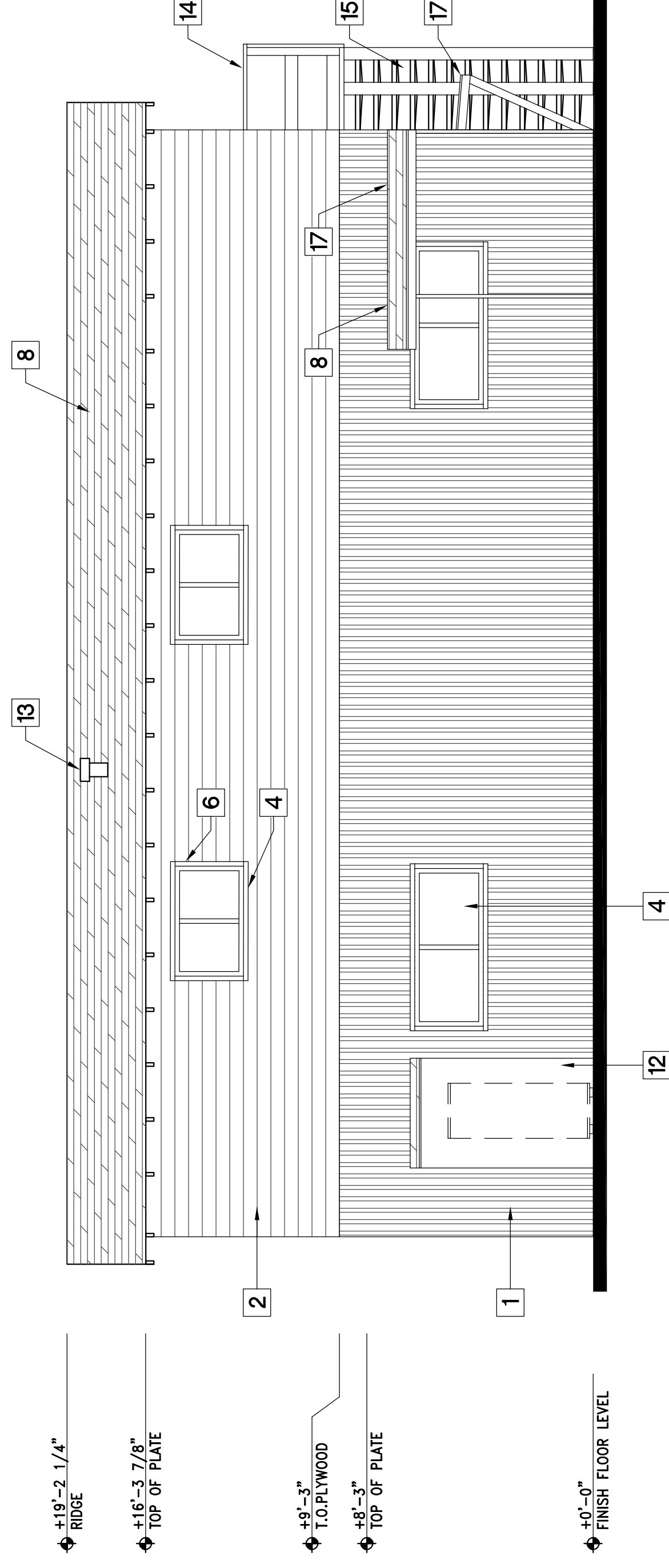
Keynotes	
No.	Description
1	EXISTING METAL SIDING
2	EXISTING WOOD PANEL SIDING
3	EXISTING EXTERIOR FLOOD LIGHTS
4	EXISTING WINDOWS
5	EXISTING EXTERIOR DOORS
6	EXISTING WOOD TRIM
7	EXISTING WOOD FASCIA
8	EXISTING SHINGLE ROOF
9	EXISTING ELECTRICAL PANEL
10	EXISTING HOSE BIB
11	EXISTING WASHER AND DRYER
12	EXISTING LEAN-TO SHED FOR WATER HEATER
13	EXISTING T-TOP ROOF VENT
14	EXISTING GUARDRAIL
15	EXISTING STAIRS AND HANDRAIL
16	EXISTING GARAGE DOORS
17	EXISTING LEAN-TO CANOPY
18	EXISTING ENTRY OPENINGS COVERED WITH PLYWOOD



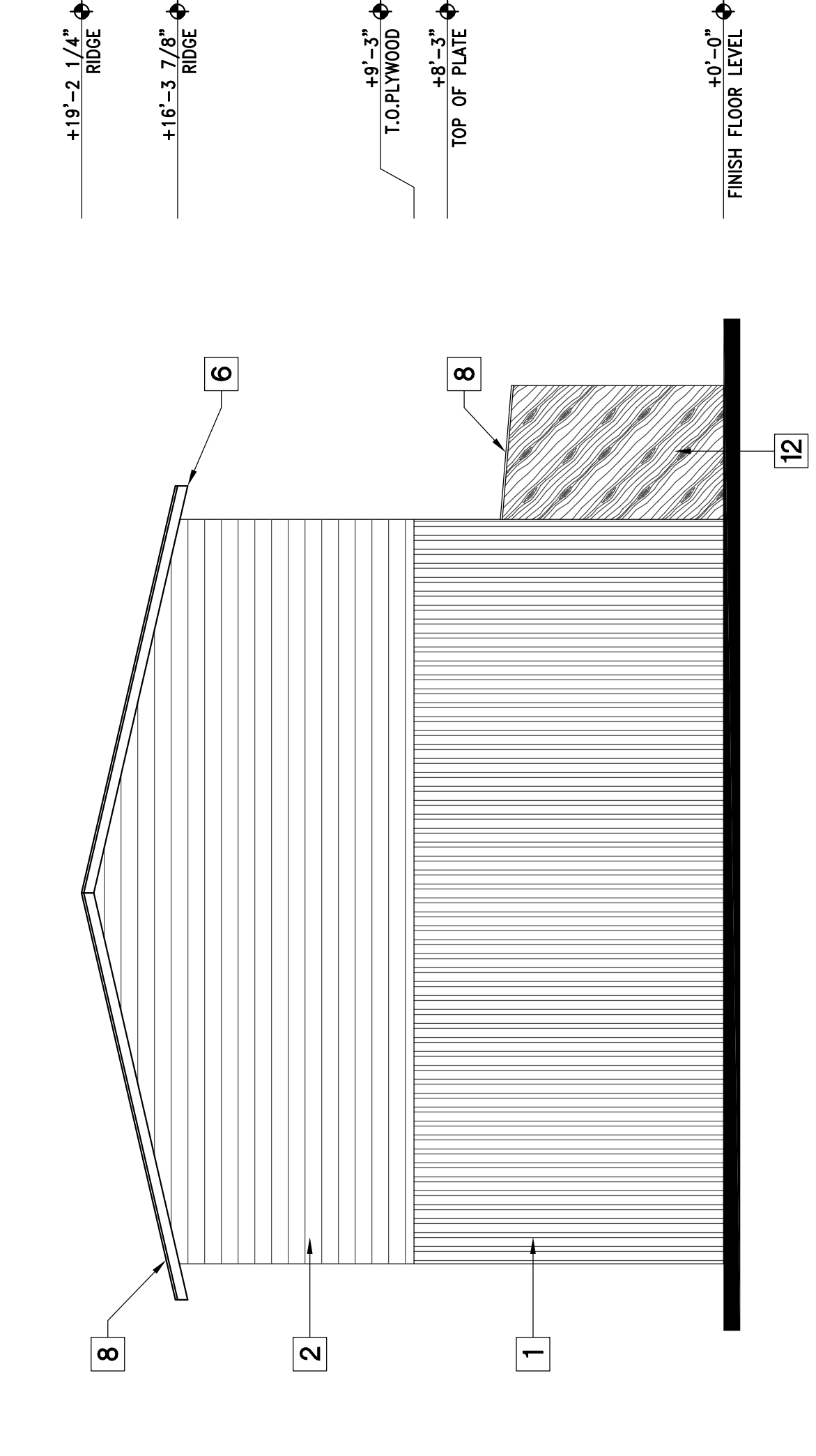
West Elevation Residence Bldg 'C'



South Elevation Residence Bldg 'C'



North Elevation Residence Bldg 'C'



East Elevation Residence Bldg 'C'

**Chenguang Biotech American**  
 8008 West Shields Ave  
 Fresno, CA 93722

**SJA**  
 Design Group  
 1915 Carolina Ave.  
 Clovis CA 93611  
 PH: 559.583.9692



Date: 09.11.2020  
 Drawn By: Susan Jones  
 Project #: 20038

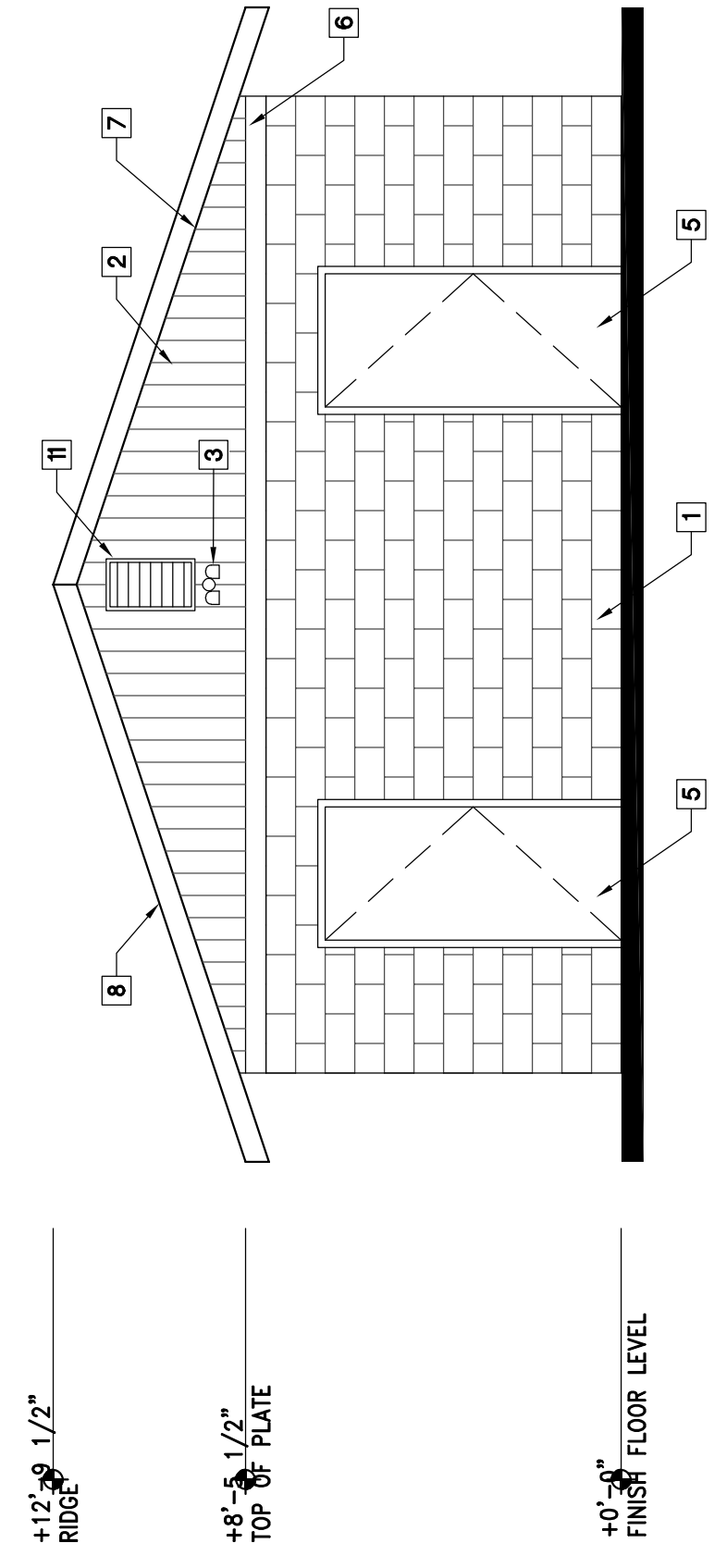
**Exterior Elev  
 Lab & RR  
 Bldg 'D'**

Revisions  
 X

SHEET No.

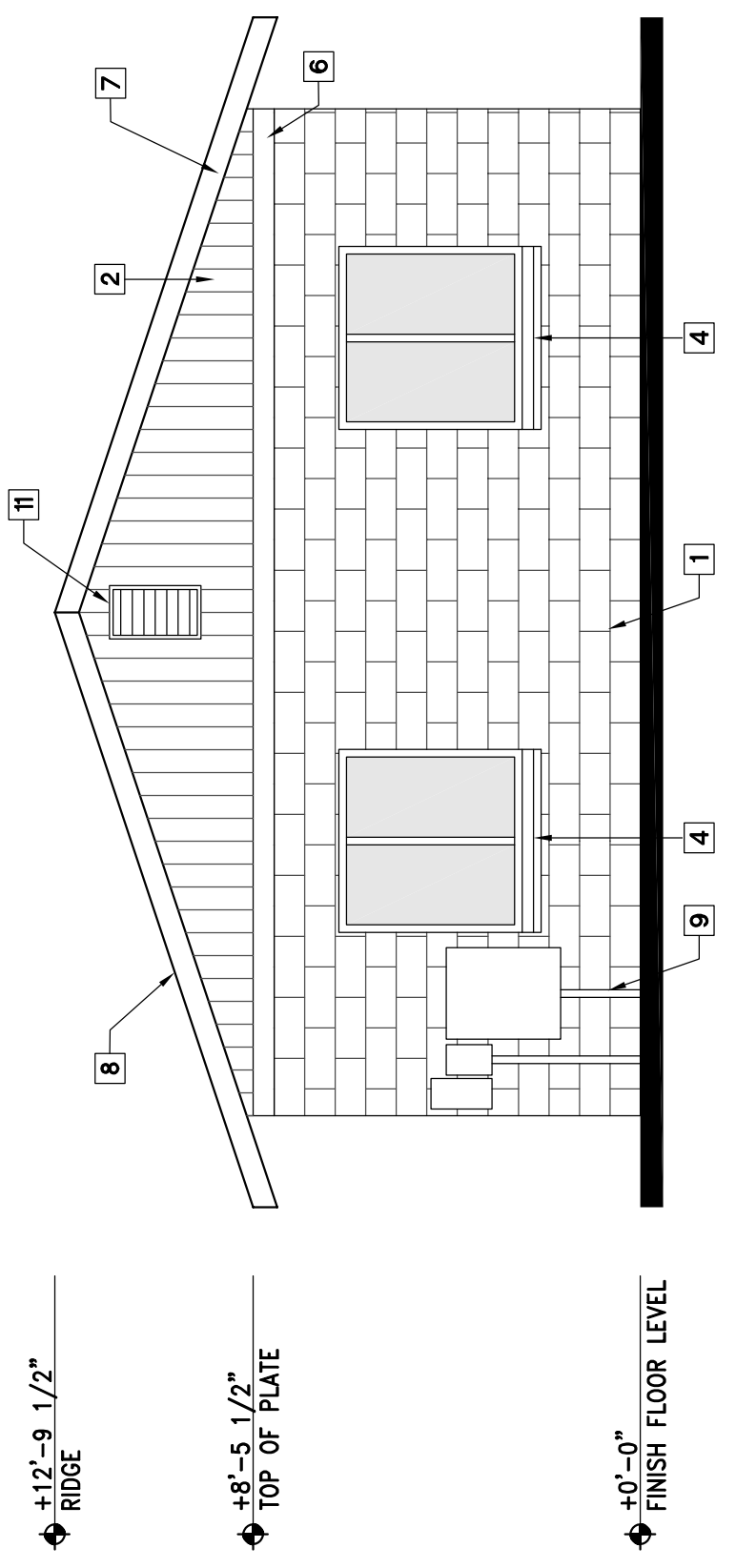
**A3.4**

Keynotes	
No.	Description
1	EXISTING CMU BLOCK EXTERIOR WALL
2	EXISTING WOOD PANEL SIDING
3	EXISTING EXTERIOR FLOOD LIGHTS
4	EXISTING WINDOWS
5	EXISTING EXTERIOR DOORS
6	EXISTING WOOD TRIM
7	EXISTING WOOD FASCIA
8	EXISTING SHINGLE ROOF
9	EXISTING ELECTRICAL PANEL
10	EXISTING HOSE BIB
11	EXISTING GABLE END VENTS
12	EXISTING AC UNIT
13	EXISTING GAS PIPELINE
14	EXISTING BOLLARD



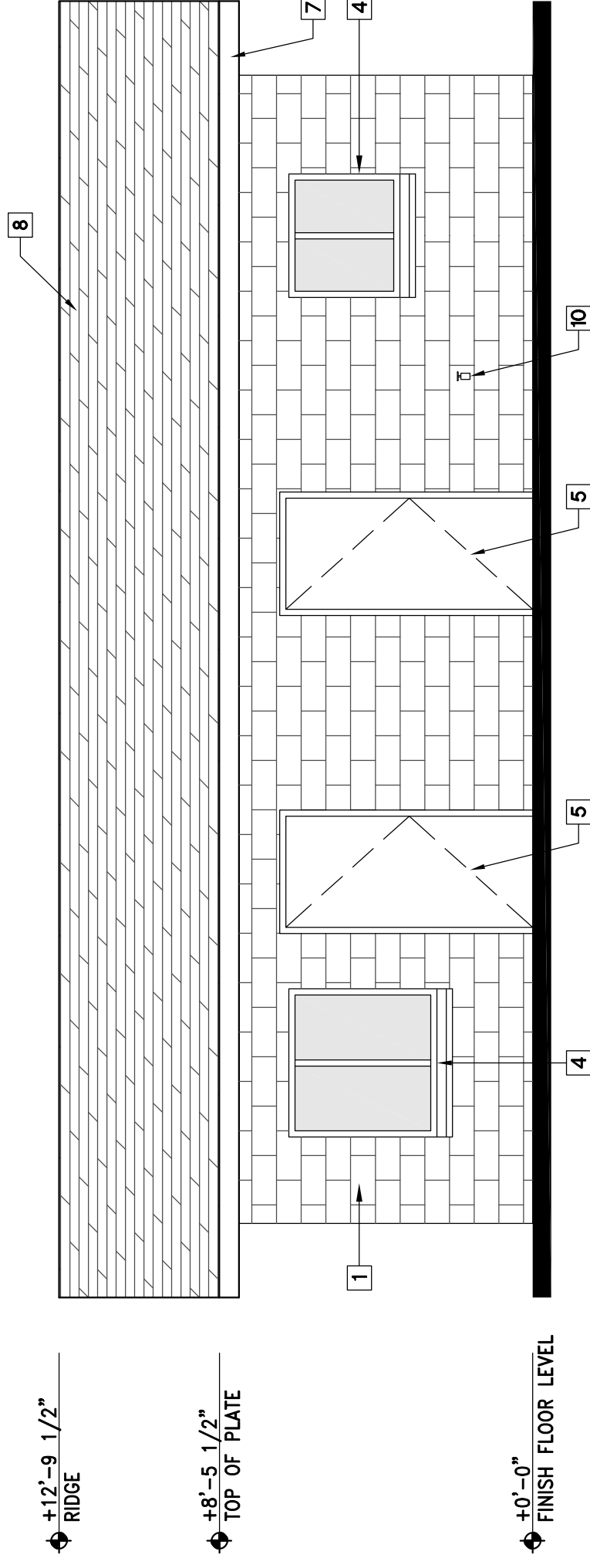
South Elevation Lab & RR Bldg 'D'

1/4"=1'-0"



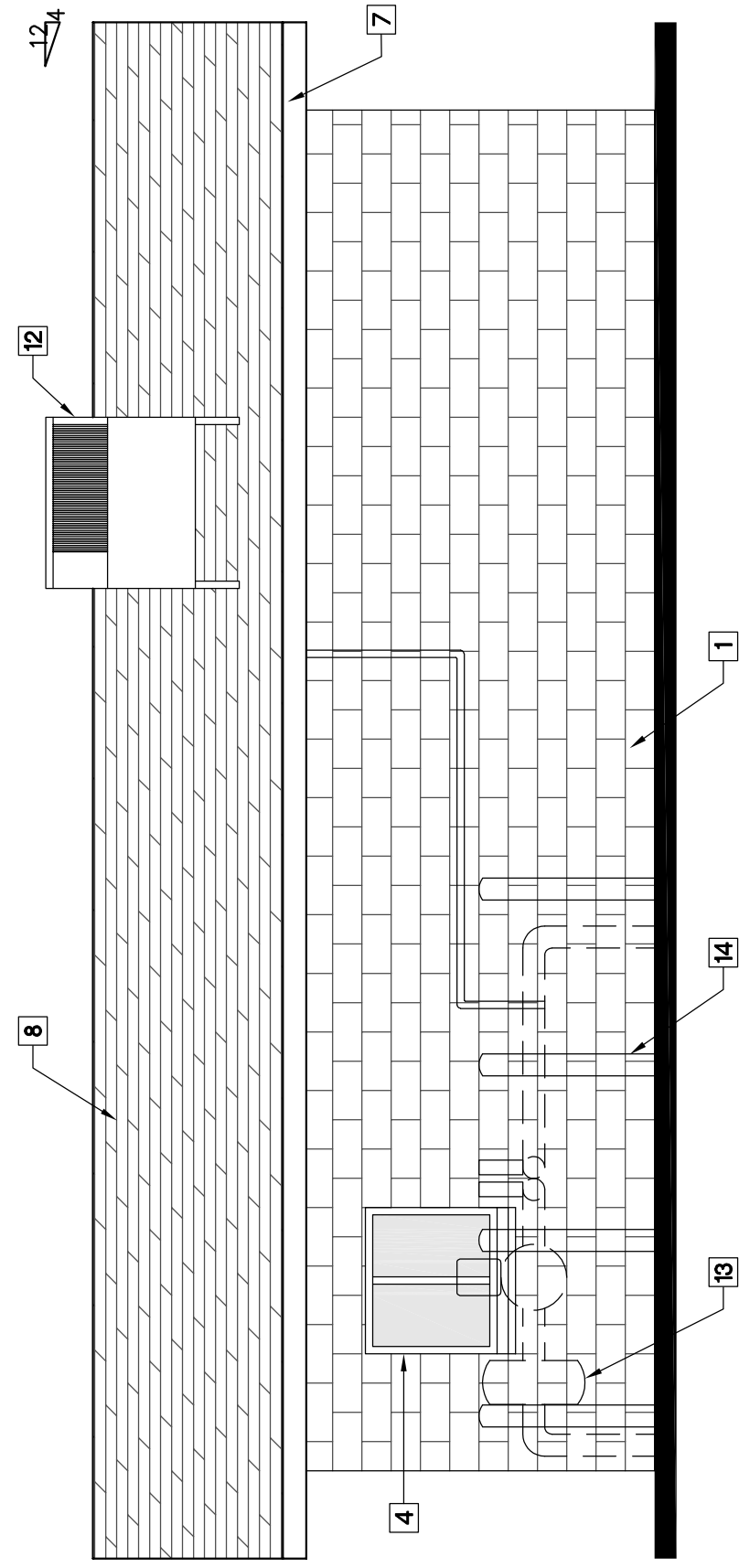
North Elevation Lab & RR Bldg 'D'

1/4"=1'-0"



West Elevation Lab & RR Bldg 'D'

1/4"=1'-0"



East Elevation Lab & RR Bldg 'D'

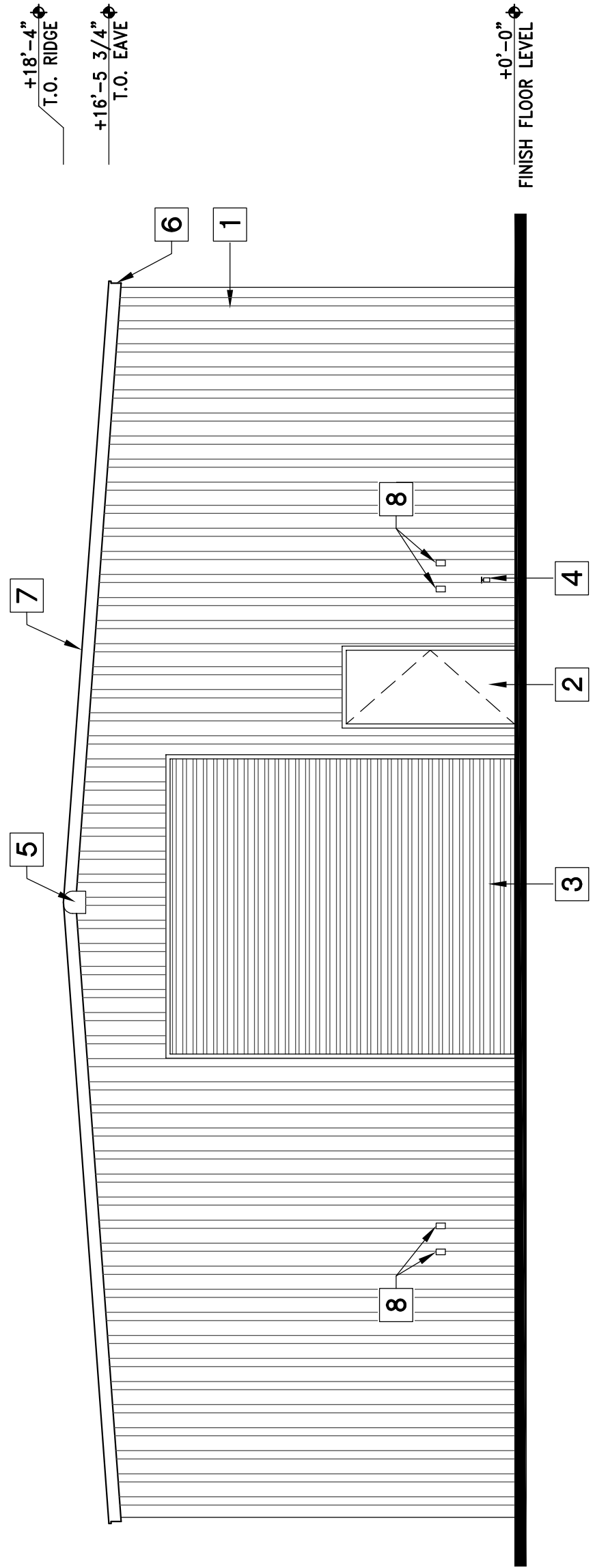
1/4"=1'-0"

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 Fresno, CA 93722

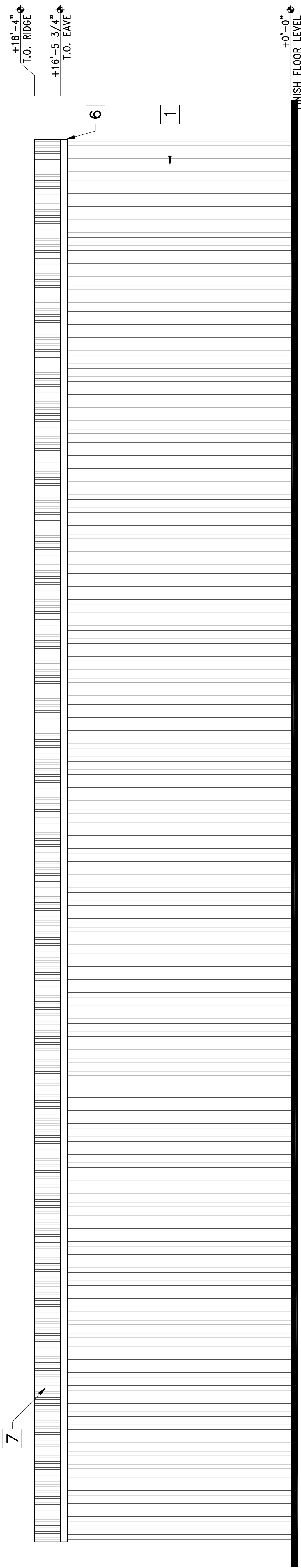


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Keynotes	
No.	Description
1	EXISTING METAL EXTERIOR WALL
2	EXISTING EXTERIOR DOORS
3	EXISTING ROLL UP DOOR
4	EXISTING HOSE BIB
5	EXISTING LIGHT FIXTURE
6	EXISTING METAL FASCIA
7	EXISTING METAL ROOF
8	EXISTING WEATHER PROOF ELECTRICAL OUTLET



West Elevation Storage Shed 'E' (East Elev. Similar)



South Elevation Storage Shed 'E' (North Elev. Similar)

Date: 06.02.2020  
 Drawn By: Susan Jones  
 Project # 20038

Exterior Elev  
 Storage Shed 'E'

Revisions  
 X

SHEET No.

A3.5

**SJA**  
Design Group

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Keynotes	
No.	Description
1	EXISTING METAL EXTERIOR WALL
2	EXISTING EXTERIOR SLIDING DOORS
3	EXISTING WOOD FASCIA
4	EXISTING METAL FASCIA
5	EXISTING WINDOWS
6	EXISTING RAFTER
7	EXISTING TURBINE ROOF VENT
8	EXISTING AC UNIT
9	EXISTING LEAN-TO CANOPY
10	EXISTING OPENING FOR EXHAUST VENT
11	EXISTING CABLE VENT
12	EXISTING ELECTRICAL METER
13	EXISTING METAL ROOF
14	EXISTING ELECTRICAL POLE
15	EXISTING EXPOSED WOOD COLUMN
16	EXISTING WATER PUMP FOR WELL

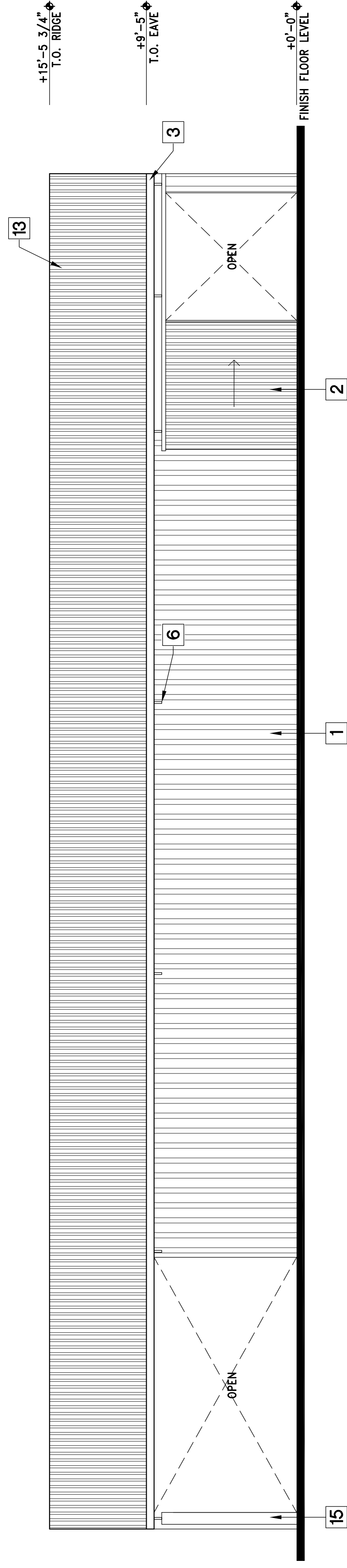
Date: 06.02.2020  
Drawn By: Susan Jones  
Project # 20038

**Exterior Elevation  
Processing &  
Packaging  
Bldg 'F'**

Revisions  
X

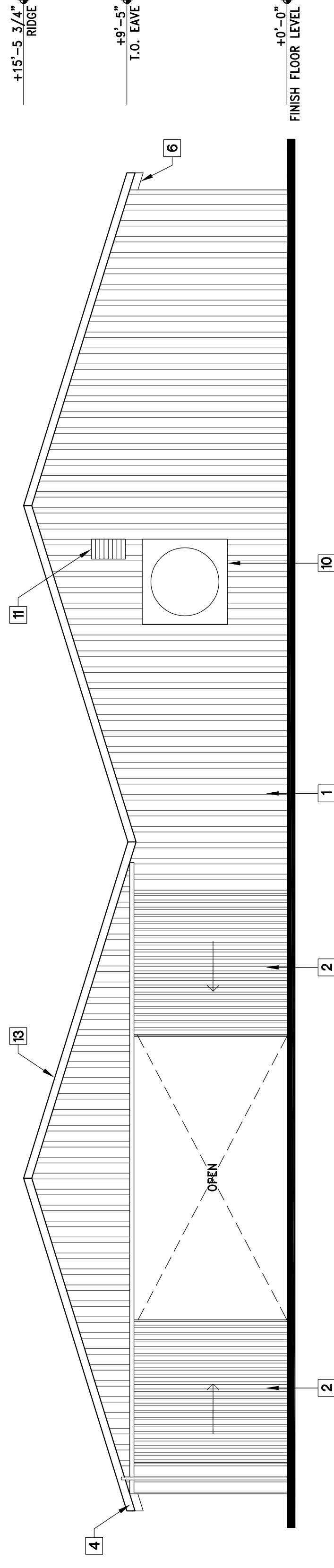
SHEET No.

**A3.6**



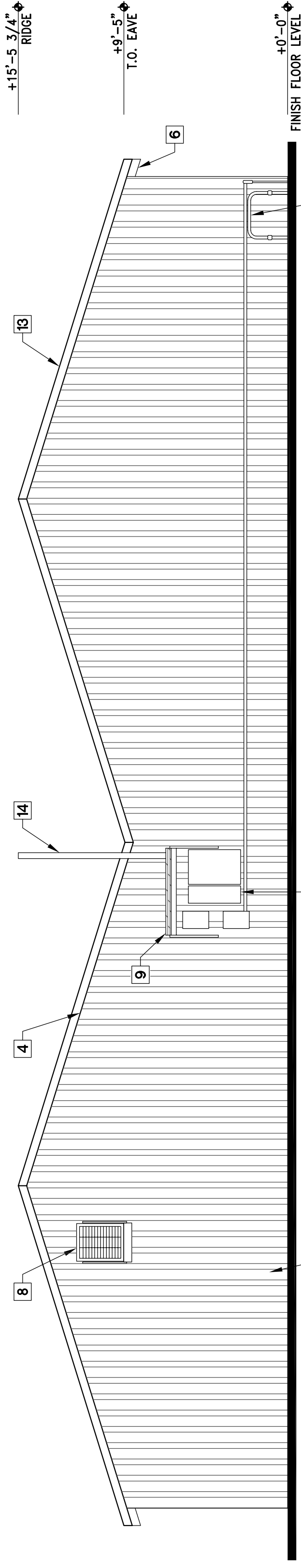
South Elevation - Packing & Processing Bldg 'F'

3/16"=1'-0"



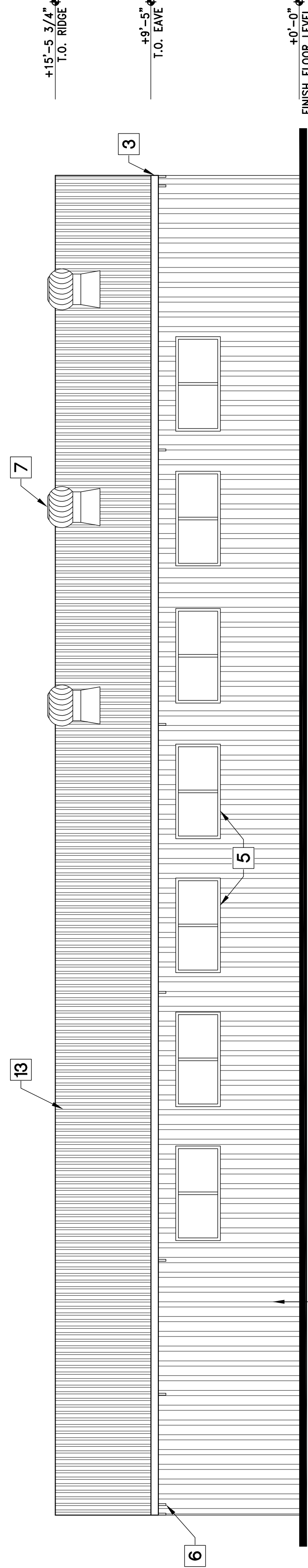
West Elevation - Packing & Processing Bldg 'F'

3/16"=1'-0"



East Elevation - Packing & Processing Bldg 'F'

3/16"=1'-0"



North Elevation Packing & Processing Bldg 'F'

3/16"=1'-0"



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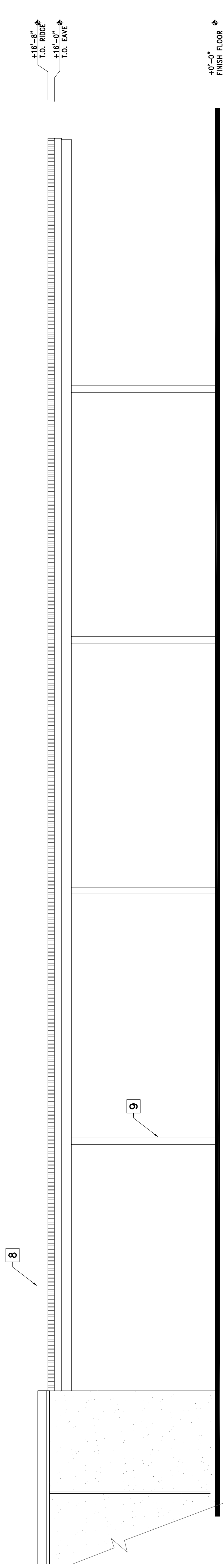
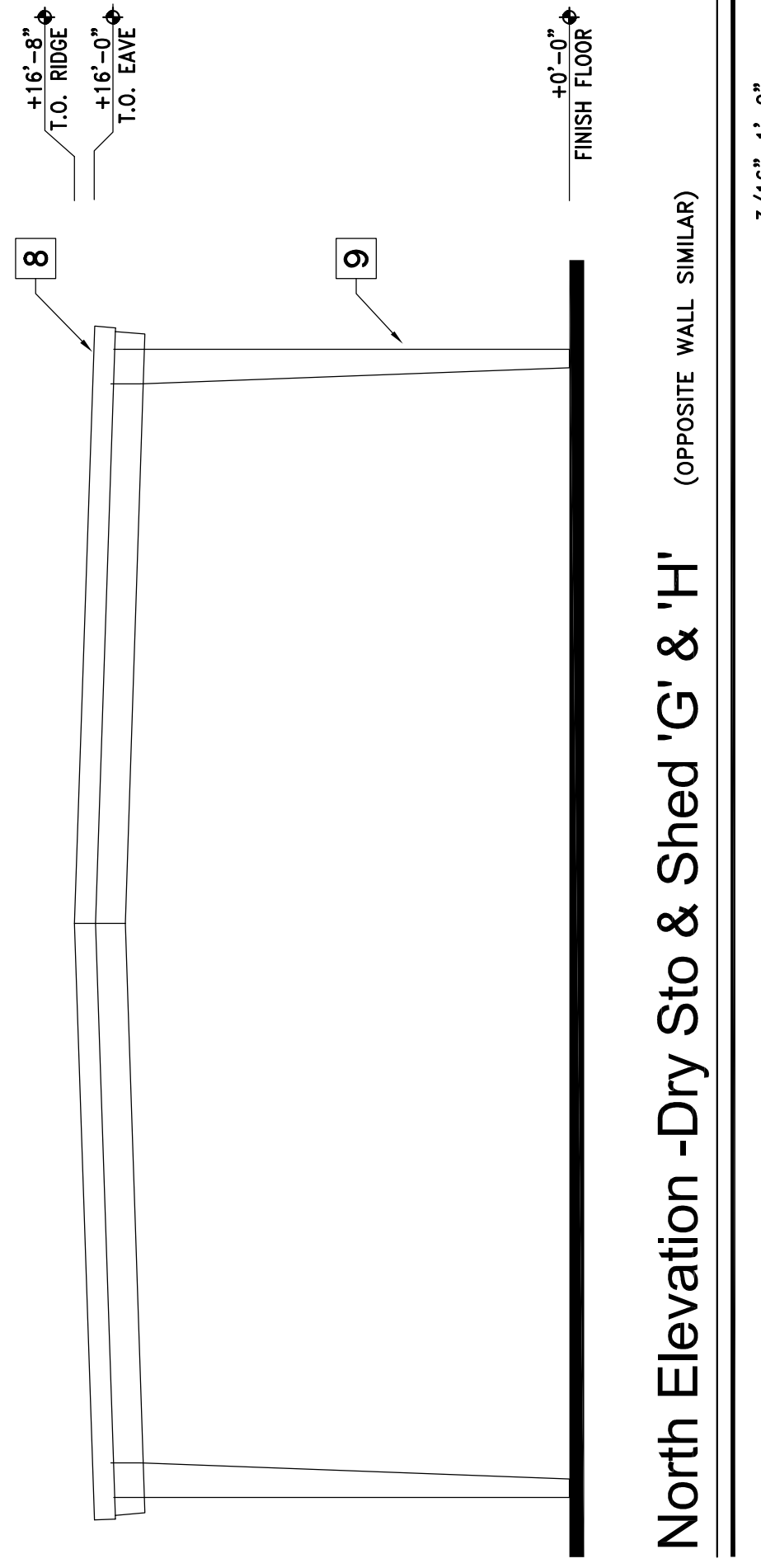
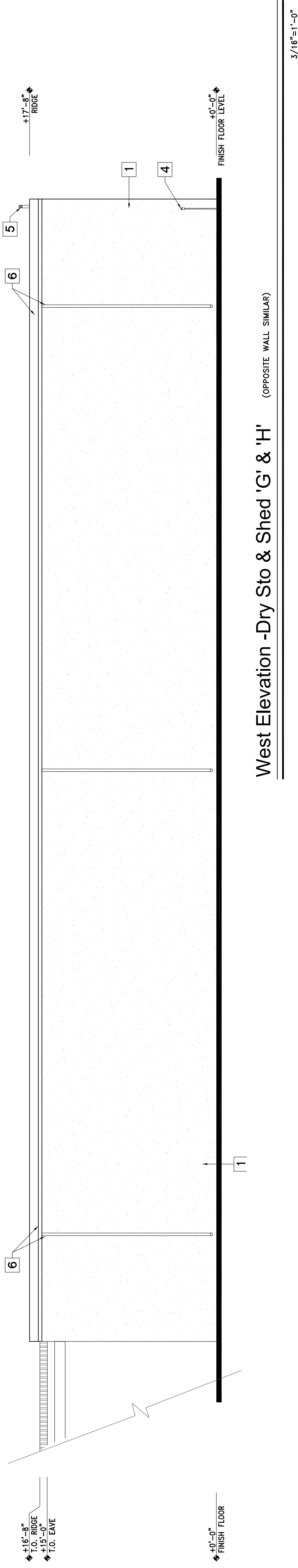
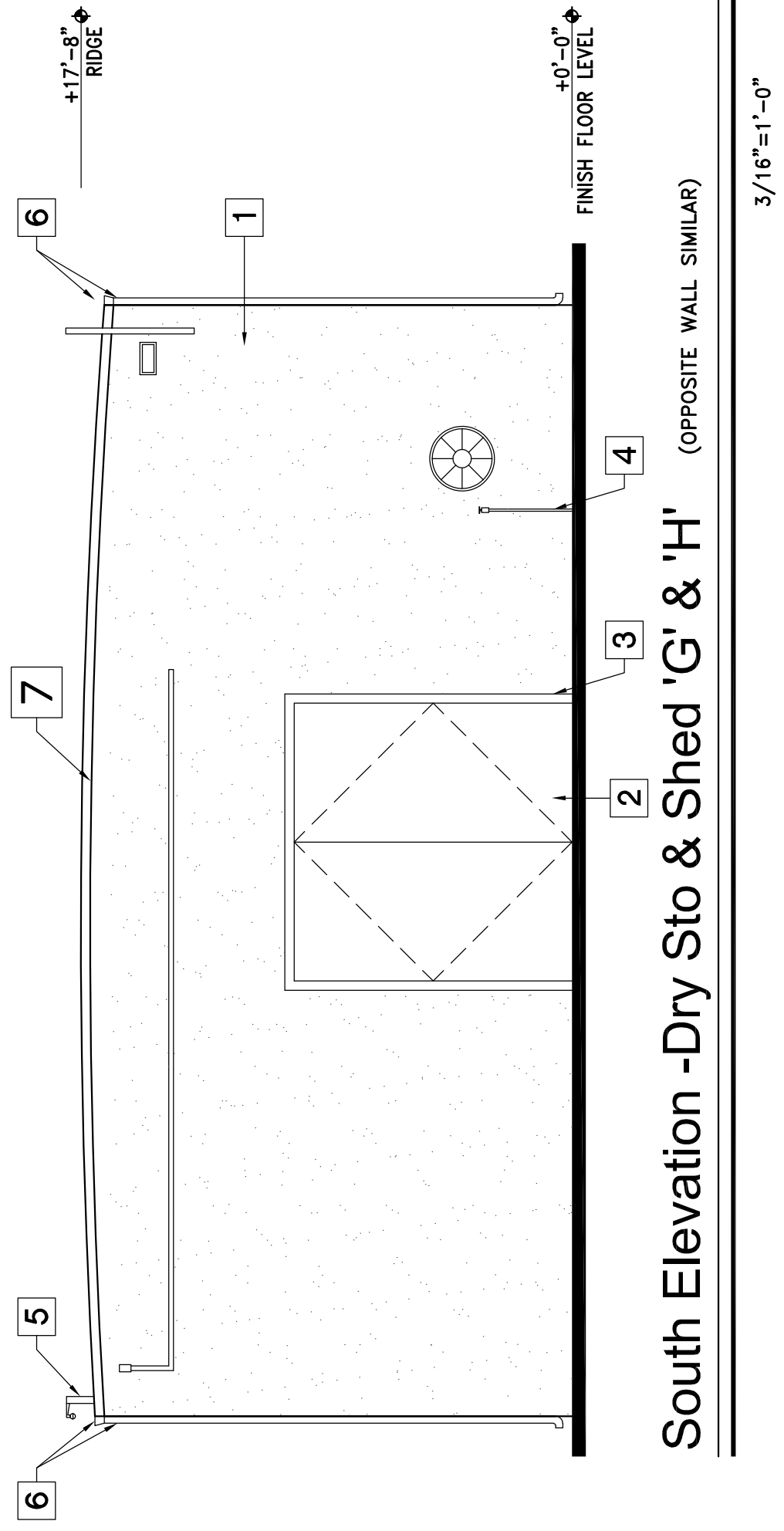
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Project # 20038

Exterior Elevations Ex. Cold Storage & Storage Shed

Revisions  
X

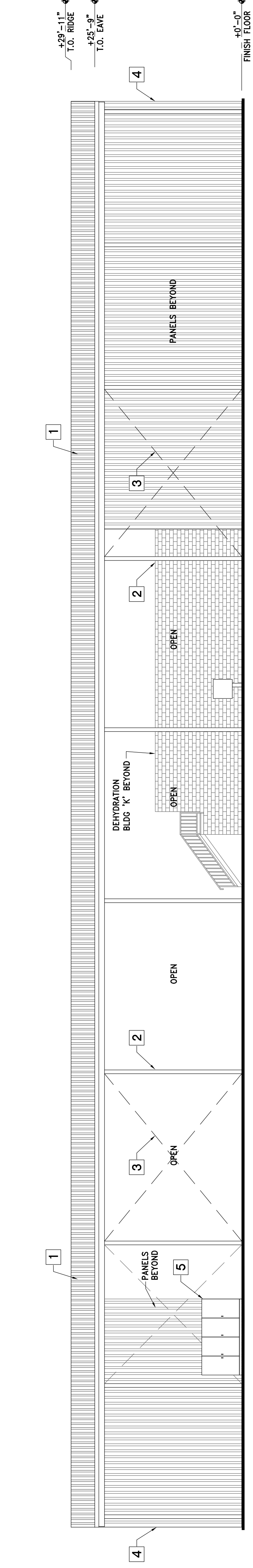
SHEET No.  
A3.7

Keynotes	
No.	Description
1	EXISTING STUCCO EXTERIOR WALL
2	EXISTING EXTERIOR DOORS
3	EXISTING WOOD TRIM
4	EXISTING HOSE BIB
5	EXISTING SECURITY CAMERA
6	EXISTING GUTTER AND DOWNSPOUT
7	EXISTING METAL COPING FLASHING
8	EXISTING METAL ROOFING
9	EXISTING STEEL COLUMN



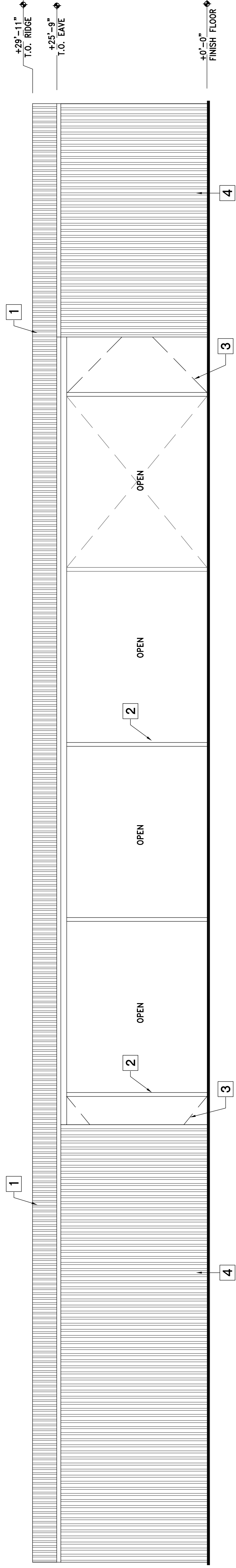


Keynotes	
No.	Description
1	EXISTING METAL ROOF
2	EXISTING STEEL COLUMN
3	EXISTING CABLE BRACING
4	EXISTING 2 HR SEPARATION WALL W/ METAL SIDING
5	EXISTING ELECTRICAL SWITCHGEAR



North Elevation - Fruit Storage Shed 'X'

3/32"=1'-0"



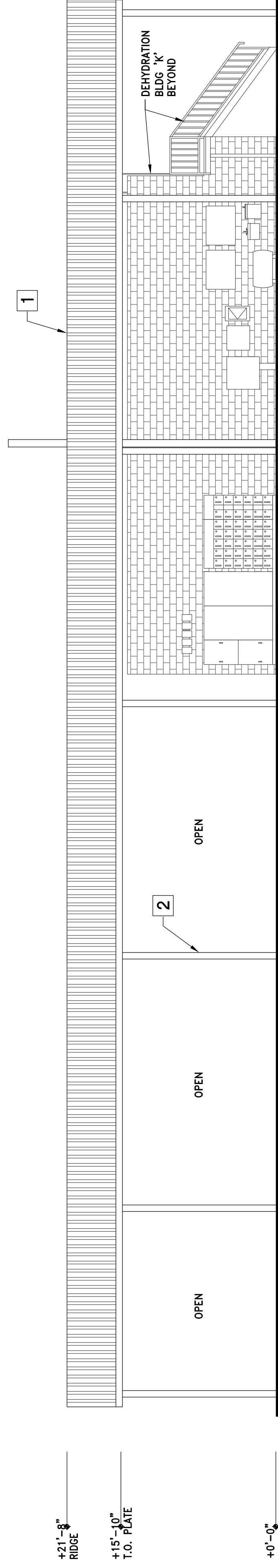
South Elevation - Fruit Storage Shed 'X'

3/32"=1'-0"



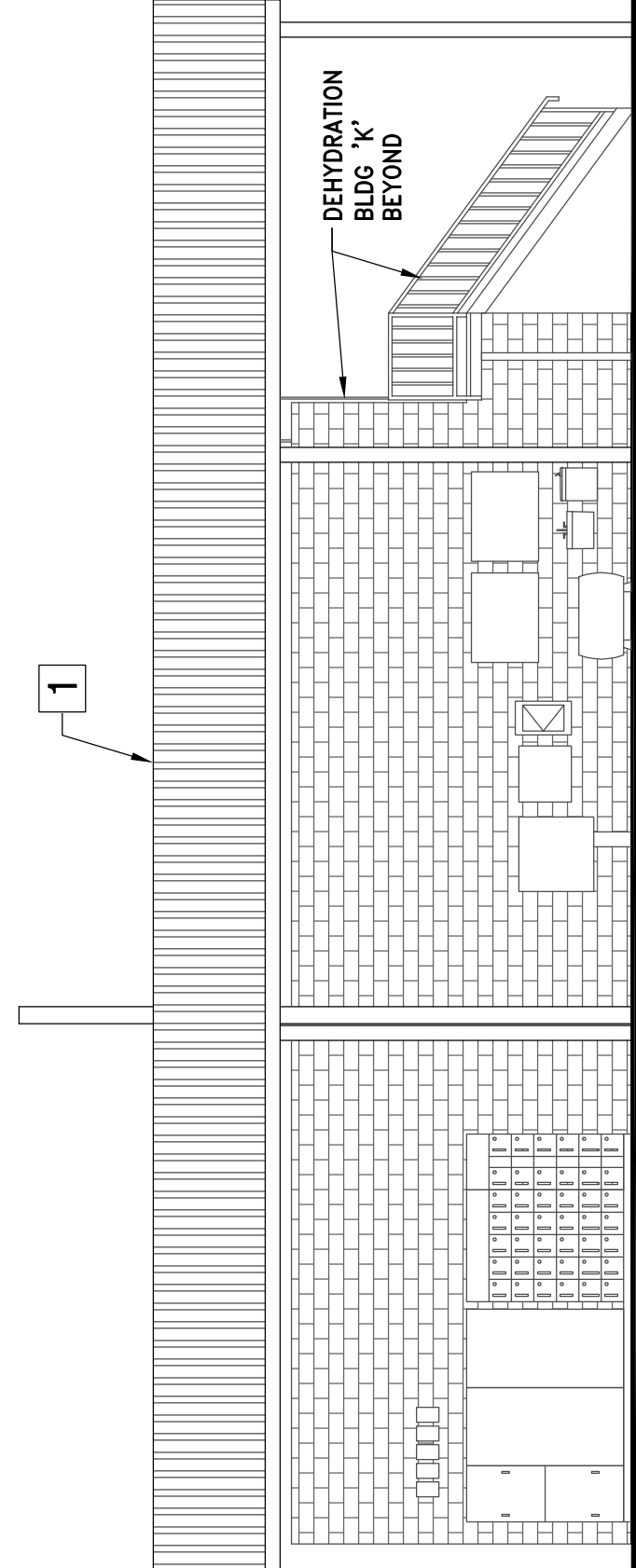
East Elevation - Fruit Processing Shed 'L' (West similar)

3/32"=1'-0"



East Elevation - Fruit Storage Shed 'I' (West similar)

3/32"=1'-0"



South Elevation - Fruit Storage Shed 'L'

1/8"=1'-0"



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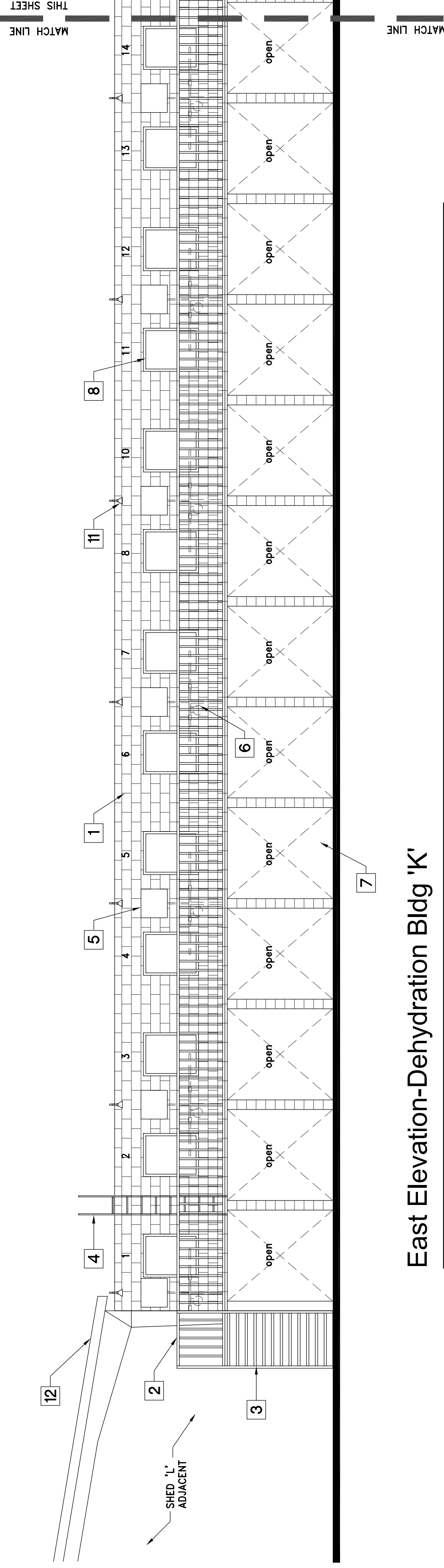
Keynotes	
No.	Description
1	EXISTING CMU BLOCK EXTERIOR WALL
2	EXISTING GUARDRAIL
3	EXISTING STAIRS AND HAND RAIL
4	EXISTING ROOF ACCESS LADDER
5	EXISTING CONTROL BOX FOR DOUBLE DECK CONTAINER DRYER
6	EXISTING BURNER WITH GAS REGULATOR FOR DOUBLE DECK CONTAINER DRYER
7	EXISTING LOWER LEVEL DEHYDRATION TUNNELS
8	EXISTING UPPER LEVEL DEHYDRATION TUNNELS
9	EXISTING DRINKING FOUNTAIN
10	EXISTING WALL MOUNTED UTILITY SINK
11	EXISTING EXTERIOR LIGHTS
12	EXISTING PRE-FABRICATED METAL SHED
13	EXISTING DOUBLE METAL DOORS
14	EXISTING MOTOR CONTROL CENTER
15	EXISTING TRANSFER PIT
16	EXISTING 1200 AMP ELECTRICAL MAINSWITCH GEAR
17	EXISTING METAL COLUMN
18	EXISTING PROPANE TANK
19	EXISTING PROPANE TANK

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Exterior Elev  
 Dehydration  
 Bldg 'K' &  
 Shed 'J'

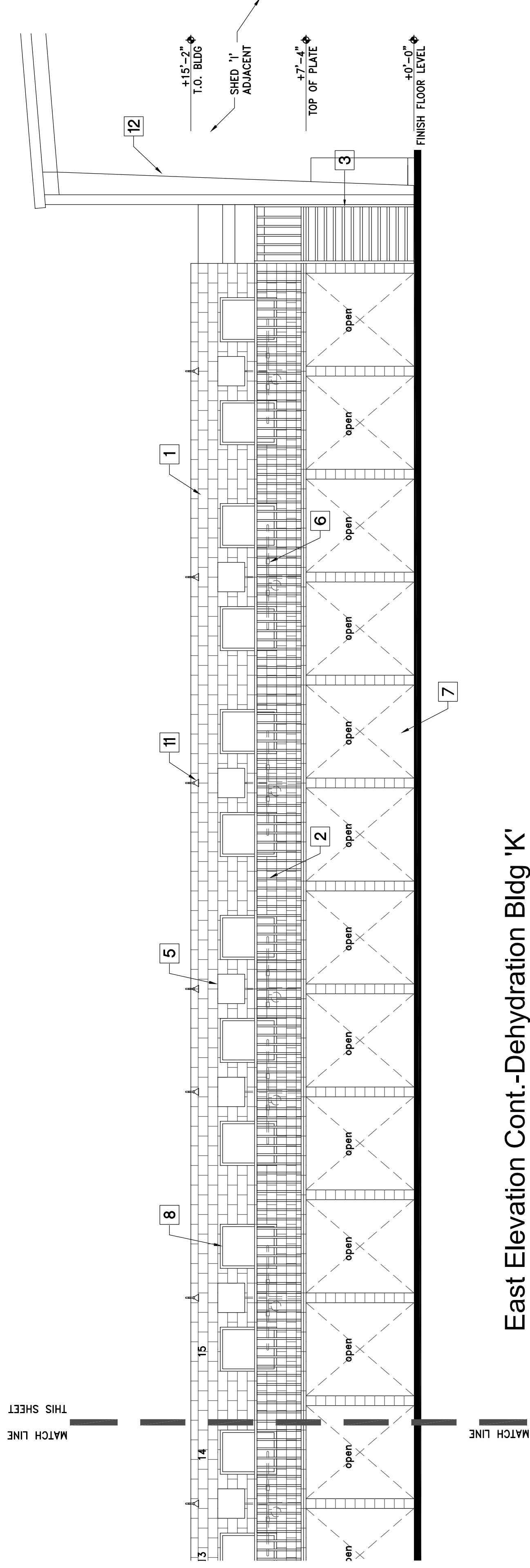
Revisions  
 X

SHEET No.  
**A3.9**



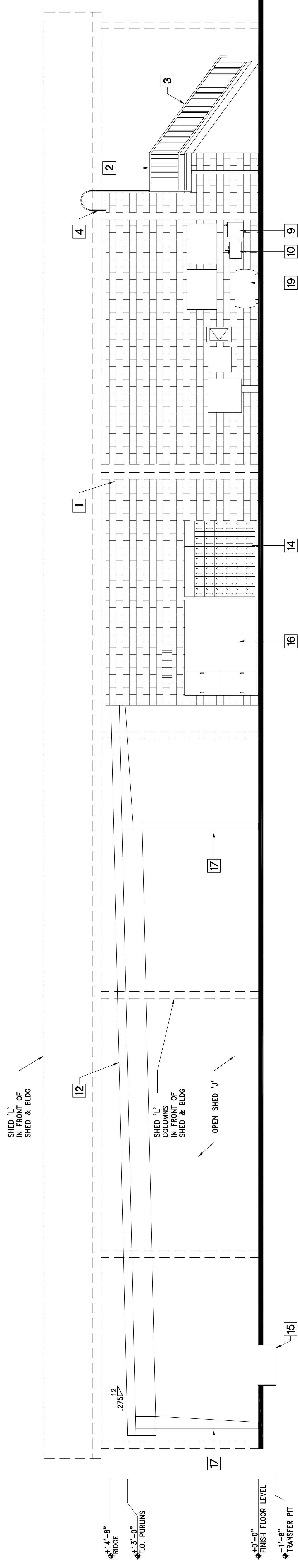
East Elevation-Dehydration Bldg 'K'

3/16"=1'-0"



East Elevation Cont.-Dehydration Bldg 'K'

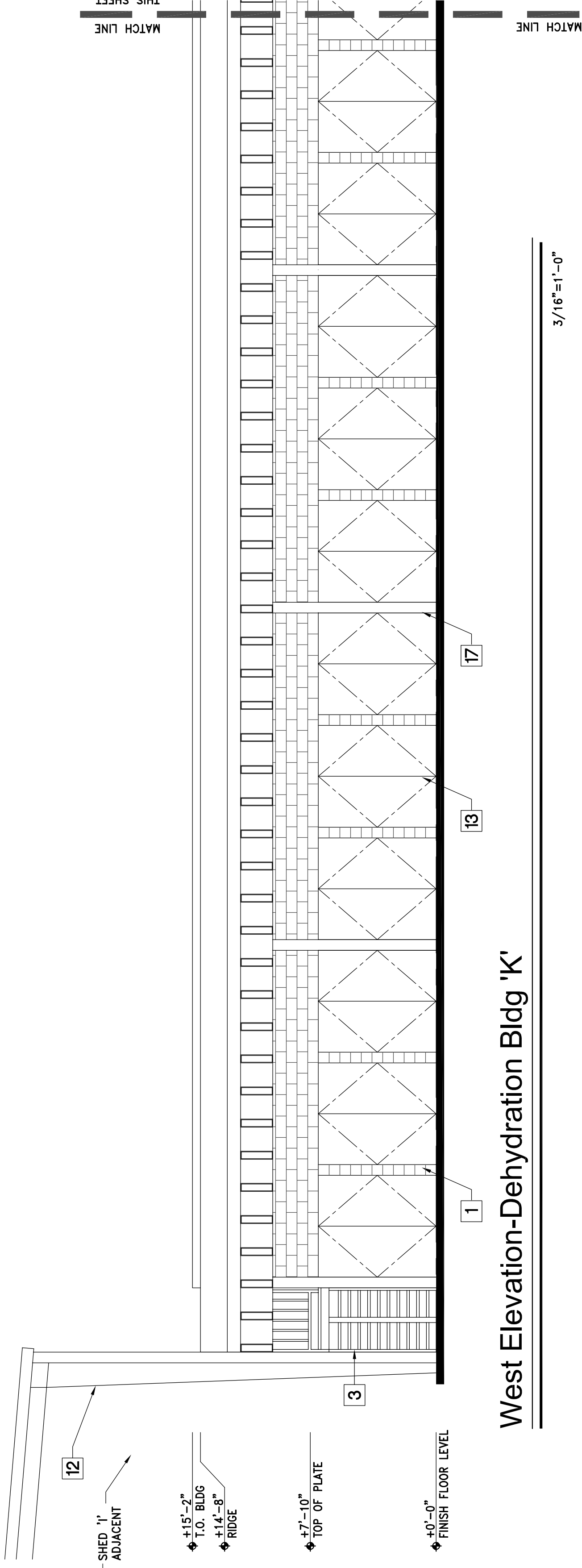
3/16"=1'-0"



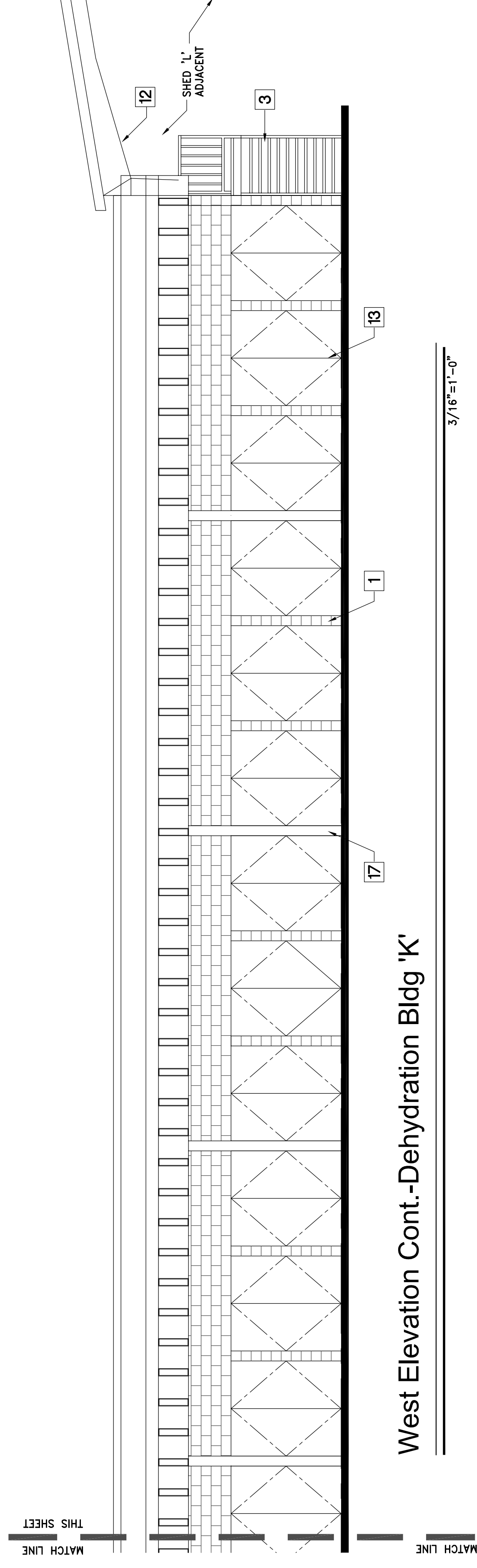
South Elevation-Dehydration Bldg 'K' & Shed 'J'

3/16"=1'-0"

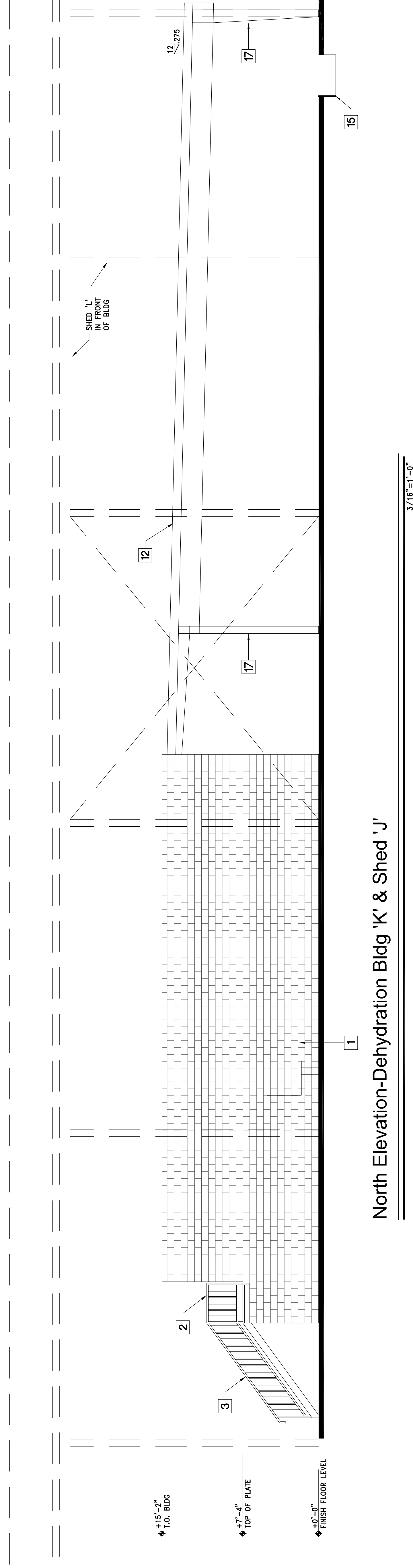
Keynotes	
No.	Description
1	EXISTING CMU BLOCK EXTERIOR WALL
2	EXISTING GUARDRAIL
3	EXISTING STAIRS AND HAND RAIL
4	EXISTING ROOF ACCESS LADDER
5	EXISTING CONTROL BOX FOR DOUBLE DECK CONTAINER DRYER
6	EXISTING BURNER WITH GAS REGULATOR FOR DOUBLE DECK CONTAINER DRYER
7	EXISTING LOWER LEVEL DEHYDRATION TUNNELS
8	EXISTING UPPER LEVEL DEHYDRATION TUNNELS
9	EXISTING WATER FOUNTAIN
10	EXISTING WALL MOUNTED UTILITY SINK
11	EXISTING EXTERIOR LIGHTS
12	EXISTING PRE-FABRICATED METAL SHED
13	EXISTING DOUBLE METAL DOORS
14	EXISTING MOTOR CONTROL CENTER
15	EXISTING TRANSFER PIT
16	EXISTING ELECTRICAL PANEL
17	EXISTING METAL COLUMN



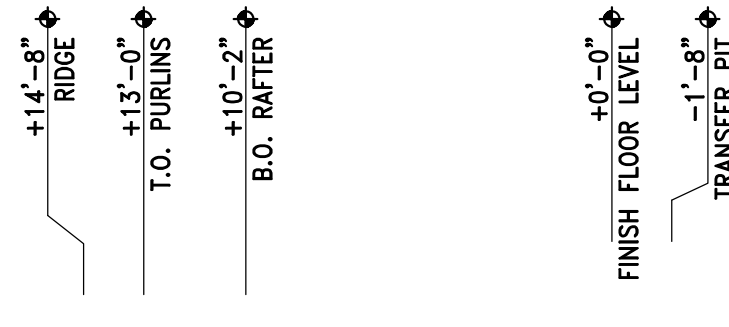
West Elevation-Dehydration Bldg 'K'



West Elevation Cont.-Dehydration Bldg 'K'



North Elevation-Dehydration Bldg 'K' & Shed 'J'



Keynotes	
No.	Description
1	EXISTING CMU BLOCK EXTERIOR WALL
2	EXISTING EXTERIOR DOORS
3	EXISTING WOOD PANEL SIDING
4	EXISTING HOSE BIB
5	EXISTING WALL OUTLET AND SWITCH
6	EXISTING MAKE UP AIR UNIT
7	EXISTING CONTROL AND ELECTRICAL METER
8	EXISTING COVERED OPENING



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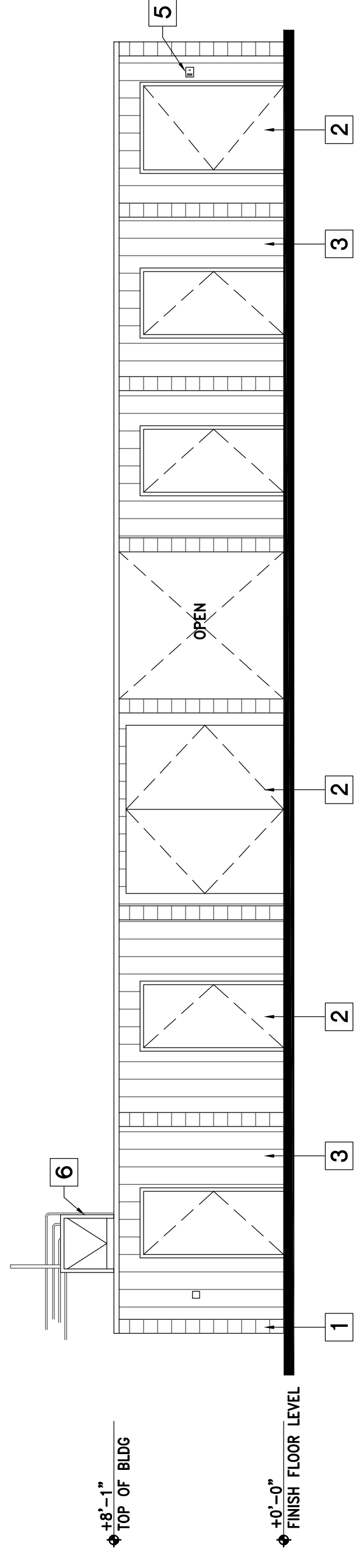
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Project # 20038

Exterior Elevations Ex.  
Sulfur House Bldg 'M'

Revisions  
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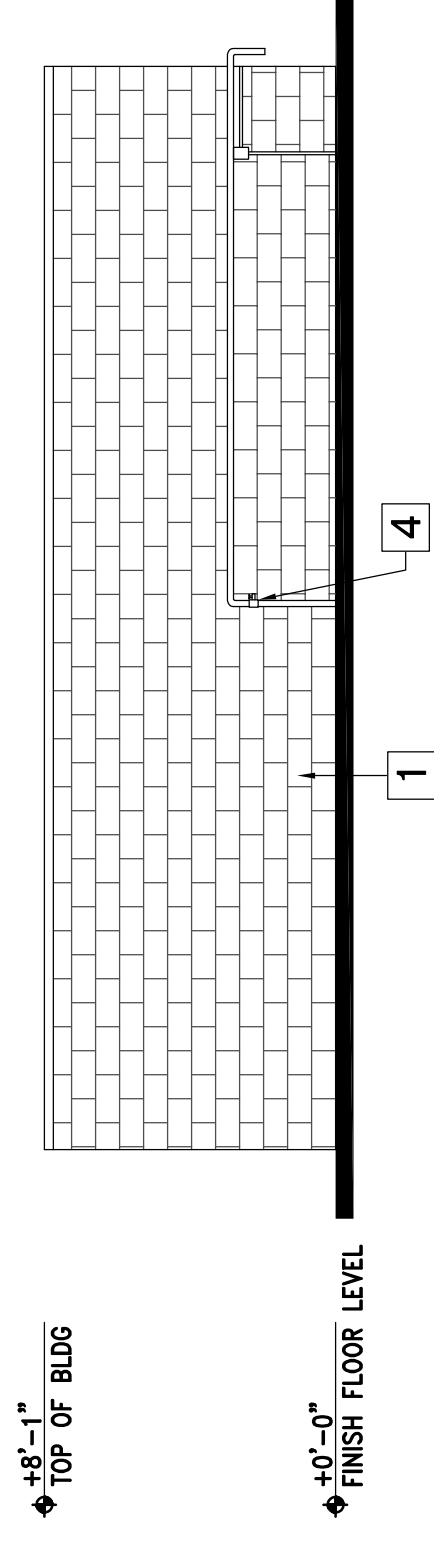
SHEET No.

A3.11



North Elevation -Sulfur House Bldg 'M'

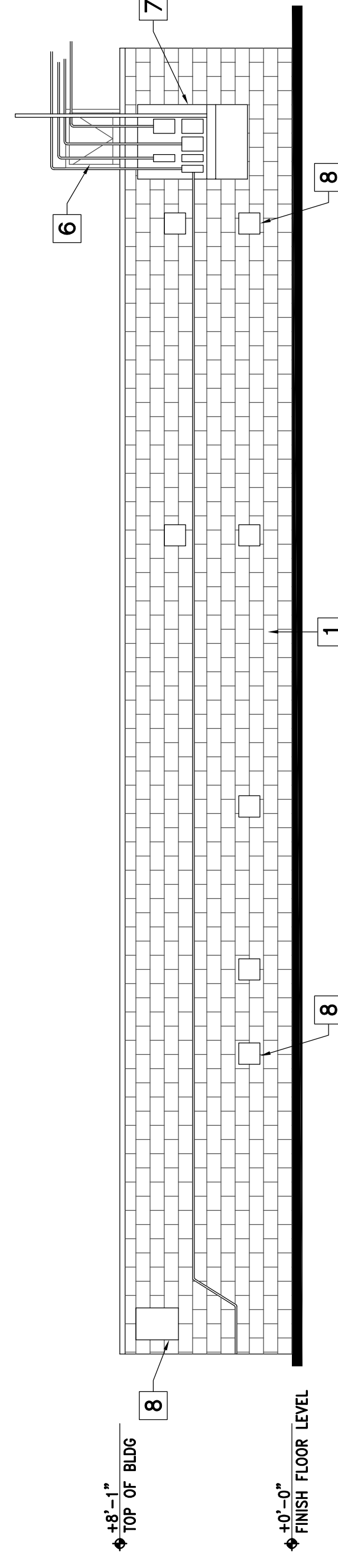
3/16"=1'-0"



East Elevation -Sulfur House Bldg 'M'

(OPPOSITE WALL SIMILAR)

3/16"=1'-0"



South Elevation -Sulfur House Bldg 'M'

3/16"=1'-0"

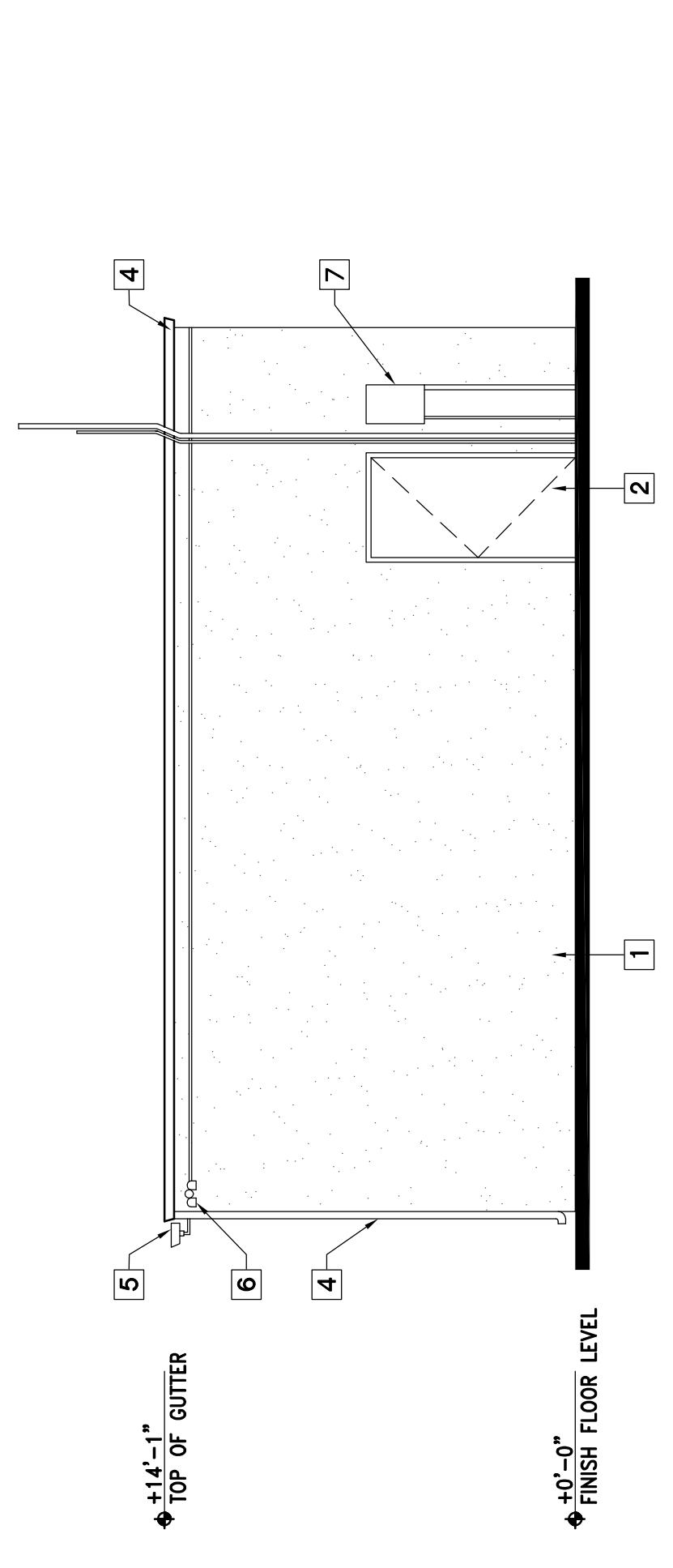


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Project # 20038

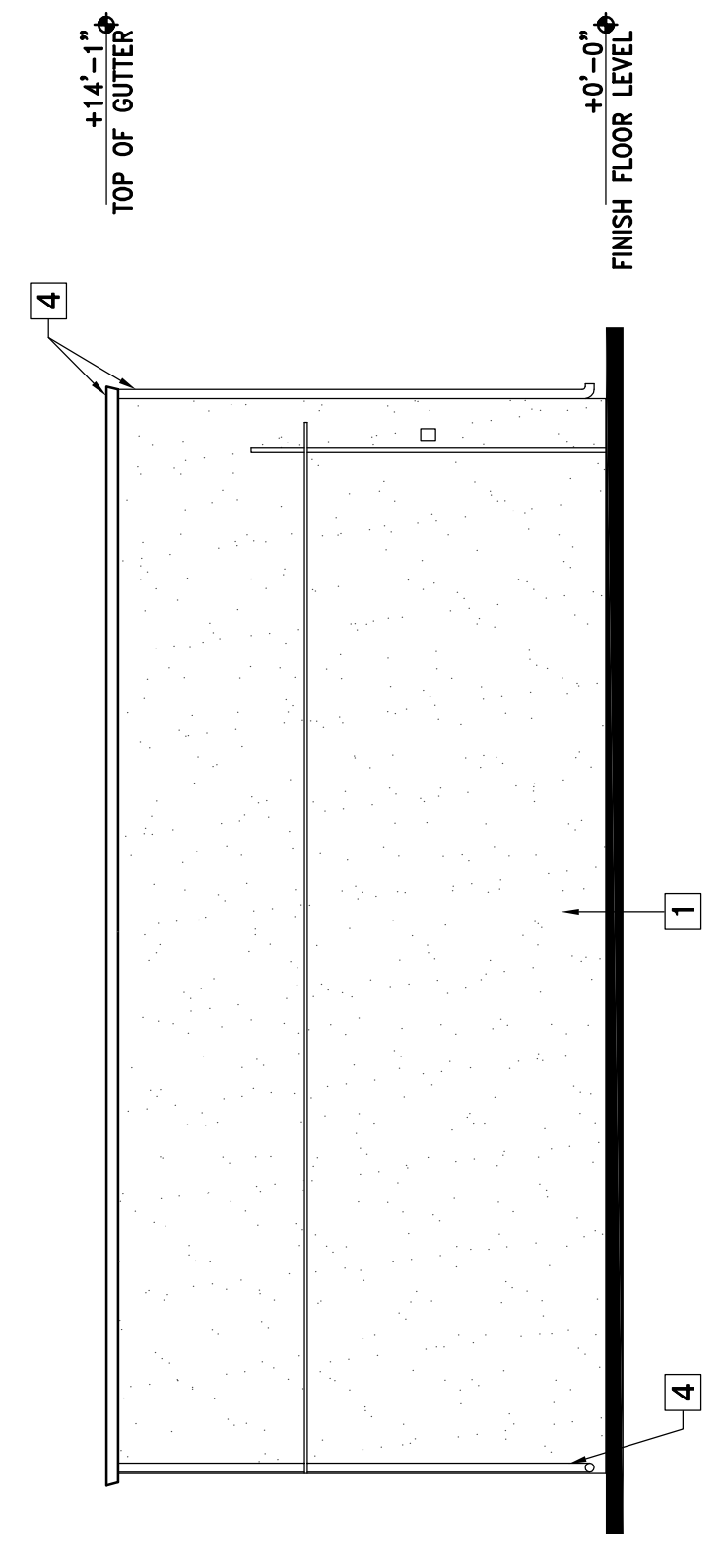
**Exterior Elevations Ex. Cold Storage 2 Bldg 'N'**

Revisions  
X

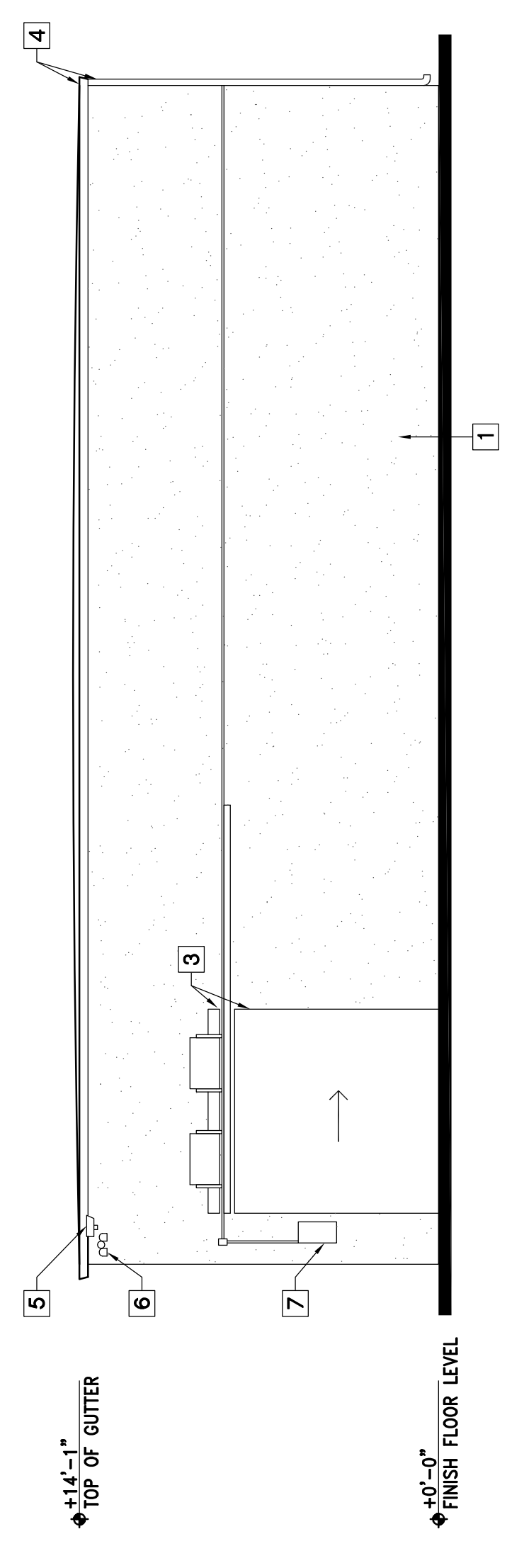
Keynotes	
No.	Description
1	EXISTING STUCCO EXTERIOR WALL
2	EXISTING EXTERIOR DOORS
3	EXISTING EXTERIOR SLIDING DOOR ON TRACK
4	EXISTING GUTTER AND DOWNSPOUT
5	EXISTING SECURITY CAMERA
6	EXISTING EXTERIOR FLOOD LIGHTS
7	EXISTING ELECTRICAL PANEL



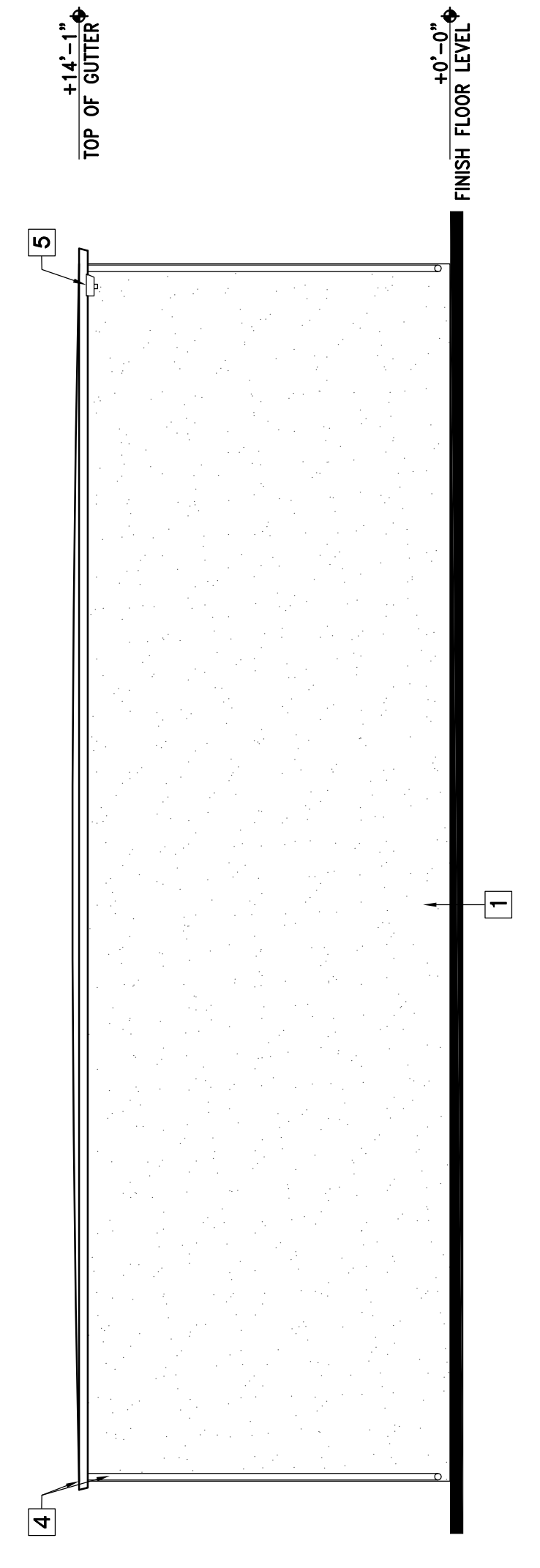
**East Elevation -Cold Storage 2 Bldg 'N'**



**West Elevation -Cold Storage 2 Bldg 'N'**

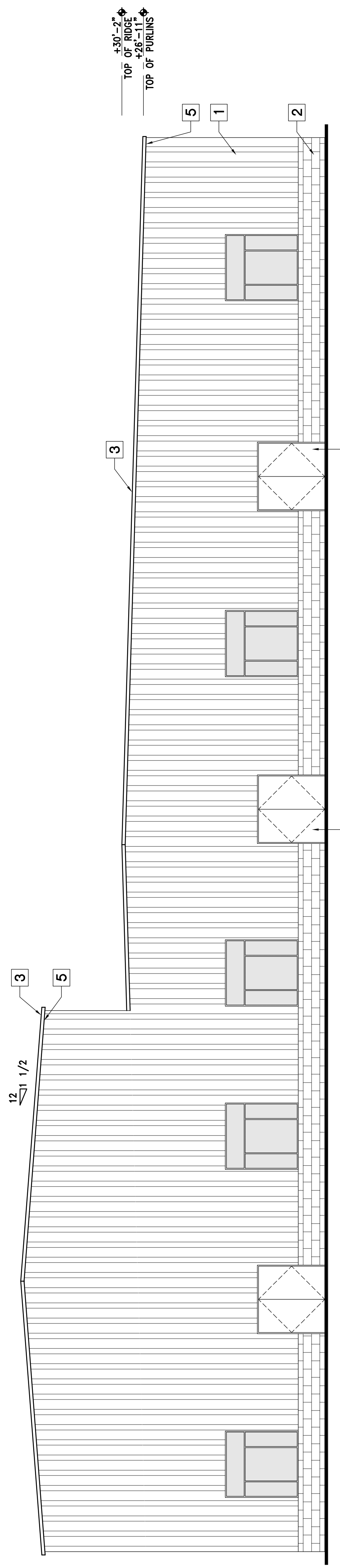


**North Elevation -Cold Storage 2 Bldg 'N'**



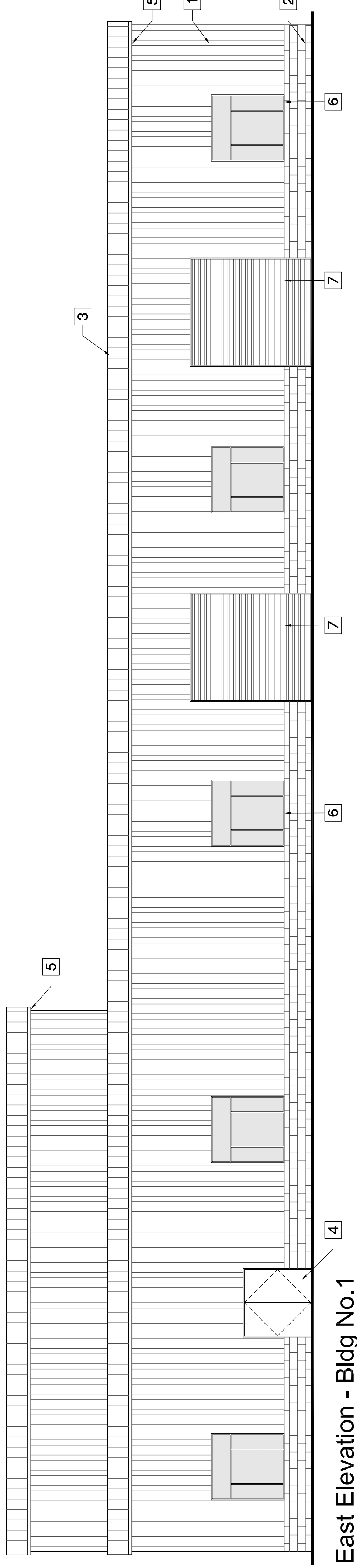
**South Elevation -Cold Storage 2 Bldg 'N'**

◆ +45'-10"  
 TOP OF RIDGE  
 ◆ +42'-7"  
 TOP OF PURLINS  
 ◆ +10'-0"  
 FINISH FLOOR LEVEL



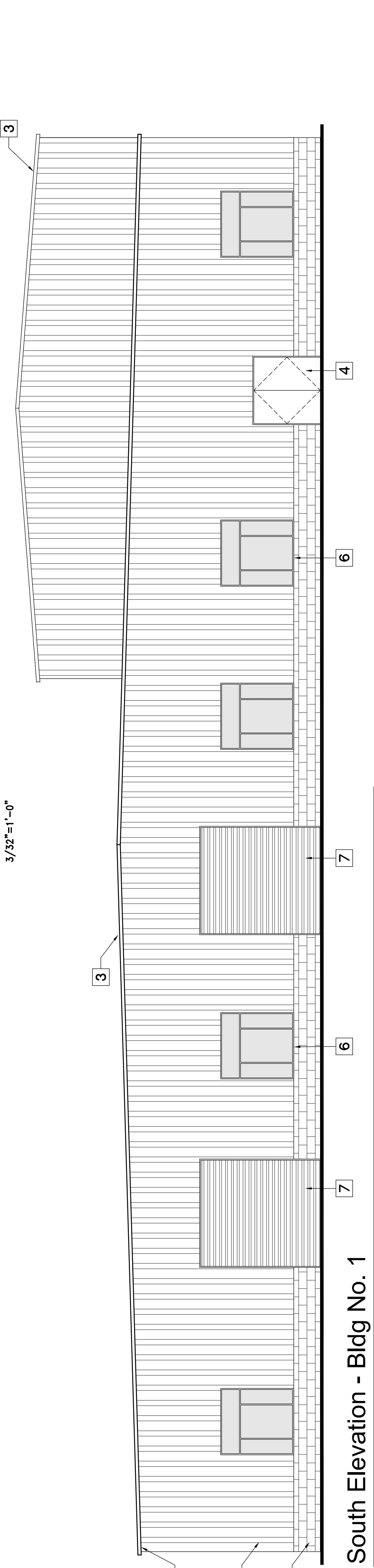
North Elevation - Bldg No. 1

◆ +45'-10"  
 TOP OF RIDGE  
 ◆ +42'-7"  
 TOP OF PURLINS  
 ◆ +30'-2"  
 TOP OF RIDGE  
 ◆ +26'-11"  
 TOP OF PURLINS  
 ◆ +10'-0"  
 FINISH FLOOR LEVEL



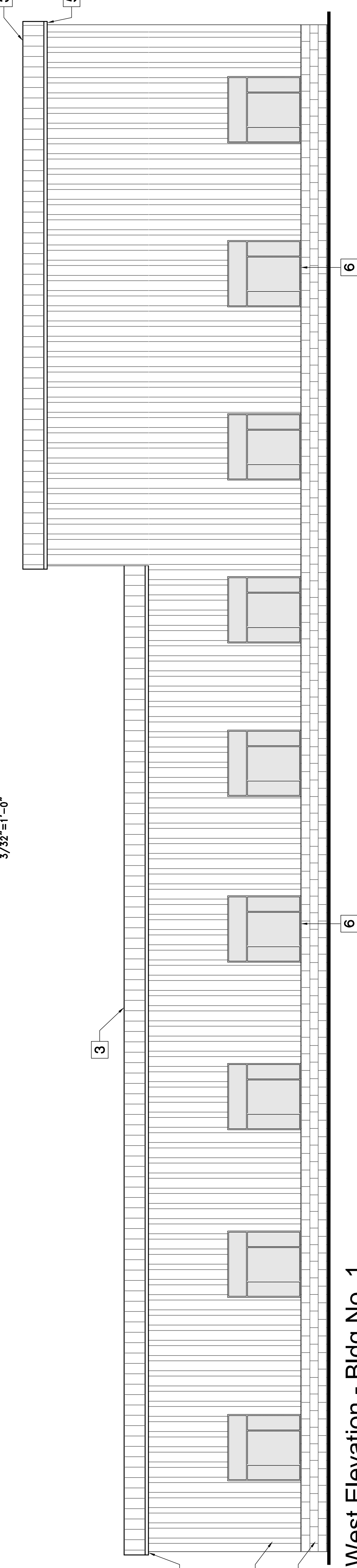
East Elevation - Bldg No. 1

◆ +45'-10"  
 TOP OF RIDGE  
 ◆ +42'-7"  
 TOP OF PURLINS  
 ◆ +30'-2"  
 TOP OF RIDGE  
 ◆ +26'-11"  
 TOP OF PURLINS  
 ◆ +10'-0"  
 FINISH FLOOR LEVEL



South Elevation - Bldg No. 1

◆ +45'-10"  
 TOP OF RIDGE  
 ◆ +42'-7"  
 TOP OF PURLINS  
 ◆ +30'-2"  
 TOP OF RIDGE  
 ◆ +26'-11"  
 TOP OF PURLINS  
 ◆ +10'-0"  
 FINISH FLOOR LEVEL



West Elevation - Bldg No. 1

Keynotes	
No.	Description
1	INSULATED VERTICAL METAL PANELS
2	BRICK VENEER
3	METAL ROOF
4	EXTERIOR METAL DOORS
5	METAL TRIM
6	WINDOW WITH PLASTIC FRAME
7	ROLL UP DOORS

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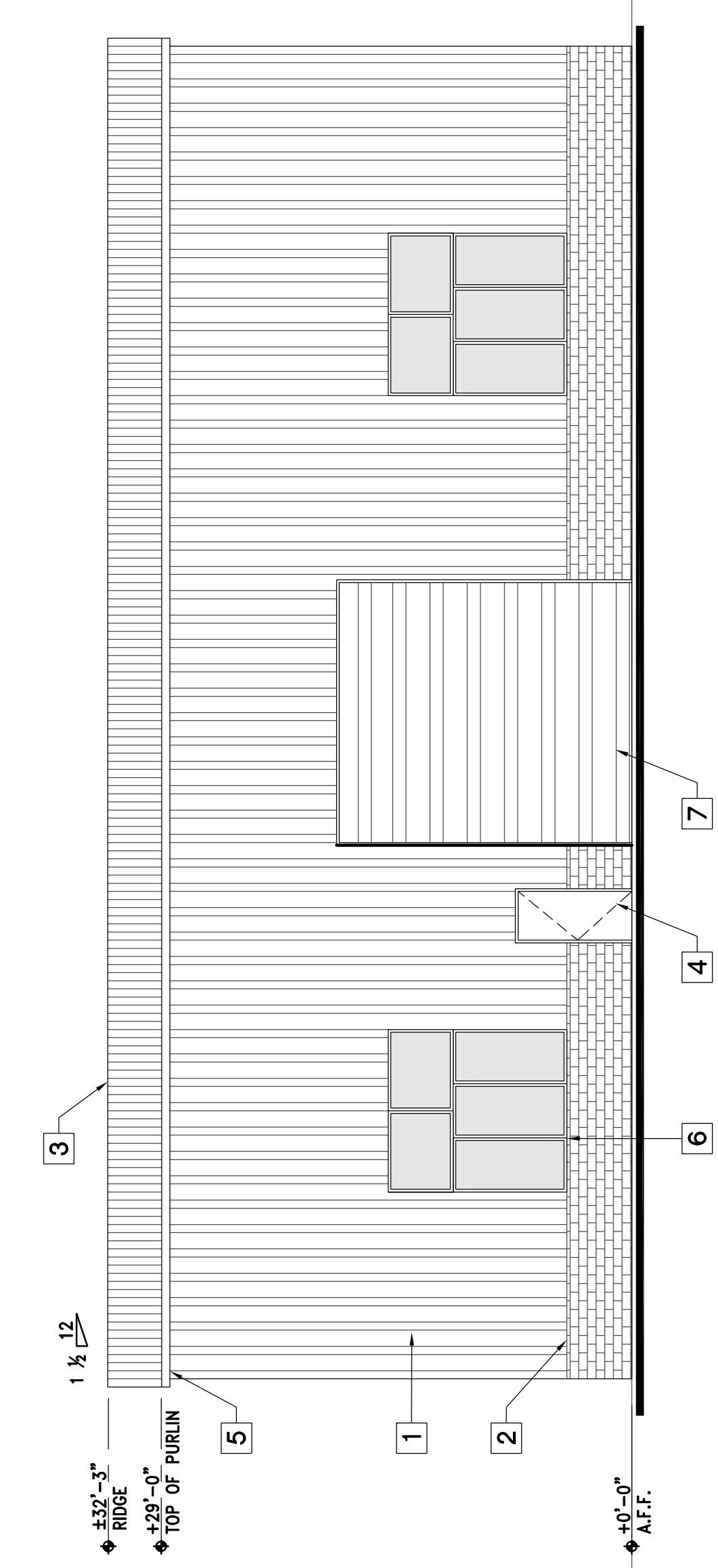
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 Drawn By: Susan Jones  
 Project # 20038

**Exterior Elevations Bldg No.1**

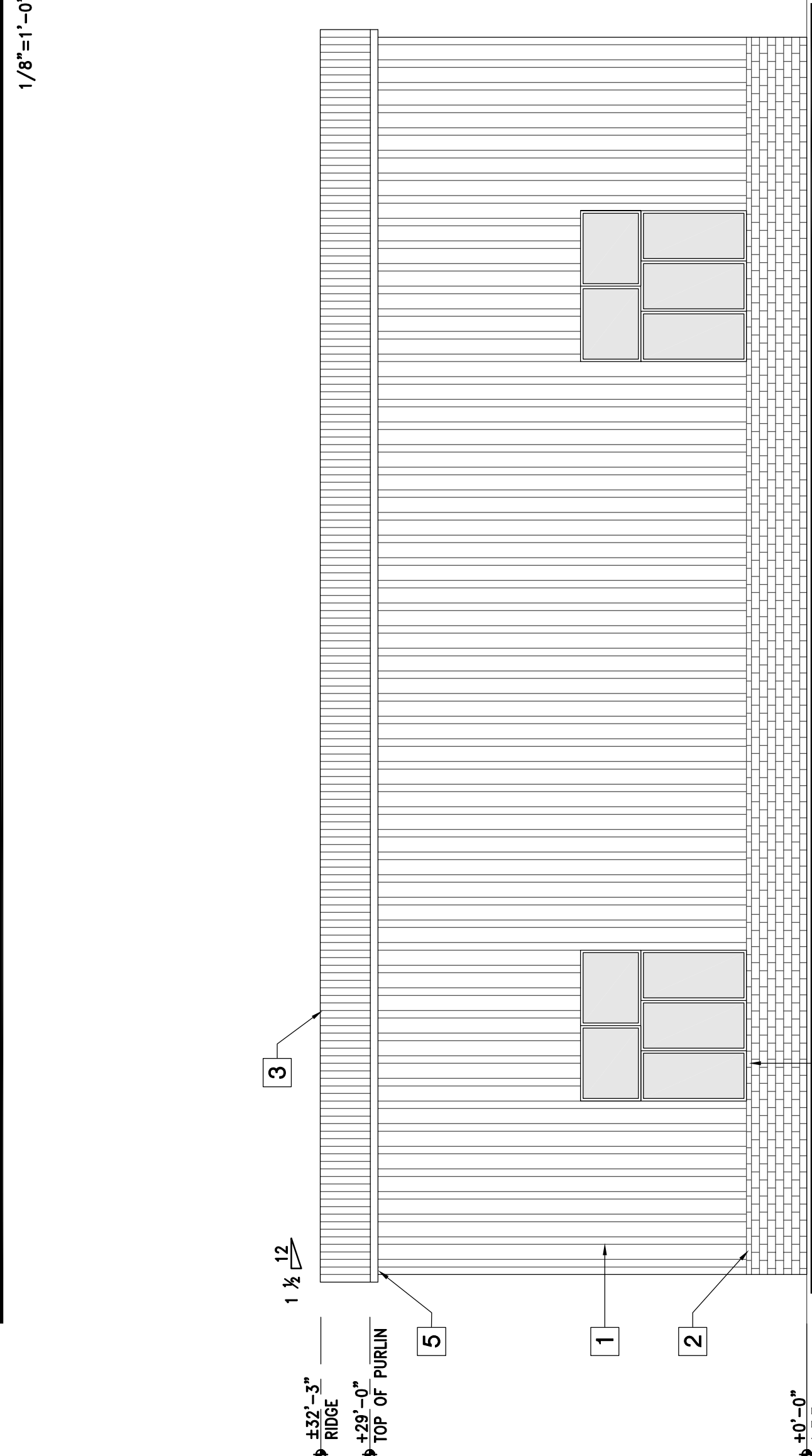
Revisions  
 X

SHEET No.

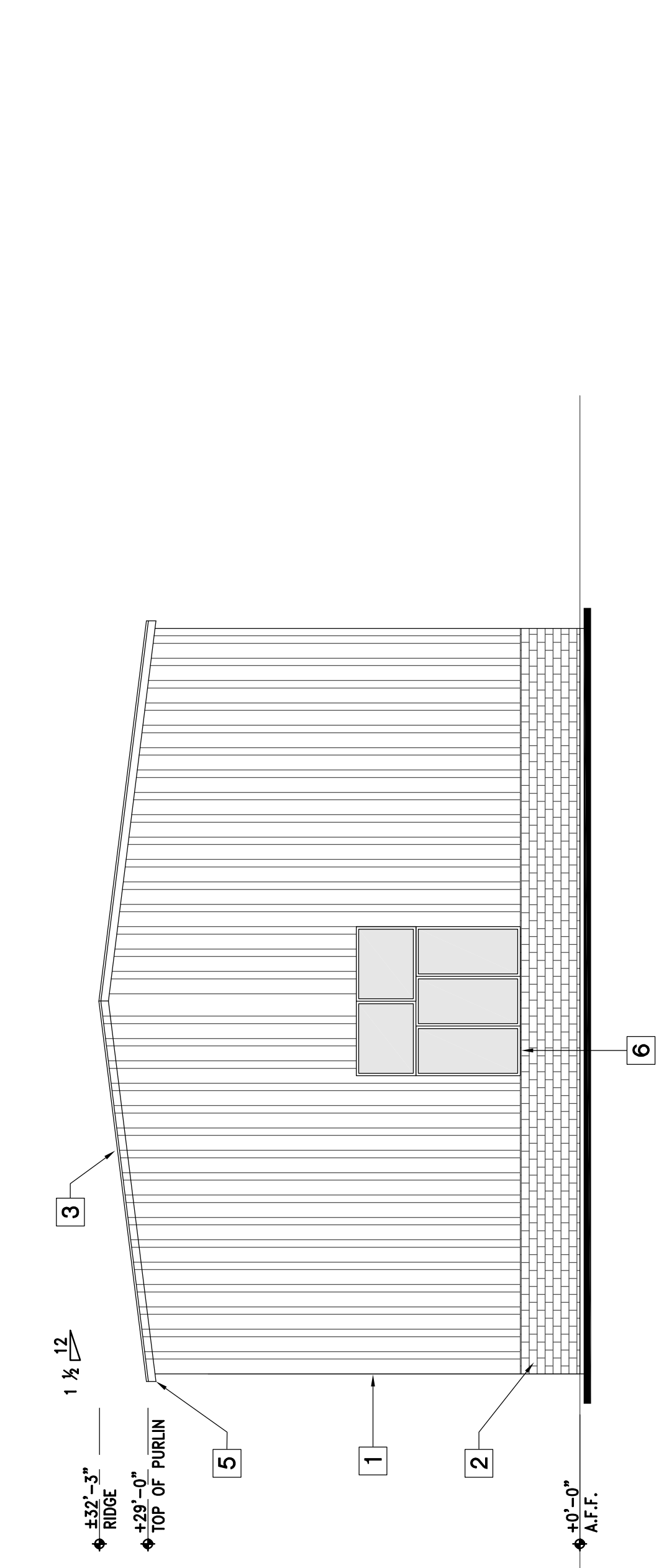
A3.13



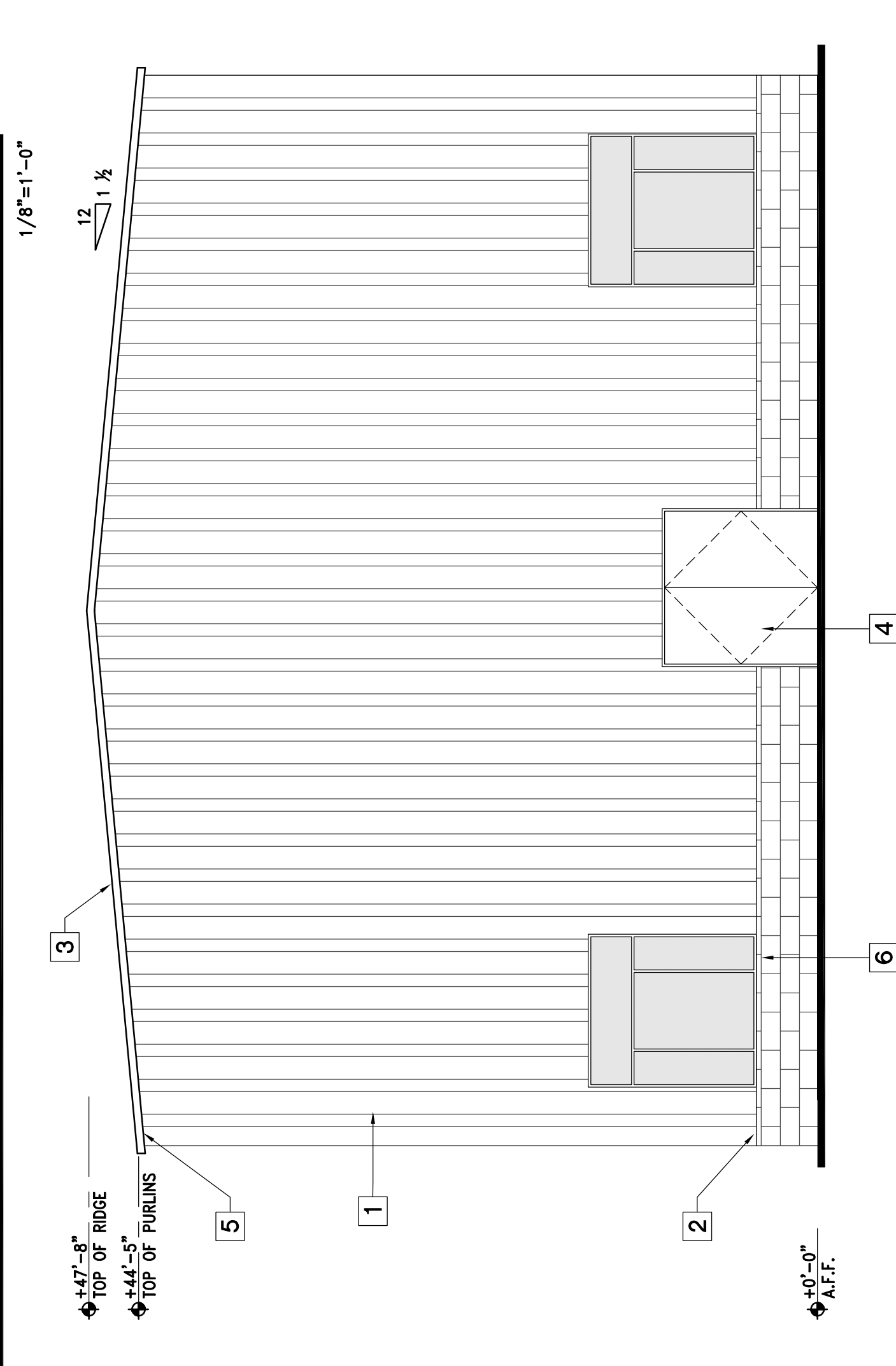
West Elevation - Bldg No. 2 ( Bldg 3 Sim.)



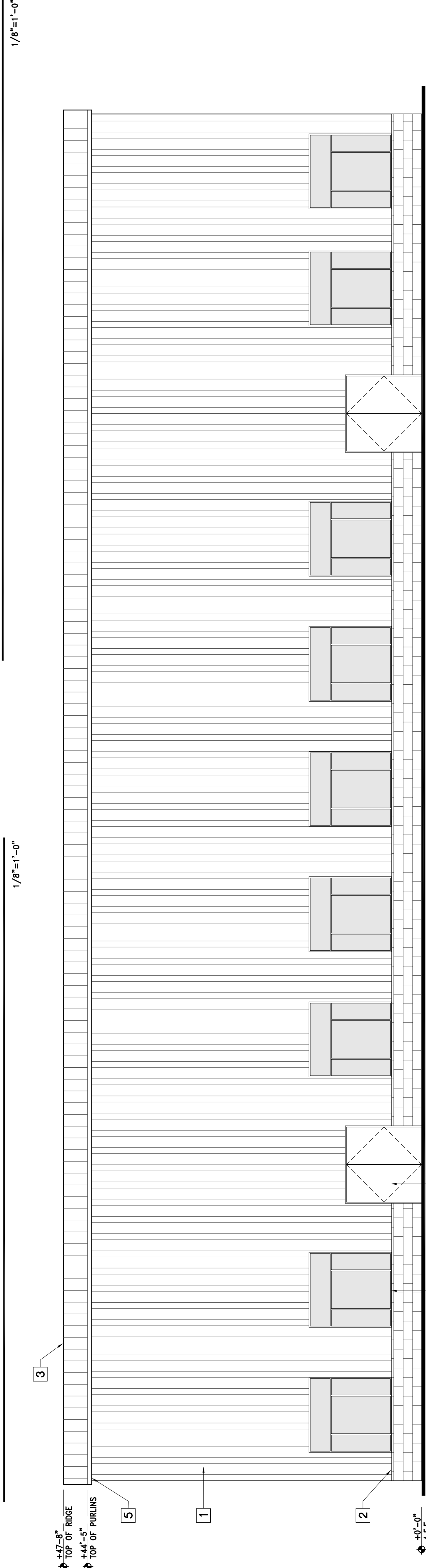
East Elevation - Bldg No. 2 ( Bldg 3 Sim.)



South Elevation - Bldg No. 2 ( Bldg 3 Sim) North Elev. Sim.



West Elevation - Bldg No. 4 (East Sim.)



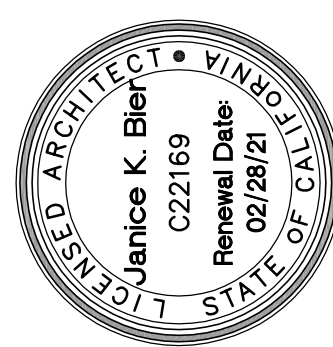
South Elevation - Bldg No. 4 (North Elev Sim.)

Keynotes	
No.	Description
1	INSULATED VERTICAL METAL PANELS
2	BRICK VENEER
3	METAL ROOF
4	EXTERIOR METAL DOORS
5	METAL TRIM
6	WINDOW WITH PLASTIC FRAME
7	ROLL UP DOORS



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Project # 20038

Exterior Elevations  
Bldg No 2, 3, & 4

Revisions  
X

SHEET No.

A3.14

Keynotes	
No.	Description
1	INSULATED VERTICAL METAL PANELS
2	BRICK VENEER
3	METAL ROOF
4	EXTERIOR METAL DOORS
5	METAL TRIM
6	WINDOW WITH PLASTIC FRAME
7	HIGH & LOW DRINKING FOUNTAIN

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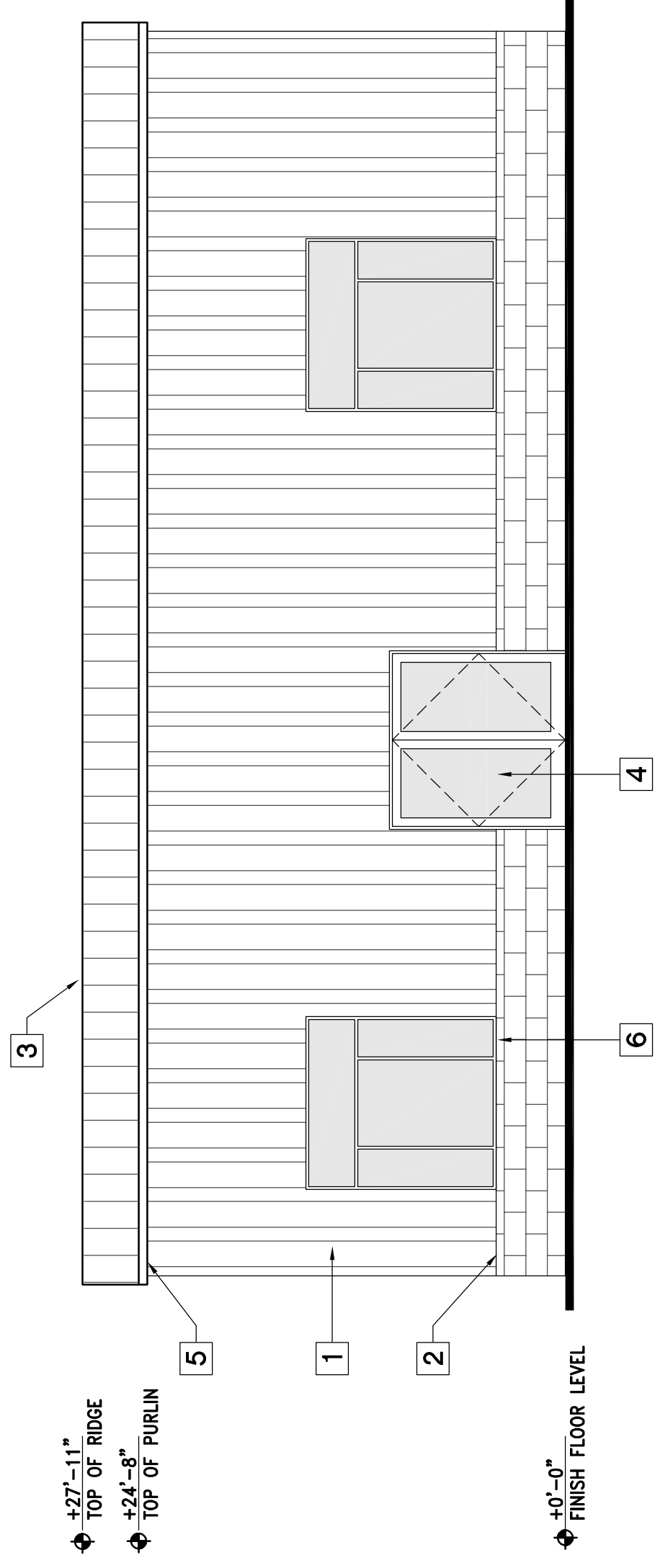
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Project # 20038

**Exterior Elevations Bldg 5&6**

Revisions  
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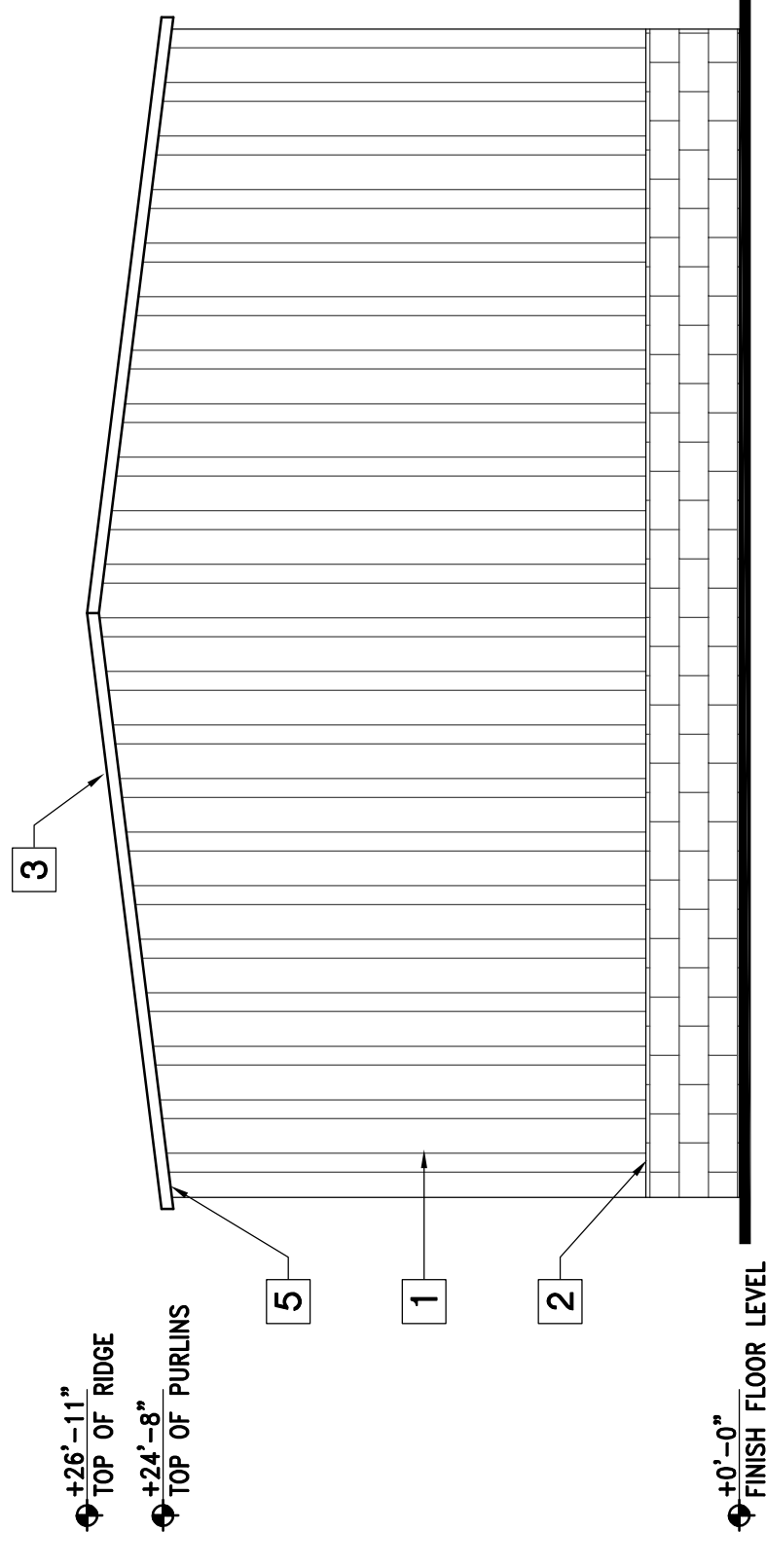
SHEET No.

**A3.15**



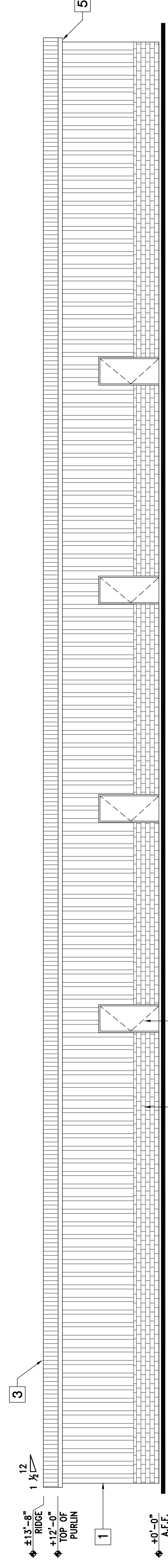
South Elevation - Bldg No. 6 (North Elev Sim)

1/8"=1'-0"



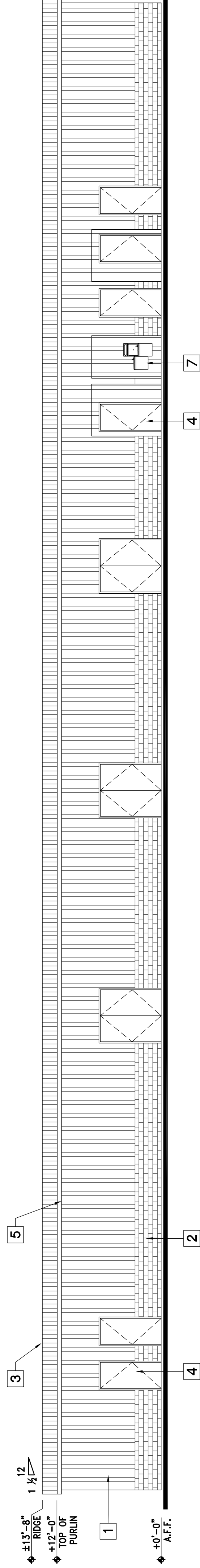
East Elevation - Bldg No. 6 (West Elev Sim)

1/8"=1'-0"



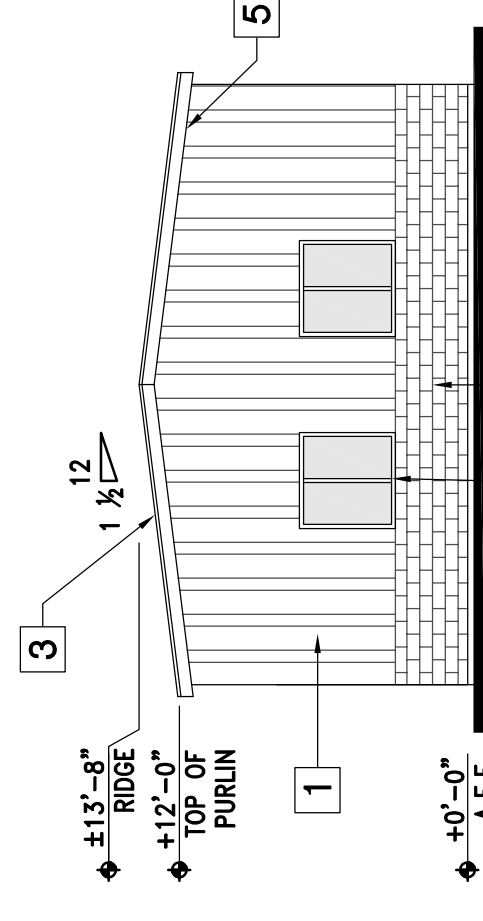
North Elevation - Bldg No. 5

1/8"=1'-0"



South Elevation - Bldg No. 5

1/8"=1'-0"



East Elev - Bldg No. 5 (West Elev Sim)

1/8"=1'-0"



# County of Fresno

## Conditional Use Permit Operational Statement & Project Description

### Chenguang Biotech Group Company, Ltd. Processing Plant

**1. Nature of the operation--what do you propose to do? Describe in detail.**

*In an existing idle fruit facility along with the addition of new buildings, Chenguang Biotech proposes to establish a pellet processing and extraction plant utilizing raw agricultural materials including tomato pumice, grape seed, industrial hemp and other locally available natural materials to make lycopene, grape extract and CBG oil for domestic and international wholesale markets. Processing will use locally available feedstock from existing and future agricultural suppliers and operations.*

*The +/- 38.33 acre property (APN 512-120-21s) at 3025 N Chateau Fresno, NWC of W Shields, is the former site of Simone Fruit Company, Inc. in Fresno County and currently contains several existing buildings and structures constructed of brick, wood framing, concrete and steel.*

*The future buildout of the facility will occupy approximately 20 acres. The remainder of the site will remain in an irrigated agricultural use with the existing fig orchard.*

*The existing buildings will be retrofitted for processing utilizing materials from agricultural operations. Some of the existing buildings may be used as-is and there will be some new buildings for support of the operations.*

*Operations will include receiving raw materials into a storage yard. Materials will be moved to the processing facility where they will go through a drying process to remove loose soil and receive a cleaning rinse with water. Materials will be shredded for extraction purposes and some pelletized which will be moved to the warehouse to await shipping.*

**2. Operational time limits:**

Months (if seasonal): *July-September*

Days per week: *Seven*

Hours: *Around the clock in shifts*

total hours per day: *24*

Special activities: *None*

*Both indoors and outdoors*

*Operations will be primarily seasonal as stated above with various materials being received from a wide variety of ag operations. Hours of operation are generally 24 hours a day for the processing season, seven days per week.*

*Recently received raw materials will be stock piled in the storage area. Cleaning, shredding, pelletizing, extraction and baling operations will be conducted inside of the existing buildings and new buildings. Processed materials will be stored in the warehouse prior to shipping.*

**3. Number of customers or visitors:**

Average no. per day:

Maximum no. per day:

Hours (when they will be there):

*Visitors or customers to the site will be during hours of operation and could be as high as approximately 20 to view operations but this type of visitation will be limited to a few times a year.*



**4. Number of employees:**

Current: *Site is idle*

Future: *Approximately 50*

Hours they work: *24 hours in shifts*

Do any live on-site as a caretaker? *Yes*

*Number of employees will be limited during the first several months after the proposed use of facility is approved while buildings are being rehabbed, equipment installed and new buildings constructed. It is anticipated during this period of approximately four to six months employees will be limited and construction personal will be on-site periodically daily.*

*The number of employees during periods of full operations is anticipated to be approximately 50 daily. This may increase somewhat in future years of operation.*

**5. Service and delivery vehicles:**

Number: *30*

Type: *25 tons trucks*

Frequency: *Daily*

*Delivery vehicles will vary in size for various Ag raw materials. The number of delivery vehicles on a daily basis during full operations is anticipated to be an average of 30 and could be additional in future years of operation depending on the availability of raw materials.*

*Service vehicles will be those typically required for repair and maintenance of the facility and equipment.*

**6. Access to the site:**

Public Road: *Yes*

Surface: *Paved*

*Access to the site will be as is currently on the south side of the property from W Shields Ave and from the east side of the property from N Chateau Fresno which are paved County roads.*

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

Type of surfacing on parking area.

*There is some existing on-site paved parking which will be utilized and additional parking will be added as the site is expanded with new buildings. Proposed parking stalls include 17 standard, 2 accessible and 7 truck parking.*

*Service vehicles will temporarily park closest to the building they are visiting.*

*Delivery vehicles will stop at the receiving building and proceed to the storage area for unloading.*

*Shipping vehicles will arrive at and depart from the warehouse.*

**8. Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location? *No***

*Reprocessed materials may be sold by orders placed through the office for shipping to domestic markets. Orders for international markets will be ordered through the office and shipped to export facilities.*

**9. What equipment is used?**

*Some stationary equipment for processing of specific raw materials will include that used for rinsing, drying, shredding, pelletizing and baling. Other stationary equipment will be used specifically for extraction processing. All equipment types and specifications will be included in construction documents submitted for plan check and permits.*

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

*Some raw Ag materials will be stored in a designated storage area to await processing operations. Other raw materials will be unloaded in the storage and moved to a warehouse for protection during storage before reprocessing. Baled reprocessed materials will be stored in the warehouse before shipping.*

**11. Does the use cause an unsightly appearance?**

Noise? *Very minor* Glare? *No* Dust? *Minor* Odor? *No*. If so, explain how this will be reduced or eliminated?

*Existing facility is in the AE-20 Zone District and is of a visual character typical of agricultural type buildings and operations. To enhance the appearance of the facility and screen the storage, some area fencing may be modified and additional installed as required.*

*Noise produced from operations will be contained within the buildings and is not expected to be excessive for facility operations and may be less than the previous fruit processing operation.*

*No additional glare is anticipated from the existing buildings or operations. Raw Ag materials will be organic and therefore not anticipated to reflect much light. On site lighting will be as exists and that which is designed into the new site improvements.*

*Dust from operations will be minimal since processing will be contained within the buildings. Parking and storage areas are paved or will be paved so dust from traffic will be minimal.*

*Odor from operations is not anticipated to be unusual or excessive for Ag material processing so omissions will be minimal.*

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

Estimated volume of wastes: How and where is it stored? How is it hauled, and where is it disposed? How often?

*Processed Ag materials are considered to be recyclable waste and will be almost completely reprocessed so very little solid waste will be produced. Liquid waste will be limited to rinse water which will be primarily filtered and recycled. The waste from rinsing of materials will be soil and will be deposited in the open Ag area on site for existing agricultural operations. Domestic liquid waste will go to the existing onsite septic system. Any waste material that is not suitable for reuse will be disposed in accordance with local and state regulations.*

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

*Daily water usage during months of rehabbing the buildings and grounds is anticipated to be less than 500 gallons per day, during full operations it is anticipated that approximately 13,000 gallons per day will be used.*

*The source of water will be as it exists from an on-site well.*

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

*Signage will be minimal, including rebranding of the existing buildings and site for identification. Specific signage will be included in the Site Plan Review documents.*

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

Describe type of construction materials, height, color, etc. Provide floor plan & elevations, if appropriate.

*Most existing building will be reused. Retrofitting will alter the buildings primarily on the interior. New buildings are anticipated to be added to the facility as needed for the various operations. Floor Plans will be included in Site Plan Review documents.*

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

*Most all existing buildings will be reused. The interior of the existing fruit processing buildings will be retrofitted for storage operations and new buildings will be used for pelletizing and extraction processes. Existing office space will be reused for operations administration.*

*There are 14 existing buildings totaling 80,769 square feet and 10 new buildings and structures proposed totaling 85,330 square feet per the Site Plan sheet A-1.2.*

**17. Will any outdoor lighting or an outdoor sound amplification system be used? Describe and indicate when used.**

*Existing outdoor lighting will be utilized and new lighting added with new building installations. It is anticipated that there will be no outdoor sound amplification.*

**18. Landscaping or fencing proposed? Describe type and location.**

*Existing fencing will be used and expanded with the addition of new buildings. Any existing landscaping will remain. Any required new landscaping will be designed into the site for Site Plan Review documents.*

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

*The reuse of the existing buildings and structures of the former facility will put vacant buildings back into a productive use and eventually create up to +/- 50 new jobs. The retrofitting of the existing buildings, installation of new equipment for processing operations and the construction of new buildings will provide employment for the various construction related tasks. The reduction of residual agricultural materials will reduce the solid waste stream and the processing of feedstock materials will provide products useful to the public and institutions.*

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

*Chenguang Biotech Group Co., Ltd. is an international publically traded corporation headquartered in Quizhou County, Hebei Province, China. Lu Qiguo is President.*



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Chenguang Biotech America
- APPLICATION NOS.:** Initial Study No. 7938 and Classified Conditional Use Permit Application No. 3690
- DESCRIPTION:** Allow a value-added agricultural facility that will consist of a processing facility for raw agricultural materials including tomato pumice, grape seed, and industrial hemp for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District (APN: 512-120-19S) (3025 N. Chateau Fresno, Fresno, CA).
- LOCATION:** The project site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno.

### I. AESTHETICS

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

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

**FINDING: NO IMPACT:**

The project site is located in an area utilized mainly for agricultural purposes with single-family residential uses present to support agricultural operations. There is no scenic vista or identified scenic resources within vicinity of the project. According to Figure OS-2 of the Fresno County General Plan, there are no scenic roadways in proximity of the project site. Therefore, no scenic vista or resource is expected to be affected by the project proposal.

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

area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is already improved with structures. Per the Applicant, along with the addition of new structures, the existing structures will be utilized towards their proposed operation. With the addition of new structures, there is a potential for the degrading of the existing visual character or quality of public views of the site and its surroundings, but in this case the new structures will be built in similar aesthetic to the existing character of the site. Based on the provided elevations of the proposed buildings and considering the existing nature of the site, a less than significant impact is seen from the project in regard to the existing visual character of the site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the Applicant's Operational Statement, on-site lighting from the existing buildings and designed onto the new structures is anticipated. Therefore, to reduce the potential of glare from the project proposal, a mitigation measure shall be implemented so that outdoor lighting be hooded and directed downward so as not to shine on public right-of-way or adjacent properties.

\* **Mitigation Measure(s)**

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

## II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the 2016 Fresno County Important Farmlands Map, the subject property consists of land designated Urban and Built-Up Land, Farmland of Statewide Importance and Unique Farmland. Review of the proposal indicates that the project will utilize existing buildings and construct additional buildings to accommodate the proposal. The proposed improvements will encroach into land designated Farmland of Statewide Importance and Unique Farmland, thereby converting this land to an agriculturally-related use. Although the proposed use is not specifically towards the cultivation of agricultural produce, the use is a agricultural material processing facility. Full buildout of the parcel will occupy approximately 20 acres and the remaining land, per the Applicant's Operational Statement will be utilized for irrigated agricultural use. Therefore, although a conversion of land designated Farmland of Statewide Importance and Unique Farmland will occur, the conversion will still support the agricultural industry and the remaining land will still be in active agricultural use.

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

FINDING: NO IMPACT:

Per the submitted Operational Statement, the proposed use is compliant with the underlying AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and is subject to approval of a Classified Conditional Use Permit. The proposed use under the Fresno County Zoning Ordinance does not conflict with the existing zoning for agricultural use. The subject site is not contracted under the Williamson Act Program.

C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or

D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not located on land zoned for or contains forest land, timberland or timberland zoned Timberland Production. The project will not result in the loss of forest land or conversion of forest land to non-forest use.

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

FINDING: NO IMPACT:

The project proposes to allow a value-added agricultural use to the subject site. The project would not result in changes to the existing environment that could convert farmland or forestland to non-agricultural or forestland use.

### III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Analysis Report conducted by Mitchell Air Quality Consulting and prepared on January 12, 2021 for the subject application. The analysis indicated that project construction and operation would be subject to rules and regulations established by the San Joaquin Valley Air Pollution Control District (Air District) and would be consistent with the applicable Air Quality Plan. Thresholds for criteria pollutants established by the Air District for both operational and construction emissions are as follows: 100 tons per year of CO, 10 tons per year of NOx, 10 tons per year of ROG, 27 tons per year of SOx, 15 tons per year of PM10, and 15 tons per year of PM2.5. Per the Air Quality Analysis, the estimated annual construction and operational emissions of the project would not exceed the Air Pollution Control District's significance threshold. The analysis also concluded that the project would be consistent with the applicable Air Quality Attainment Plan and would not result in significant cumulative health impacts. The San Joaquin Valley Air Pollution Control District has reviewed the subject analysis and did not express concern with the estimates and conclusions made in the analysis.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Air Quality and Greenhouse Gas Analysis Report prepared by Mitchell Air Quality Consulting estimated maximum daily air pollutant emissions during construction and operation and concluded that the project would not exceed significance thresholds established by the San Joaquin Valley Air Pollution Control District. A Health Risk Assessment, identifying impacts of Toxic Air Contaminants and screening the results against significance thresholds established by the Air District determined that their screening score did not exceed significance thresholds. The San Joaquin Valley Air Pollution Control District has reviewed the data and conclusions and did not express concern.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in a mainly agricultural area and with rural residences pocketed throughout the region. Odors potentially originating from the project site would be similar in odors generated by the former fruit packing plant and surrounding agricultural area. Processes of the proposed operation would occur mainly indoors within a controlled environment where odors from organic matter decomposition will be avoided. The Air Quality and Greenhouse Gas Analysis Report concluded that the project is not expected to produce significant odor impacts with the nearest off-site sensitive receptor located approximately 276 feet south of the project site. The area is sparsely populated and would not expose substantial numbers of people to objectionable odor.

IV. BIOLOGICAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to utilize existing structures and construct additional structures for their operation. There is a total of 14 existing structures and 6 proposed structures to be utilized for the proposed operation. Ground-disturbance related to the construction of the proposed structures is situated on land previously utilized for agricultural production. Per the California Natural Diversity Database (CNDD), there are no reported occurrences of a special-status species on or in close proximity of the project site. Both the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service were notified of the subject application and did not express concern with the project. Therefore, in considering the current built state of the subject parcel, the past utilization of the project site, and no expressed concerns from responsible agencies and departments, the project is expected to have a less than significant impact due to the construction of new structures.

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

FINDING: NO IMPACT:

There were no sensitive natural communities or riparian habitat identified on the project site.



- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

According to the National Wetlands Inventory, the project site does not contain or effect an identified wetland. Therefore, the project will have no impact on wetlands.

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

FINDING: NO IMPACT:

As noted, the subject parcel is already improved with existing structures and was in agricultural production in the past. The project will include the development of additional structures, but in considering the disturbance of the site, the project area is not essential for the movement of native residents or wildlife species. The site did not have any identified wildlife corridor or wildlife nursery site present.

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

FINDING: NO IMPACT:

The project will be expected to be in compliance with local, state, and federal regulations for protecting biological resources. There was no specific policy, ordinance, adopted Habitat Conservation Plan, Natural Community Conservation Plan or other Habitat Conservation Plan identified as being in conflict with the project proposal.

## V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject property was utilized in the past as an agricultural production and packing operation. A portion of the site was improved with structures with the remaining land being utilized for agricultural production. In considering the past ground-disturbing activities related to the existing improvements and the disturbance associated with the agricultural operation, there is a high unlikelihood that a historical or archaeological resource would be identified on the subject site. Although highly unlikely, a mitigation measure shall be implemented to ensure that cultural resources are properly handled and addressed in the event they are uncovered during ground-disturbing activities related to the proposal.

\* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeological shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

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

FINDING: NO IMPACT:

The project proposal would be built and subject to the most current building and energy code when constructing new structures and renovating existing structures for their operational needs. Reviewing agencies and departments did not express concern with the subject application to indicate that the project would result in significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

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

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

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report (FCGPBR) and the Earthquake Hazard Zone Application (EQ Zapp), maintained by the California Department of Conservation, the project site is not located on or near a known earthquake fault or rupture of a known earthquake fault.

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

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), in the event of a seismic hazard occurring, the project site is located on land identified as having a 0% to 20% peak horizontal ground acceleration assuming a 10% probability in 50 years. The FCGPBR indicates that the potential of ground shaking is minimal in Fresno County. Due to the minimal peak horizontal ground acceleration risk and minimal ground shaking risk, the project is not subject to adverse risk from ground shaking or seismic-related ground failure.

4. Landslides?

FINDING: NO IMPACT:

The subject parcel is situated in a relatively flat agricultural area. Per Figure 9-6 of the FCGPBR, the project is not located on land identified as being subject to moderate or high landslide hazard.

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

FINDING: NO IMPACT:

The project will result in the loss of topsoil due to the construction of new structures and support equipment. The loss of topsoil would not result in adverse impacts or risk. Soil erosion patterns would be altered through the addition of impervious surfaces. The subject parcel is located on flat agricultural land and would not result in substantial soil erosion. Therefore, in considering the scope of the project and existing conditions of the environment, the project would not result in substantial soil erosion or loss of topsoil.

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

FINDING: NO IMPACT:

There was no geologic unit or unstable soil identified on the project site. The project will be subject to the most current building code. Implementation of current building codes will ensure that the project is constructed taking into consideration existing site conditions.

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

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the project is not located on land identified as having soil exhibiting moderately high to high soil expansion potential.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Further review of the proposed septic system would occur during the building permit review and be subject to standards and regulations addressed under the Fresno County Local Area Management Plan (LAMP). Reviewing agencies and departments did not express concern with the project to indicate that the existing soil conditions would be incapable of adequately supporting the use of a septic system. A less than significant impact is seen as there will be additional review and requirements associated with the proposed septic system.

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

FINDING: NO IMPACT:

There were no unique paleontological resources or unique geologic features identified on the project site.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Greenhouse Gas Emissions Analysis prepared by Mitchel Air Quality Consulting for the subject application indicated that based on estimated emissions resulting from the project would result in a less than significant impact. The analysis utilized the California Emissions Estimator Model (CalEEMod) to quantify operational greenhouse gas emissions resulting from the project proposal. The estimates concluded that the project would result in 1,868.82 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e) per year. This estimate takes into consideration current state and local regulations for GHG emission reductions and compares the estimated GHG generation to a 2002-2004 baseline scenario of business as usual (BAU) to represent conditions if regulations were not adopted. Under the BAU scenario, the project is estimated to produce 2,419.79 MTCO<sub>2</sub>e per year. When comparing BAU estimates to project estimates of the project, there would be a 22.8% reduction of emissions. In consideration of goals of Assembly Bill 32, thresholds of the San Joaquin Valley Air Pollution Control District identified a 29 percent reduction when compared to BAU to meet 2020 goals established under AB 32. In considering 2030 target goals under AB 32 for GHG emission reductions, the state goals of a 21.7 percent average reduction from all sources of GHG emissions is now required to achieve AB 32, year 2030 targets. With implementation of adopted regulations and on-site reductions from efficiency measures, the results of the estimated generation indicate that the project would have a 35.2% reduction in emissions by the year 2030 and meet percent reduction threshold of over 21.7%. Therefore, with consideration of the analysis, the project would have a less than significant impact on greenhouse gas emission generation and would not conflict with any plan, policy or regulation of reducing greenhouse gas emissions.

### VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project intends to process agricultural materials and produce lycopene, grape extract and CBG oil for domestic and international wholesale markets. The Department of Public Health, Environmental Health Division (EHD) has reviewed the subject application and indicated that the project would be subject to State and local standards and regulations for the storage and handling of hazardous materials and waste. These regulations can include submittal of a Hazardous Materials Business Plan and

compliance with California Code of Regulations, Title 22, Division 4.5. With compliance of State and local regulations for the handling and storage of hazardous materials/waste, the project would not create a significant hazard to the public through the routine, transport, use, or disposal of hazardous materials, or create a significant hazard to the public or environment through upset and accident conditions involving the release of hazardous materials into the environment.

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

FINDING: NO IMPACT:

The project site is not likely to emit hazardous emissions and is not located within one-quarter mile of an existing or proposed school. As a note, the closest school-site is located approximately a half-miles southwest of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the NEPAAssist database, the subject address is a listed hazardous materials/waste facility. In reviewing facility records provided by the Enforcement and Compliance History Online website provided by the U.S. Environmental Protection Agency, the subject facility is classified as “All Other Waste Management Services” and “Other Noncitrus Fruit Farming”. There is no violation history associated with the past use of the subject site. The subject proposal will be subject to reporting requirements with the EHD and further compliance with State and local regulations for the handling of hazardous materials and waste. The project, although located on this hazardous materials site, would have a less than significant impact due to the considerations above and would not result in the creation of a significant hazard to the public or the environment.

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

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that the project would result in the impairment of implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, there were no concerns with the project in terms of exposing people or structures to adverse risk involving wildland fires.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The State Water Resources Control Board, the Water and Natural Resources Division and the Regional Water Quality Control Board were included on the review of the subject application.

The Water and Natural Resources Division concluded that the project site is not located within an area of the County defined as being a water short area and determined that the water supply of the area would be adequate to support the project.

The State Water Resources Control Board indicated that the project would meet the definition of a public water system and would be subject to the requirements of Senate Bill 1263 (SB 1263). Under the provisions of Senate Bill 1263, a preliminary technical report is required to be submitted to the State Water Resources Control Board at least 6 months prior to initiating construction of any water-related improvements. The preliminary technical report prepared by Quad Knopf Engineering was submitted to the SWRCB for review and approval. The SWRCB has reviewed the report and determined the report to be complete with the applicant able to move forward to submit full permit application materials for permitting of the public water system.

The Regional Water Quality Control Board has reviewed the project and indicated that the project under the proposal would be subject to additional review and permit with the Regional Water Quality Control Board for protecting the quality of surface and ground waters of the State. The project will be subject to regulation under Waste Discharge Requirements for the discharge of wastewater associated with the processing aspect of the operation. As the project proponent proposes to discharge process wastewater to

land, the project proponent is required to submit a Report of Waste Discharge. Further regulation under the RWQCB will include Salt and Nitrate Control Program and Domestic Wastewater discharge requirements. The requirements of the RWQCB are regulatory requirements and will be implemented with the project through Project Notes.

Through the acceptance of the preliminary technical report by the State Water Resources Control Board and compliance with regulatory requirements set by the Regional Water Quality Control Board, the project would have a less than significant impact on existing water supplies, and would not violate any water quality or waste discharge standards.

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

1. Result in substantial erosion or siltation on- or off-site;

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in a flat agricultural area. Through the construction of new structures, the project will result in the addition of impervious surfaces. Drainage patterns are likely to change, but County regulatory standards will require that a grading and drainage plan be required to verify new drainage patterns and ensure that improvements do not result in significant impact on drainage patterns. Due to the existing conditions of the project site and implementation of County regulatory standards the addition of impervious surfaces will not result in substantial erosion or siltation on- of off-site.

2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Aerial images of the site suggest that a ponding basin is located on the project site. In comparing aerial images to the site plan of the proposed operation, the existing ponding basin will be removed. The Development Engineering Section will require that an engineered grading and drainage plan be submitted to verify new drainage patterns and adequacy of on-site drainage conditions. This requirement will ensure that the project would not result in flooding on- or offsite and ensure that the project proposal will comply with County standards in terms of stormwater drainage systems.

4. Impede or redirect flood flows?



FINDING: NO IMPACT:

Per FEMA FIRM Panels 1540H and 1545H, the subject parcel is not subject to flooding from the 100-year storm. The project will not impede or redirect flood flows, as the site is not located in a flood zone.

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

FINDING: NO IMPACT:

As noted, the subject parcel is not located within a flood zone. Additionally, the project site is not located near a body of water to indicate adverse risk to tsunami or seiche events.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject operation will be subject to all State and local requirements for water quality control and sustainable groundwater management. Review by the Water and Natural Resources Division, the State Water Resources Control Board and the Regional Water Quality Control Board indicate that the project will, with compliance of regulatory requirements, not result in adverse impacts on water resources.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project would not result in the physical divide of an established community.

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

FINDING: NO IMPACT:

Development in Fresno County is required to be consistent with the Fresno County General Plan. Goal LU-A of the Fresno County General Plan intends to promote the long-term conservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agricultural and further the County's economic development goals.

Under General Plan Policy LU-A.3, the County may allow be discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally-related activities, including value-added processing facilities and certain non-agricultural uses. Approval of these and similar uses in areas designated Agriculture shall be subject additional criteria. The listed criteria includes the use providing a needed service, preservation of productive agricultural land, and availability of resources.

Review of the project when considered with the applicable General Plan Goal and Policies did not produce conflicts or concerns. Therefore, the project will not cause a significant environmental impact due to a conflict with the Fresno County General Plan.

## XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

According to Figure 7-7 and 7-8 of the Fresno County General Plan Background Report, the project site is not located on land identified with mineral resources or located on a principal mineral production location.

## XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Environmental Noise Assessment was produced for the project proposal and was reviewed by the Environmental Health Division for compliance with the Fresno County Noise Ordinance. The study lists the type of equipment utilized by the operation and noise levels at 4 meters from the source. Three sensitive receptors were identified in close proximity of the project site and utilized to identify potential noise impacts resulting from project operation. Based on the calculations and consideration of acoustical shielded provided by intervening buildings, project-related noise levels at off-site sensitive receptors would be below both daytime and night-time maximum noise level

thresholds established by the Fresno County Noise Ordinance. It was also noted in the assessment that the original proposed equipment layout could potentially exceed noise level standards at the nearest sensitive receptor. A revised equipment layout plan relocated the original blower location within Shed J at a greater setback and resulted in a reduction of expected noise levels and will be in compliance with Fresno County Standards.

The Environmental Health Division has reviewed the subject Environmental Noise Assessment and concurred with the findings of the provided study. Therefore, the provided Environmental Noise Assessment indicates that the project would result in a permanent increase in noise levels, but would not generate vibration or noise levels in excess of the Fresno County Noise Ordinance. A less than significant impact is seen.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of a private airstrip or airport land use plan or within two miles of a public airport or public use airport.

#### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project intends to utilize an existing agricultural-supportive facility and construct additional structures in a mainly agricultural area. The project would not induce substantial unplanned population growth or displace a substantial number of people or housing.

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

1. Fire protection;

FINDING: NO IMPACT:

The North Central Fire Protection District has reviewed the subject application and indicated that the project shall comply with California Code of Regulations Title 24 – Fire Code and California Code of Regulations Title 19 – Public Safety. There was no expressed concern with the project to indicate that the North Central Fire Protection District would be adversely impacted by the project proposal.

2. Police protection;

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that the project would require the need of new or physically-altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

## XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

The project does not result in a population increase that would result in the increased use of neighborhood and regional parks or other recreational facilities such that deterioration of the facility would occur or require additional recreational facilities.

## XVI. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Trip Generation and Distribution Study was prepared for the subject application and reviewed by the Design Division, Road Maintenance and Operations Division, and the California Department of Transportation (Caltrans). Review of the study indicated that transportation impacts associated with the project proposal does not need further study through a Traffic Impact Study. The study indicated that the fourteen existing buildings will result in no net increase in traffic as these buildings are existing and are to be either demolished or utilized in same fashion to the existing use when operation of the proposed use is to occur. Based on the calculations and review by responsible departments, the project does not conflict with a program, plan, ordinance, or policy addressing the circulation system and is not inconsistent with CEQA Guidelines Section 15064.3 subdivision (b), for Vehicle miles traveled.

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

FINDING: NO IMPACT:

Review of the project site circulation design did not provide comments to indicate that there is any hazardous design features or result in inadequate emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Under the provisions of Assembly Bill 52, participating California Native American Tribes were notified of the subject application and given the opportunity to enter into consultation with the County on identifying and addressing potential tribal cultural resources. Participating California Native American Tribes did not express concern with the project to indicate presence of tribal cultural resources. There were no identified historical sites on the project site. A Mitigation Measure will be implemented to address a tribal cultural resource in the event that a resource is unearthed during ground-disturbing activities related to project construction.

\* **Mitigation Measure(s)**

1. See Section V. Cultural Resources A., B., and C., Mitigation Measure #1

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Under Section X Hydrology and Water Quality, the State Water Resources Control Board will require that the project be permitted as a public water system. This required preparation of a technical report for review and approval by the State Water Resources Control Board and further permitting will ensure that less than significant impact occurs for construction of water facilities that will service the proposed operation. The Water and Natural Resources Division reviewed the application and indicated that water supplies for this region are adequate in servicing the operation.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of existing permit records indicate the presence of a wastewater treatment system. Per the Applicant's prepared Site Plan, it appears that an additional

wastewater treatment system will be developed. Wastewater treatment systems will be subject to the provisions of the Fresno County Local Area Management Plan (LAMP) and will be subject to further review when submitting for a building permit. Will implementation of regulations and standards administered through the Fresno County LAMP, the project would have a less than significant impact in terms of wastewater treatment capacity.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Reviewing agencies and departments did not express concern with the project proposal to indicate that a conflict with federal, state, or local management and reduction statutes for solid waste, or generate solid waste in excess of state or local standards.

## XX. WILDFIRE

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

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

FINDING: NO IMPACT:

Per the 2007 Fresno County Fire Hazard Severity in LRA Map, produced by the California Department of Forestry and Fire Protection, the project site is not located within a State Responsibility Area or on land designated as very high fire hazard severity.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As discussed in Section IV. Biological Resources, the project scope will result in the utilization of the existing built environment and also addition of new structures. The project will have a less than significant impact on wildlife species when considering the existing environment of the subject parcel and records indicating no occurrence of a special status species. The project will not result in the substantial degradation of the quality of the environment.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project impacts related to Aesthetics, Cultural Resources, and Tribal Cultural Resources have been determined to have a less than significant impact with the implementation of recommended mitigation measures. These impacts were determined to not be cumulatively considerable.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Environmental effects that potentially could have adverse effect on human beings were determined to have a less than significant impact through the review of prepared technical studies. Responsible agencies and departments concurred with the findings and conclusions of the prepared technical studies and determined that no substantial adverse effect on human beings would occur.

## CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3690, 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 Energy, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

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

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

TK

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**EXHIBIT 8**

File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: <b>IS 7938</b>	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>	County Clerk File No: <b>E-</b>	
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Thomas Kobayashi Planner	Area Code: 559	Telephone Number: 600-4224	Extension: N/A
Project Applicant/Sponsor (Name): Chenguang Biotech America	Project Title: Classified Conditional Use Permit Application No. 3690		
Project Description: Allow a value-added agricultural facility that will consist of a processing facility for raw agricultural materials including tomato pumice, grape see, and industrial hemp for extraction of lycopene and CBD oil, and distribution of produced products on a 20-acre portion of an existing 38.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located at the northwest corner of N. Chateau Fresno Avenue and W. Shields Avenue, approximately 0.53 miles west of the city limits of the City of Fresno.			
Justification for Negative Declaration: It has been determined that there would be no impacts to Energy, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.  Potential impacts related to Agricultural and Forestry Resources, Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Cultural Resources, and Tribal Cultural Resources have determined to be less than significant with compliance of recommended Mitigation Measures.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 3, 2021		Review Date Deadline: Planning Commission – October 14, 2021	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Thomas Kobayashi Planner	

State 15083, 15085

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

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**