



Inter Office Memo

DATE: April 24, 2025
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 13084 – INITIAL STUDY NO. 8367 and UNCLASSIFIED
CONDITIONAL USE PERMIT APPLICATION NO. 3761

APPLICANT Daniel Barnes

OWNER: Coalinga Travel Holding, LLC

REQUEST: Allow an Interstate Freeway Interchange Commercial development, to be located on three parcels totaling approximately 26.74 acres, in the following configuration: Parcel 1 will be developed with a 10 Multi Product Dispenser (MPD) fueling station, and an approximately 9,700 square-foot building containing a convenience store and quick serve drive-through restaurant; Parcel 2 will be developed with a 10,230 square-foot commercial truck stop, with a convenience store, quick serve restaurant, with appurtenant facilities, including restrooms, showers, lounge areas, storage and laundry facilities; Parcel 3 will be developed with an 11-position commercial truck fueling canopy, truck scale, and a three-bay truck service station with retail sales, in an 11,000 square-foot building. The project area is located in the southwest quadrant of the Dorris Avenue and Interstate 5 interchange, Major Commercial Center, within the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on south side of State Route 198 (Dorris Avenue) westerly adjacent to Interstate 5 (APNs 065-271-08, 09,10) (Sup. Dist. 4).

PLANNING COMMISSION ACTION:

At its hearing of April 24, 2025, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borchardt and seconded by Commissioner Arabian to adopt the Mitigated Negative Declaration for the project based on Initial Study No. 8367, adopt

RESOLUTION NO. 13084

the required Findings as described in the staff report, and approve Unclassified Conditional Use Permit No. 3761, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING: Yes: Commissioners Borchardt, Arabian, Abrahamian, Carver, Hill, Quist, Roman, Whelan and Zante

No: None

Absent: Commissioner Carver

Recused: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By:

y: 
T.W. Chris W. Motta, Manager
Development Services and Capital Projects Division

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NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Conditional Use Permit.

Attachments

RESOLUTION NO. 13084

Initial Study No. 8367
Unclassified Conditional Use Permit Application No. 3761

- Staff: The Fresno County Planning Commission considered the Staff Report dated April 24, 2025, and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Staff Report and the recommended Conditions and offered the following information to clarify the intended use:
- The traffic study considered the existing traffic conditions along Dorris Avenue. The revised traffic analysis satisfied Caltrans requirements.
 - The owners are aware of the surrounding agricultural uses. The proposed use was analyzed to consider potential impacts on surrounding land and found no significant impacts.
 - The two access points allow for a circular path of travel for trucks to enter and exit the site via Dorris Avenue.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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EXHIBIT B

**Mitigation Monitoring and Reporting Program
Initial Study No. 8367 & Classified Conditional Use Permit Application No. 3761
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Biological Resources	Pre-construction surveys for nesting Swainson's hawks within one quarter-mile mile of the project site shall be required if construction commences between March 1 and September 15. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction using criteria set forth in the Swainson's Hawk Technical Advisory Committee (SWHTAC, 2000).	Applicant	Applicant/Consultant/PW&P	During ground-disturbing activities; If such activities occur between March 1 and September 15.
2.	Biological Resources	Pre-construction surveys for burrowing owls within 250 feet of the site shall be required if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist shall, determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by the California Department of Fish and Wildlife.(CDFG, 2012).	Applicant	Applicant/Consultant/PW&P	During ground-disturbing activities; If such activity occurs between February 1 and August 31.
3.	Biological Resources	Pre-construction "walking transect" surveys for San Joaquin Kit Fox dens shall be required within 14 days prior to the commencement of construction as described in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS, 1999). In the unlikely event a kit fox den is found, consultation with USFWS and CDFW shall be required, to develop an appropriate course of action.	Applicant	Applicant/Consultant/PW&P	14 days prior to ground-disturbing/c onstruction activities.

EXHIBIT B

4.	Biological Resources	Shrubs, and grasslands in the site could be used by other birds, protected by the MBTA and FGCC. If shrub or grassland removal is scheduled during the nesting season of raptors (January 1 through July 31), a preconstruction survey for nesting raptors by a qualified biologist shall be required. If other vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds shall be required. If active nests are found, work in the vicinity of the nests shall be delayed until the young fledge.	Applicant	Applicant/Consultant/ PW&P	During ground-disturbing activities; if such activities occur between January 1 through July 31 or between March 1 through July 31.
5.	Cultural/ Tribal 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
6.	Transportation	Prior to issuance of final building permits, final inspections and certification of occupancy: The project owner shall install all way stop controls at the intersection of the west access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans; and	Applicant	Caltrans/PW&P	Prior to issuance of final building permits, final inspections and certification of occupancy.
7.	Transportation	Prior to issuance of final building permits, final inspections and certification of occupancy:	Applicant	Caltrans/PW&P	Prior to issuance of final

		The project owner shall install all way stop controls at the intersection of the east access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans.			building permits, final inspections and certification of occupancy.
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*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference required Conditions for the project.

Conditions of Approval	
1.	Development of the property shall be substantially in compliance with the Site Plans, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission.
2.	Landscaping shall be provided and maintained, and all plants and related materials shall be arranged in a manner which is consistent with and complimentary to the existing building design and materials. Landscaping shall be consistent with surrounding development.
3.	The project shall connect to the Community water and sewer system which provides services for the interchange area or other means permitted through the State Water Quality Control Board.
4.	Before any structure is erected or parcel created under the provisions of Article 4, Chapter 834.4.200 of the Zoning Ordinance, a Site Plan Review application reflecting all conditions of approval shall have been submitted to and approved by the County, in compliance with Chapter 854.5 (Site Plan Review). The site plan shall encompass all of the area shown on the approved master plan.
5.	Prior to certification of occupancy, the project proponent shall irrevocably offer for dedication to the California Department of Transportation (Caltrans) twenty (20) feet of road right-of-way along the subject parcel frontage along Dorris Avenue (SR 198).
6.	Prior to certification of occupancy, the project proponent shall provide for a left-turn channelization at the westerly project access road along Dorris Avenue (SR 198).
7.	The applicant shall comply with requirements of the approved Air Impact Assessment (ISR Project Number: C-20230384) dated April 17, 2024. Additionally, the applicant shall be subject to the San Joaquin Valley Air Pollution Control District enforced emission reduction measures as described in the approved Air Impact Assessment (ISR Project Number: C-20230384).

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	The Site Plan, Operational Statement, and Conditions of Approval of this CUP constitutes an amendment to the existing the Master Plan for The southeast quadrant of the Interchange established by CUP 2498 and as amended by CUP 2862.
2.	Prior to the issuance of building permits, the applicant shall submit three (3) sets of complete plans and specifications regarding the installation of underground fuel tanks and equipment to the Fresno County Department of Public Health, Environmental Health Division.
3.	Prior to operations, the applicants will be required to apply for and secure a Permit to Operate an Underground Storage Tank System from the Fresno County Department of Public Health, Environmental Health Division.
4.	Prior to issuance of building permits, the applicants will be required to submit complete food facility plans and specifications for phases dealing with kitchens/food preparation to the Fresno County Department of Public Health, Environmental Health Division, for review and approval.
5.	Prior to operation, the applicants shall apply for and obtain permits to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable.
6.	Should alcohol sales be proposed, the applicant shall first obtain their license to sell alcoholic beverages.
7.	Facilities that 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. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/).
8.	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.
9.	Plans, permits and inspections shall be required for all structures based upon the current adopted edition of the California Codes at the time of plan check submittal.
10.	An engineered grading and drainage plan is required to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. The grading and drainage

Notes	
	plan should provide calculations of the proposed retention basin storage capacity and the basin design storage capacity for verification purposes.

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EXHIBIT "C"

ATTACHMENT
TO
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study No. 8367
Unclassified Conditional Use Permit No. 3761

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Unclassified Conditional Use Permit	\$ 9,123.00 ¹
Environmental Assessment Class I	\$ 5,151.00
Public Health Department Review	\$ 992.00 ²
Agricultural Commissioner Fee	\$ 93.00 ²

Total Fees Collected **\$ 15,112.00**
(Less the pre-application credit of \$247.00)

¹ Includes project routing, coordination with reviewing agencies, project applicant and consultant, and review and research, engaging with reviewing departments and staff's analysis. Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.

² Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division, and Agricultural Commissioner's office..



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 April 24, 2025

SUBJECT: UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3761 and INITIAL STUDY NO. 8367

Allow an Interstate Freeway Interchange Commercial development, to be located on three parcels totaling approximately 26.74 acres, in the following configuration: Parcel 1 will be developed with a 10 Multi Product Dispenser (MPD) fueling station, and an approximately 9,700 square-foot building containing a convenience store and quick serve drive-through restaurant; Parcel 2 will be developed with a 10,230 square-foot commercial truck stop, with a convenience store, quick serve restaurant, with appurtenant facilities, including restrooms, showers, lounge areas, storage and laundry facilities; Parcel 3 will be developed with an 11-position commercial truck fueling canopy, truck scale, and a three bay truck service station with retail sales, in an 11,000 square-foot building. The project area is located in the southwest quadrant of the Dorris Avenue and Interstate 5 interchange, Major Commercial Center, within the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on south side of State Route 198 (Dorris Avenue) westerly adjacent to Interstate 5 (APNs 065-271-08, 09,10) (Sup. Dist. 4).

OWNER: Coalinga Travel Holding, LLC

APPLICANT: Daniel Barnes

STAFF CONTACT: Jeremy Shaw, Planner
(559) 600-4207

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Adopt the Mitigated Negative based on Initial Study (IS) No. 8367; and
- Approve Unclassified Conditional Use Permit Application No. 3761 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. Zoning Map
4. Land Use Map
5. Site plans and elevations
6. Applicant's operational statement
7. Summary of Initial Study No. 8367
8. Proposed Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Westside Freeway Interchange Commercial, in the County adopted Coalinga Regional Plan	No change
Zoning	AE-40	No change
Parcel Sizes	APN: 065-271-08 2.26-acres APN: 065-271-10 1.84-acres APN: 065-271-09 22.64-acres	No change
Project Site	See above	No change
Structural Improvements	None	Parcel 1 (APN 065-271-08/2.26-acres) will be developed with a 10 MPD fueling station, and an approximately 9,700 square-foot building containing a convenience store, and a quick serve (QSR) drive through restaurant; Parcel 2 (APN 065-271-10/1.84-acres) will be developed with a 10,230 square-foot building

Criteria	Existing	Proposed
		containing a commercial truck stop, with a convenience store, quick serve restaurant (QSR), and appurtenant facilities, including restrooms, showers, lounge areas, storage and laundry facilities; Parcel 3 (APN 065-271--09/ 22.64-acres) will be developed with an 11-position commercial truck fueling canopy, truck scale, and TA Petro three bay truck service station with retail sales, in an 11,000 square-foot building
Nearest Residence	1,800 feet	No change
Surrounding Development	Commercial	No change
Operational Features	N/A	Commercial development consisting of Travel center/truck stop, truck service center, convenience store and quick serve restaurant
Employees	None	Parcel 1: 17 employees Parcel 2: 17 employees Parcel 3: 8 employees
Customers	None	Parcel 1 (Fueling station and Convenience store) 590 per day Parcel 2 (Truck stop) 133 per day Parcel 3 (Truck fueling canopy; Cat scale; truck service station) 40 per day

Criteria	Existing	Proposed
Traffic Trips	None associated with the proposed project.	Based on the conclusions of the Traffic Impact Analysis, the project is anticipated to generate approximately 14,307 daily trips (M-F); and approximately 12,070 trips on Saturdays
Lighting	N/A	Proposed building and parking areas will have exterior lighting fixtures comprised of both building mounted and pole mounted, and under canopy lighting.
Hours of Operation	N/A	24 hours per day; seven days per week.

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

ENVIRONMENTAL ANALYSIS:

Initial Study No. 8367 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 7) is appropriate.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: March 14, 2025

PUBLIC NOTICE:

Notices were sent to 25 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.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

PROCEDURAL CONSIDERATIONS:

A Conditional Use Permit may be approved only if the four Findings specified in the Fresno County Zoning Ordinance, Chapter 842.5.050.B are made by the Planning Commission.

The Site Plan, Operational Statement, and Conditions of Approval of this CUP constitutes an amendment to the existing the Master Plan for the southeast quadrant of the Interchange established by CUP 2498 and as amended by CUP 2862.

Per Article 4, Chapter 834.4.200(E).3 final design plans for Interstate Freeway Interchange Commercial developments require an application for and approval of a separate Site Plan Review.

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

BACKGROUND INFORMATION:

The project proposes to construct and operate a commercial travel center on three parcels consisting of two convenience stores, a commercial truck stop, truck service station, and vehicle and truck fueling stations, on currently undeveloped land in the southwest quadrant of the Interstate 5 and Dorris Avenue interchange. The Dorris Avenue Major Commercial Center is one of seven designated commercial centers located along the Interstate 5 corridor within Fresno County. Of the seven commercial centers, four are designated as Major Commercial Centers and three are designated as Minor Commercial Centers, subject to the provision of Article 4, Chapter 834.4.200 of the County Zoning Ordinance. The commercial centers were established for the purpose of providing a full range of commercial services, including food, fuel and lodging for long-distance freeway users. Major Commercial Centers allow for a greater range of uses and services than do minor commercial centers. Existing development surrounding the project sites consists of similar uses including fueling stations, convenience stores, fast food restaurants and hotels. Approval of a CUP, for an Interstate Freeway Interchange Commercial Development, includes approval of the Master Plan. The Master Plan must show the extent and character of the entire proposed development. The Master Plan or an accompanying narrative, shall include sufficient information to determine that all requirements of Article 4, Chapter 834.4.200 have been met. The subject application was accepted on February 27, 2023.

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.**

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	As per Chapter 834.4.200.F.1.d: Setbacks shall be adequate in width and depth to provide for planned landscaping and to ensure safe sight distance for interchange traffic.	No change	Yes
Parking	Chapter 828.3 (Parking and Loading Standards).	Parcel 1: 25 vehicle parking stalls and 11 RV parking stalls Parcel 2: 106 vehicle parking stalls	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
		Parcel 3: 188 commercial truck parking stalls	
Lot Coverage	No requirements	N/A	N/A
Space Between Buildings	No requirements	N/A	N/A
Wall Requirements	No requirements	N/A	N/A
Septic Replacement Area	100 percent	Project will receive water from a commercial provider	
Water Well Separation	N/A	Project will connect to existing community wastewater treatment facility and public water system.	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Development Engineering Section of the Department of Public Works and Planning:
According to the U.S. Fish and Wildlife Service, Wetlands Mapper web-based mapping application, a wetland may be present near the subject property.

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:

The three subject parcels contain approximately 26.74 acres. Based on a review of the submitted site plan, there is adequate space on each of the three subject parcels to accommodate the proposed facilities as proposed.

Recommended Conditions of Approval:

None

Finding 1 Conclusion:

The project sites are adequate in size and shape to accommodate the proposed uses, and comply with the applicable development standards, therefore Staff can recommend making Finding 1.

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.**

		Existing Conditions	Proposed Operation
Private Road	Yes	Internal roads serving a portion of the project site.	No change
Public Road Frontage	Yes	Dorris Avenue (SR 198)	No change
Direct Access to Public Road	Yes	Dorris Avenue (SR 198)	No change
Road ADT		State Highway 198 (Dorris Avenue): 6,667 daily average	No change
Road Classification		State Highway 198 Interstate 5	No change
Road Width		SR 198: Approximately 70 feet	An additional 20 feet of right-of-way south of the centerline will be required to be dedicated to Caltrans
Road Surface		Asphalt paved	No change
Traffic Trips		See road ADT	Based on the conclusions of the Traffic Impact Analysis, the project is anticipated to generate approximately 14,307 daily trips (M-F); and approximately 12,070 trips on Saturdays
Traffic Impact Study (TIS) Prepared	Yes	The two study intersections providing access to the project site were found to be operating at an acceptable level of service.	A Traffic Impact Analysis was prepared for the project by TJW Engineering, Inc.
Road Improvements Required		The east and west driveways providing access to the project site are currently unsignalized intersections along Dorris Avenue.	Both project driveways connecting to SR 198 are required to be signalized.

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

California Department of Transportation: Caltrans determined that the project developer shall install traffic signals at both the east and west driveways to the project area.

Road Maintenance and Operations Division of the Department of Public Works and Planning: The project will not affect County maintained roads.

Transportation Planning Unit: The project was reviewed by the County's Transportation Planning Unit, which determined that the proposed uses, including a truck stop, restaurant, convenience store and gas station would generate approximately 6,000 new daily traffic trips, and should prepare a traffic impact study.

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 project site is located within the southwest quadrant of the intersection of State Route 198 (Dorris Avenue), and Interstate 5. The project sites proposed to take access via two existing private roadways connecting to Dorris Avenue, and which are currently serving existing commercial development. Caltrans required that a traffic impact analysis be prepared for the project to analyze the potential for impacts to existing roadway facilities and to existing traffic conditions, at the two project access roads and to the Interstate 5 Southbound Off-Ramp at State Route 198, and the Interstate 5 Northbound Off-Ramp at State Route 198. The traffic impact analysis considered the existing conditions at the project site during 2022, both with and without the project and future conditions, 2042, with and without the project. The evaluation determined that both of the project driveways, east and west, would not operate at an acceptable level of service with operation of the project, both in the then current year, 2022 and future year 2042. The traffic analysis resulted in the determination that the two project access intersections would require intersection traffic control. A more focused intersection control evaluation was prepared to determine what the most the appropriate type of intersection control for the project. The focused study concluded that all way signalization of both intersections would be the most appropriate type of intersection control for the east and west project access drives.

Based on the above information, with inclusion of the recommended mitigation measures, Dorris Avenue (SR 198) is adequate to accommodate additional traffic generated by the project.

Recommended Condition of Approval:

Twenty (20) feet of right-of-way dedication, Installation of Traffic Control improvements (See Exhibit 1)

Finding 2 Conclusion:

The streets and highways relating to the project site are of adequate width and pavement to accommodate the traffic generated by the proposed use, with adherence to the included Mitigation Measures, and Conditions of Approval, therefore Staff can recommend making Finding 2.

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

Surrounding Parcels

	Size:	Use:	Zoning:	Nearest Residence:
North	2.53 acres	Commercial	AE-40	None
South	525.48 acres	Agriculture	AE-40	Approximately 1,100 feet
East	74.05 acres	Agriculture	AE-40	None
West	525.48 acres	Agriculture	AE-40	None

Reviewing Agency/Department Comments:San Joaquin Valley Air Pollution Control District:

Initial review of the project indicates that construction related emissions and operation of the project may result in exceedance of one or more Air District established thresholds for criteria pollutants. The Air District recommends that ongoing air emissions from mobile and stationary sources be analyzed separately.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Finding 3 Analysis:

The proposed development is consistent with the land use intended for Interstate Freeway Commercial Interchanges. No adverse impacts to abutting property will occur with the project's adherence to the included mitigation measures.

Based on the above information and with adherence to Conditions of Approval, and mandatory Project notes, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

None

Finding 3 Conclusion:

No potential for adverse impacts to neighboring property were identified in the analysis, therefore Staff can recommend making Finding 3.

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

Relevant Policies:	Consistency/Considerations:
General Plan Policy HS-B.1: <i>The County shall review project proposals to identify potential fire hazards and to evaluate the effectiveness of preventative measures to reduce the risk to life and property.</i>	The project proposal was reviewed by the Fresno County Fire Protection District with additional review occurring during the building permit process for the subject facility.

Relevant Policies:	Consistency/Considerations:
General Plan Policy HS-F.1: <i>The County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.</i>	Per the Fresno County Department of Public Health, Environmental Health Division, the project is subject to regulatory permit and oversight. Additional regulatory requirements including the preparation and submittal of a Hazardous Materials Business Plan is required by the Environmental Health Division.
General Plan Policy HS-F.2: <i>The County shall require that applications for discretionary development projects that will use hazardous materials or generate hazardous waste in large quantities include detailed information concerning hazardous waste reduction, recycling, and storage.</i>	As noted, there are additional regulatory requirements anticipated for this project in addition to County conditions of approval. Regulatory agencies including the Department of Public Health, the Regional Water Quality Control Board, and the San Joaquin Valley Air Pollution Control District will require further compliance with State and local requirements for the handling and disposal of hazardous materials/wastes.
Policy LU-D.3: <i>Prior to development within an interchange center, the County shall require preparation and approval of a Freeway Interchange Master Plan as defined in the Zoning Ordinance for each interchange or quadrant of the interchange. The County shall require interchange centers to be designed to achieve aesthetic excellence and incorporate considerations for noise contours abutting roadways, architectural cohesiveness, and sign standards.</i>	The applicant has submitted a master plan along with a project site plan in accordance with the requirements for submittal of a freeway interchange commercial development application.
Policy LU-D.6: <i>The County shall require commercial interchange development to be designed to achieve aesthetic excellence and incorporate considerations for noise contours abutting traffic ways, architectural cohesiveness, and signing restraints.</i>	The project has a condition of approval that landscaping shall be provided and maintained, and all plants and related materials shall be arranged in a manner which is consistent with and complimentary to the building design and materials. Landscaping shall be consistent with surrounding development.
Policy LU-F.24: <i>The County shall require community sewer and water services for commercial development in accordance with the provisions of the Fresno County Ordinance Code, or as determined by the State Water Quality Control Board.</i>	The site is within the area served by the "I-5 Property Services" which provides both water and sewer services for the interchange area.

Reviewing Agency Comments:

No comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Finding 4 Analysis:

The project proposal is consistent with the type of development intended for a designated Major Freeway Commercial Center. Based on these factors, the proposed development is consistent with the General Plan.

Recommended Conditions of Approval:

None

Finding 4 Conclusion:

The proposed project is consistent with the General Plan; therefore, Staff can recommend making Finding 4.

SUMMARY CONCLUSION:

Based on the factors cited in the analysis and the Initial Study, staff believes the required Findings for granting the Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3761, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration based on Initial Study No. 8367; and
- Move to determine the required Findings can be made based on the analysis in the staff report; and
- Move to approve Unclassified Conditional Use No. 3761, 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 Unclassified Conditional Use Permit Application No. 3761; 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.

JS:

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EXHIBIT 1

Mitigation Monitoring and Reporting Program
Initial Study No. 8367 & Classified Conditional Use Permit Application No. 3761
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Biological Resources	Pre-construction surveys for nesting Swainson's hawks within one quarter-mile mile of the project site shall be required if construction commences between March 1 and September 15. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction using criteria set forth in the Swainson's Hawk Technical Advisory Committee (SWHTAC, 2000).	Applicant	Applicant/Consultant/PW&P	During ground-disturbing activities; if such activities occur between March 1 and September 15.
2.	Biological Resources	Pre-construction surveys for burrowing owls within 250 feet of the site shall be required if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist shall, determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by the California Department of Fish and Wildlife.(CDFG, 2012).	Applicant	Applicant/Consultant/PW&P	During ground-disturbing activities; if such activity occurs between February 1 and August 31.
3.	Biological Resources	Pre-construction "walking transect" surveys for San Joaquin Kit Fox dens shall be required within 14 days prior to the commencement of construction as described in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS, 1999). In the unlikely event a kit fox den is found, consultation with USFWS and CDFW shall be required, to develop an appropriate course of action.	Applicant	Applicant/Consultant/PW&P	14 days prior to ground-disturbing/c onstruction activities.

EXHIBIT 1

4.	Biological Resources	Shrubs, and grasslands in the site could be used by other birds, protected by the MBTA and FGCC. If shrub or grassland removal is scheduled during the nesting season of raptors (January 1 through July 31), a preconstruction survey for nesting raptors by a qualified biologist shall be required. If other vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds shall be required. If active nests are found, work in the vicinity of the nests shall be delayed until the young fledge.	Applicant	Applicant/Consultant/ PW&P	During ground-disturbing activities; if such activities occur between January 1 through July 31 or between March 1 through July 31.
5.	Cultural/ Tribal 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
6.	Transportation	Prior to issuance of final building permits, final inspections and certification of occupancy: The project owner shall install all way stop controls at the intersection of the west access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans; and	Applicant	Caltrans/PW&P	Prior to issuance of final building permits, final inspections and certification of occupancy.
7.	Transportation	Prior to issuance of final building permits, final inspections and certification of occupancy:	Applicant	Caltrans/PW&P	Prior to issuance of final

		The project owner shall install all way stop controls at the intersection of the east access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans.			building permits, final inspections and certification of occupancy.
--	--	---	--	--	---

*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.

Conditions of Approval	
1.	Development of the property shall be substantially in compliance with the Site Plans, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission.
2.	Landscaping shall be provided and maintained, and all plants and related materials shall be arranged in a manner which is consistent with and complimentary to the existing building design and materials. Landscaping shall be consistent with surrounding development.
3.	The project shall connect to the Community water and sewer system which provides services for the interchange area or other means permitted through the State Water Quality Control Board.
4.	Before any structure is erected or parcel created under the provisions of Article 4, Chapter 834.4.200 of the Zoning Ordinance, a Site Plan Review application reflecting all conditions of approval shall have been submitted to and approved by the County, in compliance with Chapter 854.5 (Site Plan Review). The site plan shall encompass all of the area shown on the approved master plan.
5.	Prior to certification of occupancy, the project proponent shall irrevocably offer for dedication to the California Department of Transportation (Caltrans) twenty (20) feet of road right-of-way along the subject parcel frontage along Dorris Avenue (SR 198).
6.	Prior to certification of occupancy, the project proponent shall provide for a left-turn channelization at the westerly project access road along Dorris Avenue (SR 198).
7.	The applicant shall comply with requirements of the approved Air Impact Assessment (ISR Project Number: C-20230384) dated April 17, 2024. Additionally, the applicant shall be subject to the San Joaquin Valley Air Pollution Control District enforced emission reduction measures as described in the approved Air Impact Assessment (ISR Project Number: C-20230384).

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	The Site Plan, Operational Statement, and Conditions of Approval of this CUP constitutes an amendment to the existing the Master Plan for The southeast quadrant of the Interchange established by CUP 2498 and as amended by CUP 2862.
2.	Prior to the issuance of building permits, the applicant shall submit three (3) sets of complete plans and specifications regarding the installation of underground fuel tanks and equipment to the Fresno County Department of Public Health, Environmental Health Division.
3.	Prior to operations, the applicants will be required to apply for and secure a Permit to Operate an Underground Storage Tank System from the Fresno County Department of Public Health, Environmental Health Division.
4.	Prior to issuance of building permits, the applicants will be required to submit complete food facility plans and specifications for phases dealing with kitchens/food preparation to the Fresno County Department of Public Health, Environmental Health Division, for review and approval.
5.	Prior to operation, the applicants shall apply for and obtain permits to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable.
6.	Should alcohol sales be proposed, the applicant shall first obtain their license to sell alcoholic beverages.
7.	Facilities that 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. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/).
8.	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.
9.	Plans, permits and inspections shall be required for all structures based upon the current adopted edition of the California Codes at the time of plan check submittal.
10.	An engineered grading and drainage plan is required to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. The grading and drainage

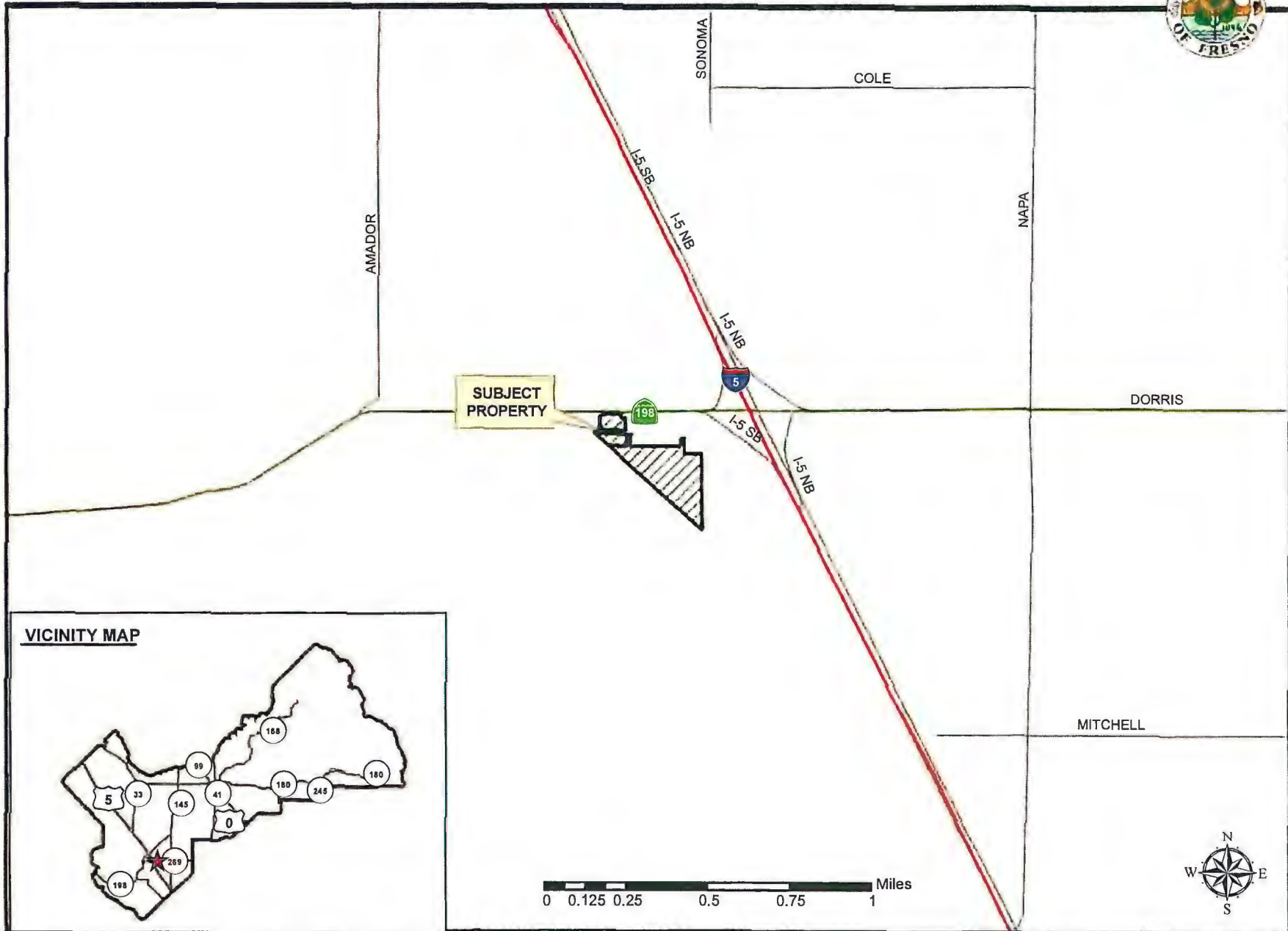
Notes	
	plan should provide calculations of the proposed retention basin storage capacity and the basin design storage capacity for verification purposes.

JS

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3700-3799\3761 (Freeway commercial)\Staff Reports\CUP 3761 MMRP.docx

CUP 3761

LOCATION MAP



VICINITY MAP

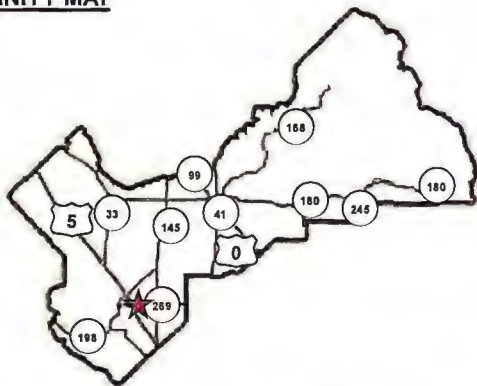


EXHIBIT 3

CUP 3716
STR 29- 19/16

EXISTING ZONING MAP



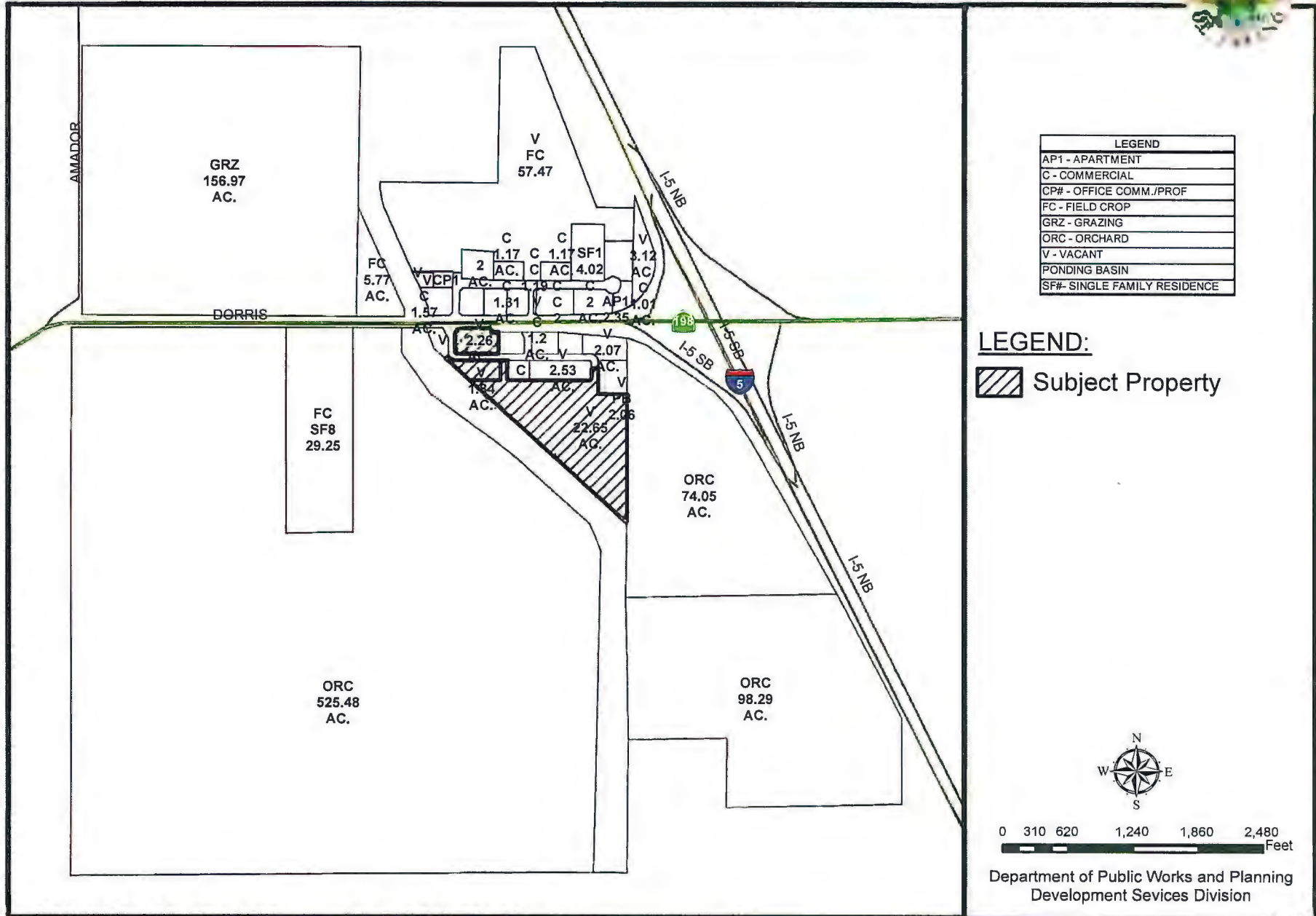
Prepared by: County of Fresno Department of Public Works and Planning, Development Services Division

KJ

EXHIBIT 3

CUP 3761

EXISTING LAND USE MAP



CUP PLANS FOR: COALINGA HARRIS RANCH COMMERCIAL

THE LAND REFERRED TO HEREIN BELOW, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
PARCEL 1: APN 086-271-01
PARCEL 2 OF PARCEL MAP NO. 7480, RECORDED MAY 1, 1992 IN BOOK 52 PAGES 92 AND 93 OF PARCEL MAPS, FRESNO COUNTY RECORDS.

PARCEL 2: APN 085-271-08 PARCEL 3 OF PARCEL MAP NO. 7450,
RECORDED MAY 1, 1982 IN BOOK 52 PAGES 92 AND 93 OF PARCEL
MAPS, FRESNO COUNTY RECORDS

PARCEL 3: APN 086-271-08 PARCEL 1 OF PARCEL MAP NO. 7818
RECORDED SEPTEMBER 23, 1984, IN BOOK 58 PAGES 75 AND 76 OF
PARCEL MAPS, FRESNO COUNTY RECORDS.

PARCEL 2 OF PARCEL MAP NO. 7818 RECORDED SEPTEMBER 23,
1984, IN BOOK 88 PAGES 75 AND 76 OF PARCEL MAPS, FRESNO
COUNTY RECORDS.

ELEVATION: 803.81 (NAVD 83)
 DESCRIPTION / LOCATION: A US DEPT OF INTERIOR, BUREAU OF RECLAMATION 4-INCH BRASS DISC, LOCATED ON THE CENTERLINE OF A SPURVALVE STRUCTURE ON THE WEST BANK OF THE CANAL. THE STATION IS 35.7 M (117 FT) SOUTH OF THE CENTERLINE OF RHY 18, 4.5 M (15 FT) WEST OF THE TOP OF THE CANAL'S WEST HEADWALL, 7.5 M (25 FT) SOUTHEAST OF THE EAST GATEPOST OF THE ACCESS GATE TO A SERVICE ROAD ON THE WEST SIDE OF THE CANAL, AND 5.4 M (17.5 FT) EAST OF THE SPURVALVE CONTROL STRUT.

	EXISTING	PROPOSED
CENTERLINE	_____	_____
SECTION LINE	_____	_____
RIGHT OF WAY	- - - - -	- - - - -
PROPERTY LINE	_____	_____
EASEMENT		
CHAIN LINK FENCE		
WOOD FENCE		
WIRE FENCE		
MASONRY WALL		
RETAINING WALL		
DRAINAGE SWALE	N/A	
GRADE BREAK		
RIDGE		
SARICULT	N/A	
EDGE OF PAVEMENT		
ASPHALT DRIVE		
CURB, GUTTER, & SIDEWALK		
TRUNCATED DOME	N/A	
BULGE CURB RAMP		
CURB RAMP (TYPES VARY)		
WATER		
SANITARY SEWER		
STORM DRAIN		
FORD MARK		
UTILITY STUB		
GAS		N/A
ELECTRICAL		N/A
TELECOMMUNICATION		N/A
POWER POLE & OVERHEAD UTILITY		N/A
STREET LIGHT W/ ARM		
PORT TOP LIGHT		
PARKING LOT LIGHT		
ELECTRICAL BOX		
BENCHMARK		
MONUMENT		
WHEEL STOP		
BOLLARD		
TREE		
MONUMENT SIGN		
CONTOURS		

[illegible]

PROJECT MANAGER
R&M Design, Inc.
5 East Main St (Suite B)
Turlock, CA 95360
(209) 834-6832
Daniel Barnes
- Dbarnes@RMDesign.net

CIVIL ENGINEER
Barnes Engineering, Inc.
4607 Falcon Crest Way
Turlock, CA 95362
(209) 765-4222
Daniel Barnes
• Dbarnes@BarnesEng.com

ARCHITECT
AGC Design Concept
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Valencia, CA 91355
(818) 448-2811
Alex Cuevas
acuevas@agc.com

Greiner
Coalinga Travel Holding, LLC
3633 Inland Empire Blvd
Ontario, CA 91764
☎ (925) 208-8118
Khushpreet Kaur
✉ khush@gc-empire.com

An aerial photograph of a coastal area. A road labeled "HWY 196 / DORRIS AVE" runs horizontally across the upper middle. Below the road, a rectangular area is outlined and labeled "PROJECT SITES". To the right of this area, a label "SUNSHINE BEACH" is oriented vertically. In the bottom right corner, there is a compass rose with an "N" indicating North.

#	SHEET TITLE
C1.0	COVER SHEET
C2.0	EXISTING CONDITIONS PLAN
C3.0	PROPOSED LOT LINE ADJUSTMENT (OVERALL)
C3.1	PROPOSED LOT LINE ADJUSTMENT (PARCELS 1 & 2)
C4.0	CALTRANS SR188 PLAN
C5.0	SITE PHOTOGRAPHS
C6.0	DEVELOPMENT USE MASTER PLAN
CUP-1	ARCHITECTURAL SITE PLAN
CUP-1.1	GAS STATION SITE PLAN (PARCEL 1)
CUP-1.2	TRUCK STOP C-STORE SITE PLAN (PARCEL 2)
CUP-2.1	FLOOR PLAN C-STORE & QSR (PARCEL 1)
CUP-2.2	ELEVATIONS C-STORE & QSR (PARCEL 1)
CUP-2.3	PLAN & ELEVATIONS CANOPY 10 MPD
CUP-3.1	ELEVATIONS TRUCK STOP C-STORE (PARCEL 2)
CUP-4.1	PLAN & ELEVATIONS DIESEL DEF CANOPY (PARCEL 3)
CUP-5.1	FLOOR PLAN & ELEVATIONS TRUCK SERVICE BUILDING (PARCEL 3)

[illegible]

THE PROPOSED USE OF PARCEL 1 IS A COMMERCIAL FUELING STATION. PARCEL 1 WILL INCLUDE A 10,000 SF BUILDING COMPOSED OF A CONVENIENCE STORE (6,000 SF) AND A DRIVE THRU FAST-FOOD RESTAURANT (3,000 SF) WITH 10 MPO FUELING COLUMNS. THE CONVENIENCE STORE ON PARCEL 1 WILL INCLUDE THE SALE OF BEER AND WINE. PARCEL 2 WILL INCLUDE A 10,000 SF BUILDING FOR THE PARCEL 2 BUILDING WILL INCLUDE A FAST-FOOD RESTAURANT (+1,320 SF), CONVENIENCE STORE, RESTROOMS, SHOWERS, LOCKER AREA, STORAGE, AND A LAUNDRY. THE CONVENIENCE STORE ON PARCEL 2 WILL INCLUDE THE SALE OF BEER AND WINE. THE SITE OF THE PARCEL 2 BUILDING WILL BE ADJACENT TO AN EXISTING 10,000 SF BUILDING. PARCEL 3 WILL INCLUDE A COMMERCIAL TRUCK TRUCK AND TRUCK TRAILER. PARCEL 3 WILL INCLUDE A 11-POSITION COMMERCIAL TRUCK CANOPY, A CAT SCALE, AND A TA PETRO 3 WAY SERVICE STATION (11,100 SF).

EXISTING CONDITIONS

DESCRIPTION	PERCENTAGE
SITE ADDRESS	SW CORNER OF INTERSTATE 5 AND HIGHWAY 198/DONUS AVE
CITY / STATE / ZIP	COALINGA, CA 93210
APN	065-271-06 / 06 / 10
EXISTING NO. PARCELS	3
EXISTING ACREAGE	636.74 ACRES
FEMA FLOOD ZONE	ZONE X (AREA OF MINIMAL FLOOD HAZARD)

BARNES
ENGINEERING, INC.
PHONE # (208) 743-4223



RWK DESIGN INC.
 18011 London Avenue
 Torrance, California 90503
 Telephone # 310.534.4022 • FAX # 310.533.2229

[illegible]

1.500.227.2600	
----------------	--

COVER SHEET

JOE B: RMK-8914
DATE: 3/17/2025
SCALE: AS SHOWN
DRAWN BY: DB
CHECKED BY: DB

**SHEET
NUMBER**
C1.0

OF CUP-8.1





RAV DESIGN
INC.
ENGINEERING & ARCHITECTURE, a Division of
1801 Laurel Street
Torrance, California, 90503
TEL: (310) 571-8311 • FAX: (310) 571-1259

[illegible]

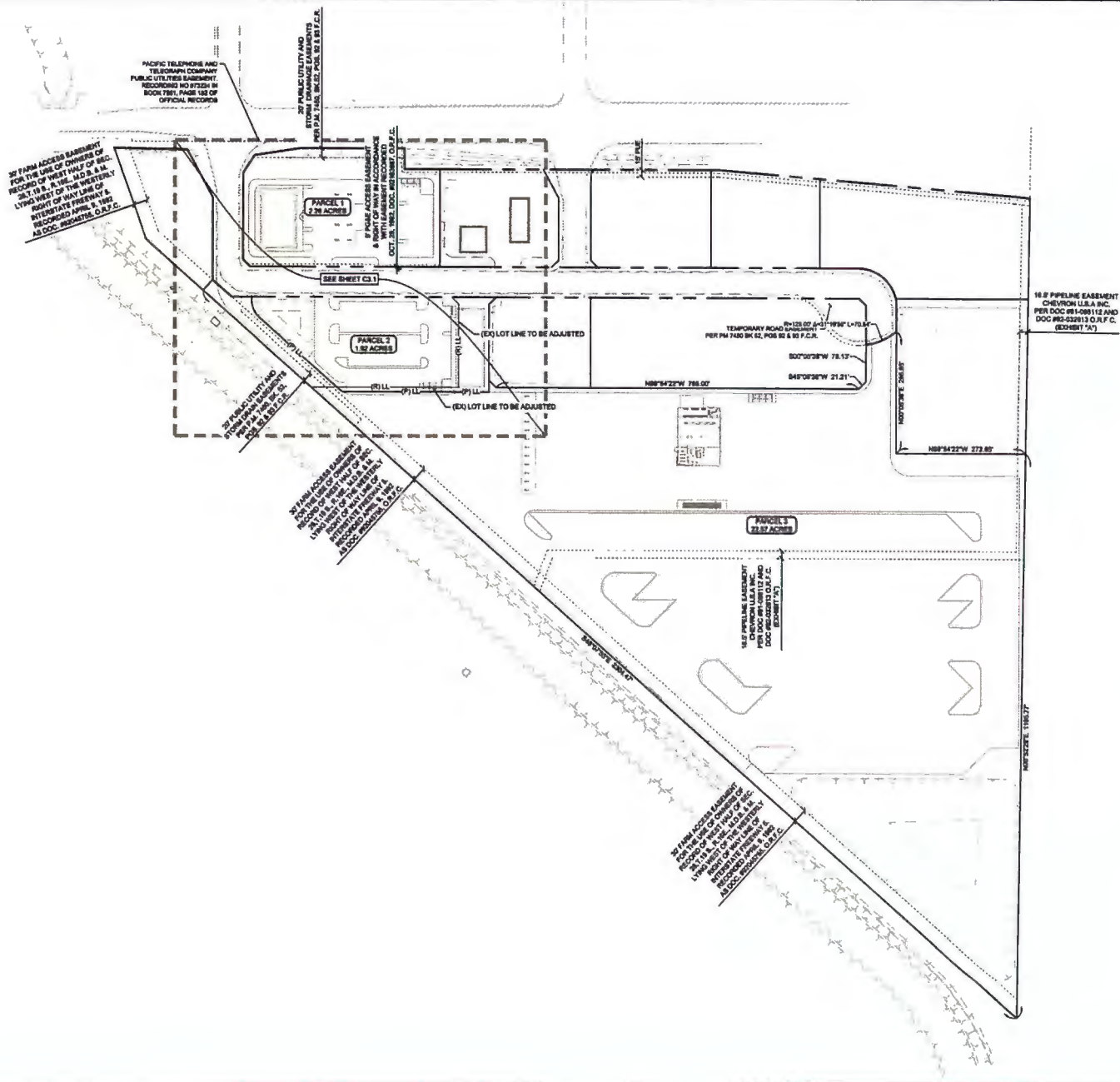
PROPOSED LOT LINE ADJUSTMENT
(OVERALL)

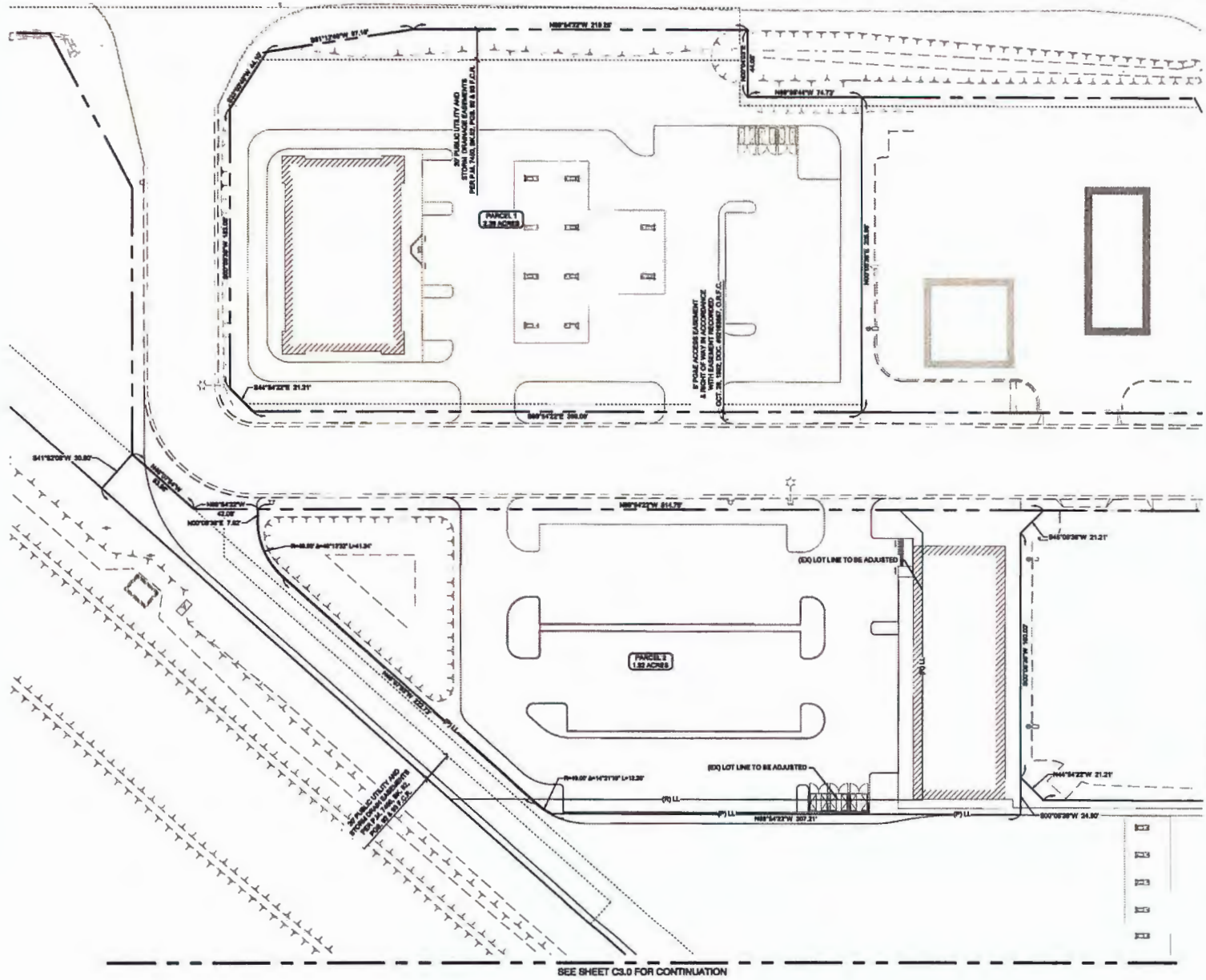
COALINGA HARRIS RANCH COMMERCIAL
CORPERS AVE
COALINGA, CA

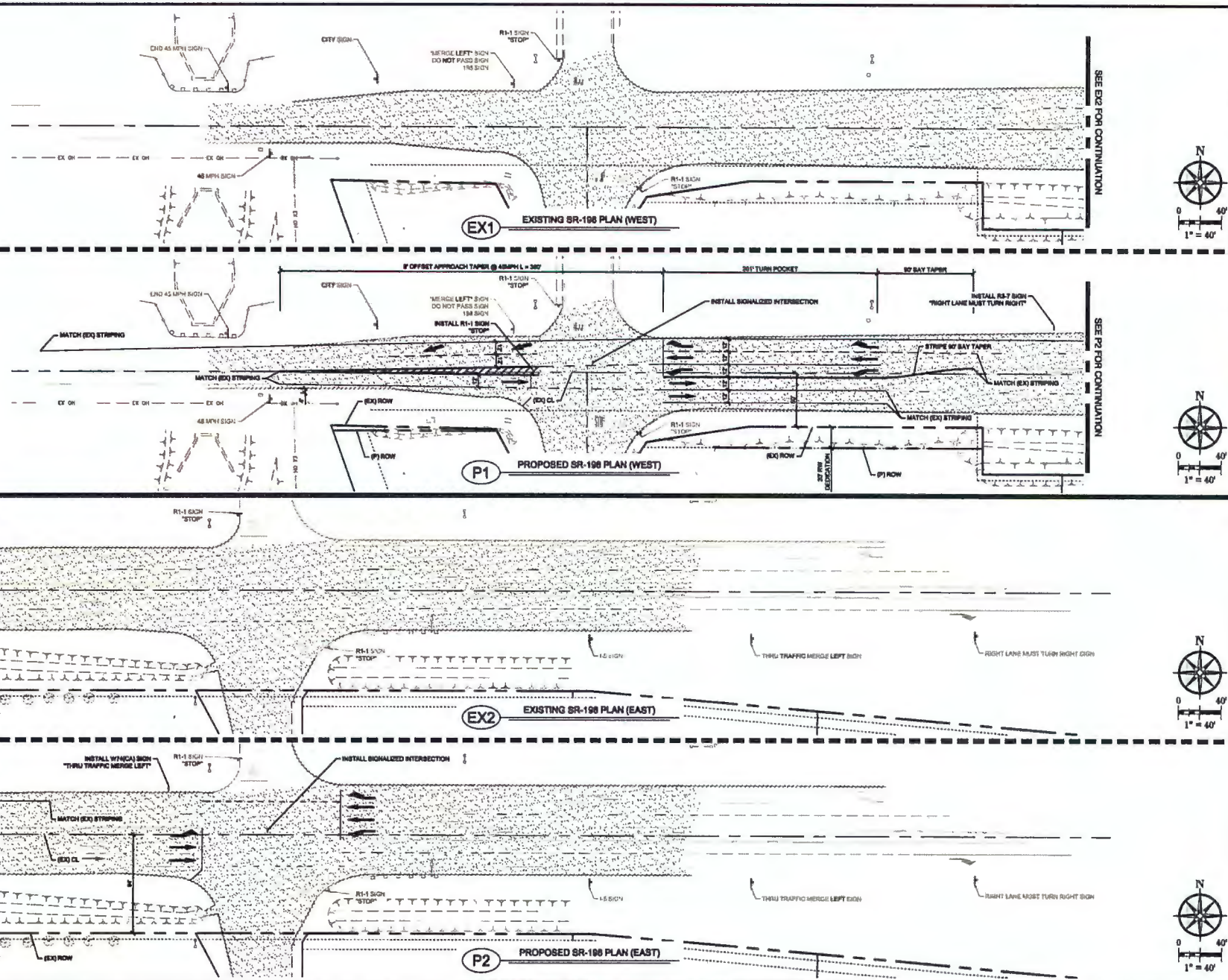
JOB #: RMK-0814
DATE: 3/17/2025
SCALE: AS SHOWN
DRAWN BY: DB
CHECKED BY: DB

C3.0

OF CUP-5.1







BARNES ENGINEERING, INC.
REGISTERED PROFESSIONAL ENGINEER
No. 25404
STATE OF CALIFORNIA

RWK DESIGN
RWK DESIGN, INC.
1801 LAUREL STREET
SAN JOSE, CA 95129
TEL: (408) 261-4444 FAX: (408) 261-4444

REVISIONS	
NO.	DESCRIPTION

811
CALIFORNIA
1.800.227.2600

CALTRANS SR198 PLAN

COALINGA HARRIS RANCH COMMERCIAL
CORNER AVE
COALINGA, CA

JOB #: R38C-0014
DATE: 07/20/06
SCALE: AS SHOWN
DRAWN BY: DB
CHECKED BY: DB
SHEET NUMBER

C4.0

OF CUP-4.1

VICINITY & KEY MAP



SITE PHOTOGRAPHS



BARNES
ENGINEERING, INC.
FUND & BUILT PROJECTS



RMK DESIGN
INC.
ENGINEERING & ARCHITECTURE CONSULTING
10000 S. GARDEN AVENUE, SUITE 100
TULSA, OKLAHOMA 74116
TEL: (918) 438-1111 FAX: (918) 438-1112

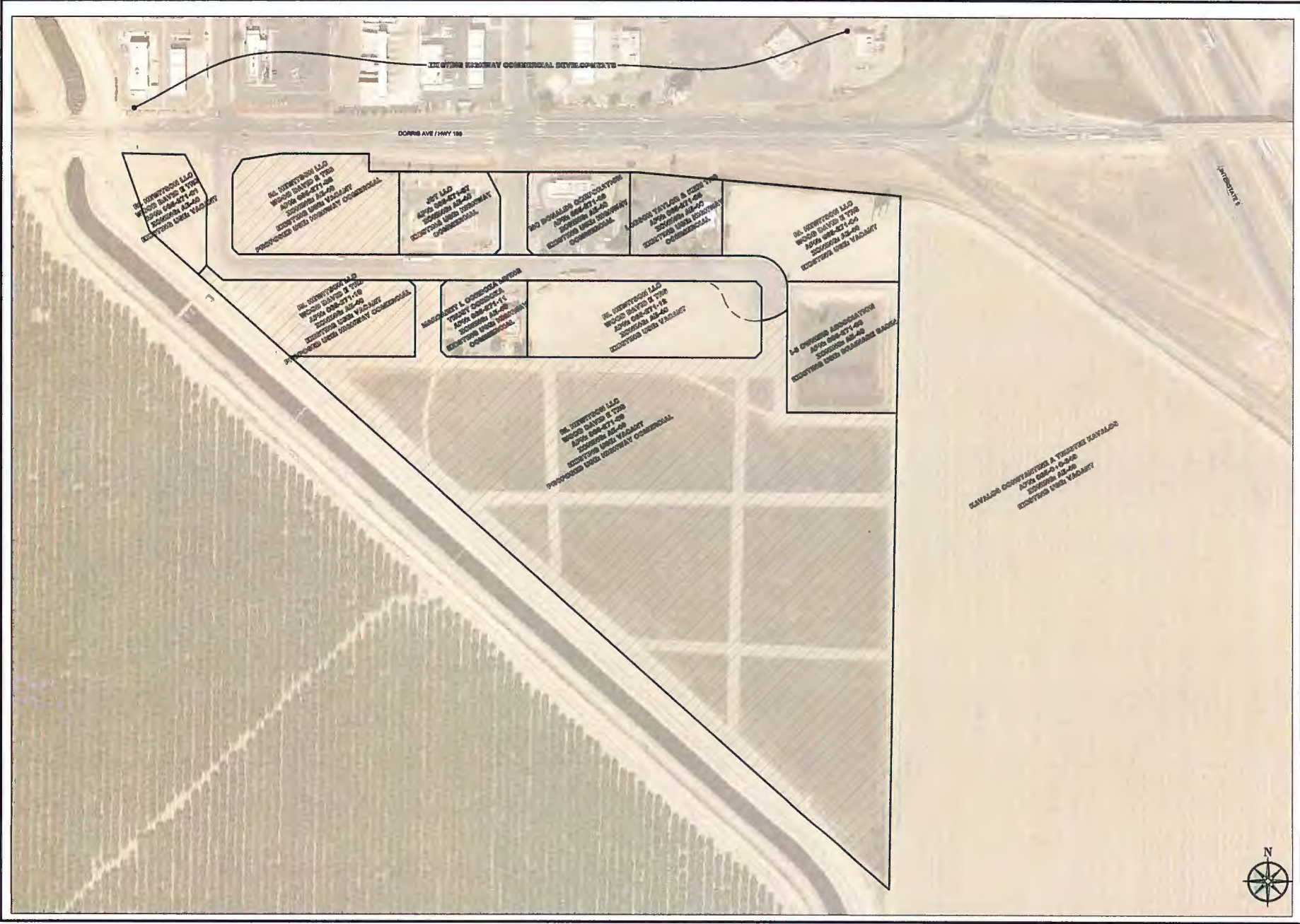
NO.	REVISIONS	DATE	BY



SITE PHOTOGRAPHS
COALINGA HARRIS RANCH COMMERCIAL
COALINGA, CA

JOB #: RMK-0614
DATE: 01/17/2006
SCALE: AS SHOWN
DRAWN BY: DB
CHECKED BY: DB

C5.0
OF CUP-6.1



811
CALIFORNIA
1.800.227.2600

REVISIONS

NO.	DESCRIPTION	DATE	APP'D

DEVELOPMENT USE MASTER PLAN

COALANGA HARRIS RANCH COMMERCIAL

COALANGA AVE

JOB #: RMC-0014
DATE: 5/17/2018
SCALE: AS SHOWN
DRAWN BY: DB
CHECKED BY: DB

SHEET
NUMBER

C6.0

OF CUP-6.1

BARNES ENGINEERING, INC.
PROJECT # CUP-6.1-2018

REGISTERED PROFESSIONAL ENGINEER
No. C14096
STATE OF CALIFORNIA

RWK DESIGN
INC.
Civil/Structural/MEP
10110 E. 14th Street, Suite 100
Tulsa, Oklahoma 74116
918.466.1111



ATTACHMENT C

RECEIVED
MAY 09 2025

For Office Use Only

Date received: 5/9/25
Copied to: W. Kettler, C. Motta, D. Rangel, S. Sarmar
Date copy sent: 5/9/25
Hearing set for: _____

CLERK, BOARD OF SUPERVISORS
NOTICE OF APPEAL OF PLANNING COMMISSION DECISION

Date: 5/8/2025

Appeal Fee: \$538.94 – Due when filing appeal

APPELLANT FILL IN BELOW THIS LINE, THIS SIDE ONLY – PLEASE PRINT OR TYPE

Project Site Address

Number	Street	City	Zip	Assessor's Parcel Number
		Unincorporated Coalinga	93210	065-271-08; 09; 10

Appellant's Information

Name: Advocates for the Environment
Mailing Address: 10211 Sunland Blvd.
Shadow Hills, CA 92040
Telephone: (818) 650-0030 X101

Applicant's Information ☐ check if same as Appellant)

Name: MK Design/Daniel Barnes
Mailing Address: 5 East Main Street, Suite B
Telephone: _____

Subject of Appeal

I wish to appeal the Planning Commission's decision to ☒ Approve ☐ Deny

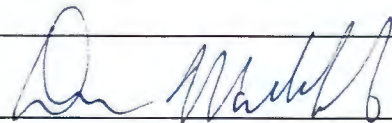
Variance Application No. * _____
Conditional Use Permit No. 3761
Director Review and Approval Application No. _____
Tentative Tract Application No. _____
Amendment Application No. _____
Amendment to Text Application No. _____
Other: Mitigated Negative Declaration SCH No. 202503602

Date of Planning Commission Action 04/24/2025

Reason(s) for Appeal (Attach additional sheets if necessary)

The County violated CEQA by approving a Mitigated Negative Declaration that was not supported by substantial evidence.

Additional appeal justification attached.


Appellant's Signature

* Fresno County Zoning Ordinance § 877(c) requires that any appellant, other than the applicant, County Department Director, or Board of Supervisors member, must be a property owner within a certain distance from the Variance Application property. The Department of Public Works and Planning will verify that the ordinance requirements are met. If the requirements are not met, the appeal fee will be returned and no date for appeal hearing before the Board of Supervisors will be set.

Please return completed form to Clerk of the Board, 2281 Tulare Street, Room 301, Fresno, CA 93721.

May 8, 2025

Advocates for the Environment

A non-profit public-interest law firm
and environmental advocacy organization



Clerk of the Board of Supervisors
County of Fresno
2281 Tulare Street, Room 301
Fresno, CA 93721

Via email and Fedex overnight.

Re: Appeal Justification for the Initial Study No. 8367, Unclassified Conditional Use
Permit Application No. 3761, SCH No. 2025030602

Dear Clerk and Staff:

Please consider this letter as a formal notice and request for an appeal, of the Planning Commission's decision on April 24, 2025 to the Board of Supervisors, requesting the Board to reject the Planning Commission's decision approving the Initial Study No. 8367, Unclassified Conditional Use Permit Application No. 3761, SCH No. 2025030602 (**Project**) and certify the Mitigated Negative Declaration (**MND**) for the Project. The Project Site is located on the southwest quadrant of Dorris Avenue and the Interstate 5 interchange in Fresno County (**County**).

The Project proposes to develop three parcels on the approximately 26.74-acre Project site. Parcel 1 would be developed with ten multi-product-dispenser (**MPD**) fueling stations and a 9,700 square-foot convenience store and drive-through restaurant building. Parcel 2 would be developed with a 10,230 square-foot commercial truck stop building. Parcel 3 would be developed with an 11-position commercial truck fueling canopy, truck scale and TravelCenters of America (**TA**) three-bay truck service station in an 11,000 square-foot building.

Advocates for the Environment submits the comments in this letter to provide specific reasons why the Project's Environmental Determination, including the Greenhouse-Gas (**GHG**) analysis, was legally inadequate and not in compliance with the California Environmental Quality Act (**CEQA**). The Planning Commission abused its discretion in approving the Project because the City violated CEQA by failing to support its significance conclusions by substantial evidence, among other CEQA violations.

Background and Interest of Advocates for the Environment

Advocates for the Environment is a non-profit public-interest environmental law firm and advocacy organization, and part of its mission is to use appropriate legal tools to reduce

GHG emissions of development projects. We reviewed the MND prepared in May 2025, and submitted comments regarding the sufficiency of the MND's GHG analysis on April 25, 2025. During the public hearing on April 24, 2025 at the County of Fresno Planning Commission, the Project was approved. Yet, this decision was erroneous and an abuse of discretion because the County did not support its significance conclusions and thresholds by substantial evidence.

Rationale for Appeal

The Planning Commission should not have approved this Project because the EIR violates CEQA. CEQA requires lead agencies to support their significance thresholds and significance determinations by substantial evidence. The County's determination that the Project would have a less-than-significant GHG impact was not supported by substantial evidence.

GHG Significance Analysis

The MND adopted two significance thresholds based on the CEQA Guidelines Appendix G. Overall, the MND concluded that the Project's GHG emissions would be less than significant. Given the inadequacy of analysis under both sections, there is a fair argument for why the Project would have a significant impact under both of these thresholds. Yet, significance under one of the two thresholds alone would require a finding of significant impact.

The MND Does Not Support Its Conclusions by Substantial Evidence

Lead agencies must support their significance determinations by substantial evidence. Here, the MND does not include enough information to support its determination that the Project's GHG emissions would be less than significant.

Threshold (a), asks whether the Project would "[g]enerate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment." (MND, p. 12.) Under this threshold, the County concluded that the Project would have a less-than-significant impact. After quantifying the Project's operational GHG emissions at approximately 10,285 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year, in a one-sentence analysis, the MND concluded that the Project would be consistent with California's GHG reduction goals and the Fresno Council of Governments Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). (MND, p. 12.) Yet, this significance conclusion is invalid because the County did not support its significance determination.

Consistency with Applicable Plans, Policies, and Regulations

Other than a vague reference to state GHG reduction goals generally the County only considered a single plan, the Fresno RTP/SCS when it concluded less-than-significant impact. (MND, p. 12.) This significance analysis violates CEQA by being both deficient and misleading. It conflicts with several plans the County failed to analyze. Conflict with a single applicable plan is sufficient to find that the chosen threshold is not met. Therefore the County should have found a significant GHG impact due to conflict with applicable plans for the reduction of GHGs.

The MND Did Not Analyze Other Applicable Plans

The County chose, as its second GHG threshold, Threshold (b), which asks whether the Project would “[c]onflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.” (MND, p. 12.) This language requires that the MND analyze the Project’s consistency with *all* other applicable plans, not just the plans that the County prefers to analyze.

CEQA requires indirect and direct impacts to be analyzed for the lifetime of a project. Thus, Project must show consistency with long-term State GHG goals to comply with CEQA. In particular, the MND must also demonstrate consistency with Executive Order B-55-18 (EO B-55-18), the 2022 CARB Scoping Plan, and the 2017 CARB Scoping Plan.

Developing a truck stop without installing any electric truck charging stations directly conflicts with California’s net zero climate goals. EO B-55-18 requires the State of California to achieve carbon neutrality—net zero GHG emissions—by 2045. The Project is inconsistent with EO B-55-18 because it does not prohibit the use of gasoline, diesel, and natural gas. Burning such non-renewable fuels results in substantial GHG emissions. In particular, the trucks anticipated in this Project use diesel fuel which emit high quantities of GHGs, preventing the Project from ever achieving carbon neutrality. The MND does not demonstrate that the Project would facilitate in achieving these goals, and therefore the Project would conflict with EO B-55-18.

The MND also did not address the 2022 Scoping Plan from the California Air Resources Board (**2022 Scoping Plan**), which is an applicable plan for the reduction of GHGs. The 2022 Scoping Plan sets a goal for 50% of all industrial energy demand to be electrified by 2045 (2022 CARB Scoping Plan, p. 77). The 2022 CARB Scoping Plan also places particular emphasis on decarbonizing industrial facilities by “displacing fossil fuel use with a mix of electrification, solar thermal heat, biomethane, low- or zero-carbon hydrogen, and other low-carbon fuels to provide energy for heat and reduce combustion emissions” (2022 CARB Scoping Plan, p. 208). One of the principal goals of the 2022 Scoping Plan is to reduce

statewide GHG emissions to 85% below 1990 levels by 2045. The Project is inconsistent with these goals because it would create an additional large source of emissions from non-renewable sources, contrary to the statewide electrification and decarbonization contemplated by the 2022 Scoping Plan.

The 2017 Scoping Plan was developed to facilitate California's compliance with SB 32, which requires statewide GHG emissions to be reduced to 40% below 1990 levels by 2030. (Health & Safety Code § 38566.) The MND did not discuss how the Project is consistent with any of the goals, including the 2050 goal of 80% below 1990 levels. The 2017 Scoping Plan also sets out statewide goals for total GHG emissions targets of 6 MTCO₂e/capita by 2030, and 2 MTCO₂e/capita by 2050 (CARB Scoping Plan, p. 99).

With the Project's net operational GHG emissions at 10,285 MTCO₂e annually and 3 employees,¹ the Project's per-service population GHG emissions would be over three thousand MTCO₂e per capita, which greatly exceeds the targets set forth by the 2017 Scoping Plan.² Thus, the Project's GHG impact is significant under the second threshold because it is inconsistent with applicable plans for the reduction of GHGs.

The County Should Have Prepared an EIR

No GHG mitigation measures were considered due to the erroneous determination of less-than-significant impact. However, because the County should have found a significant impact for GHG emissions based on inconsistency with applicable plans, it should update its findings accordingly and would therefore be required to create a full Environmental Impact Report (EIR) and mitigate to the extent required by CEQA.

Inconsistency with applicable plans for the reduction of GHG emissions supports a fair argument that the Project would have a significant environmental effect. Because the above discussion provides a fair argument that the Project may have significant GHG impacts, the County must prepare an EIR. Therefore, the County was mistaken in its choice to create an MND for a Project that would likely create such a considerable GHG impact. If the County had used appropriate significant thresholds and accurate analysis, it would have concluded that the Project's GHG emissions are significant.

Conclusion

For the foregoing reasons, the MND violated CEQA. In particular, the MND failed as an informational document for decision makers and the public, the significance analysis was

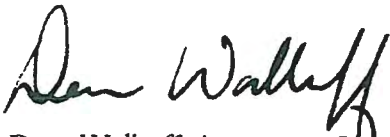
¹ The Project would create 3 jobs. <https://ceqanet.opr.ca.gov/2025030602>

² 10,285 MTCO₂e ÷ 3 employees = 3,428.33 MTCO₂e/service population

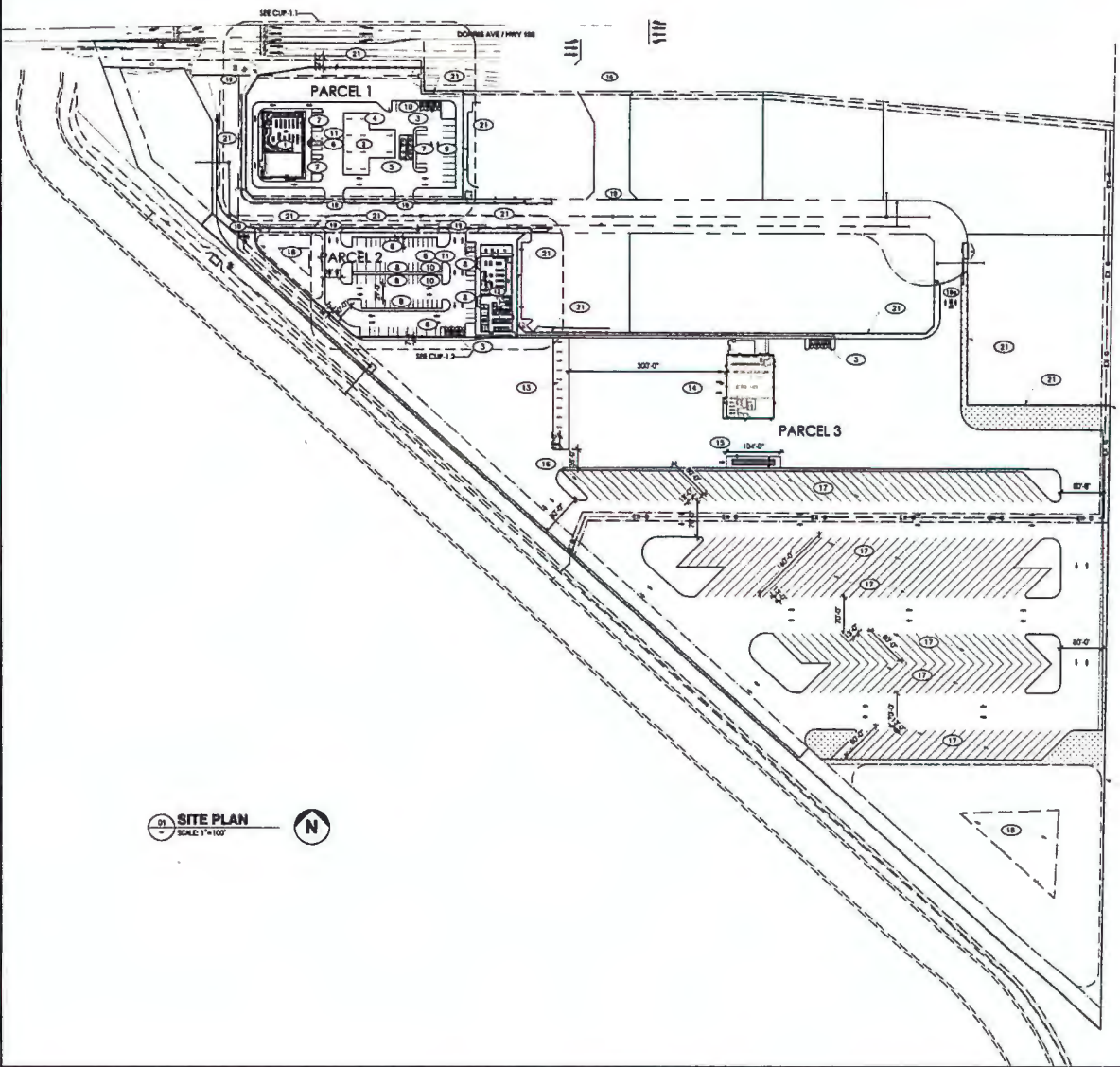
inadequate, and the County should have concluded that the Project would contribute to a significant GHG impact.

Thus, the Planning Commission should have rejected the Project and declined to approve the MND, or at least should have continued the Project for another date if and until the GHG analysis is amended in conformance with CEQA.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Wallraff". The signature is fluid and cursive, with the first name "Dean" and last name "Wallraff" clearly distinguishable.

Dean Wallraff, Attorney at Law
Executive Director, Advocates for the Environment



01 SITE PLAN
SCALE 1"=100'

SITE INFORMATION

AREA OF PROPERTY		AREA
CROSS AREA C/S STATION		1,183,330 SQ. FT.
DECKING, EXHIBITS		74,582 SQ. FT.
NET BUILDABLE AREA		1,040,048 SQ. FT.
CROSS AREA (IN ACRES)		238.75 ACRES
ZONING		
PARCEL 1	PARCEL 3	PARCEL 4
100-100	100-100	100-100
045-271-08	045-271-10	045-271-08
ASSESSORS PARCEL NUMBERS		
DESCRIPTION		AREA
LANDSCAPING PROVIDED (CH-BEL)		21,882
		295,111 SQ. FT.
STRUCTURES		
DESCRIPTION	CCS. TYPE	STATUS
BUILDING C-STORE AND REST.	100-100	NEW
CANOPY 10 MPD	100-100	NEW
BUILDING C-STORE, C/SR AND SHOWERS	100-100	NEW
CANOPY 12 BAY	100-100	NEW
10 PETRO 3 BAY	100-100	NEW
TOTAL BUILDING AREA		44,838 SQ. FT.
TOTAL LOT COVERAGE (EXCLUDING CANOPY)		39,838 SQ. FT.
NET LOT AREA		1,040,048 SQ. FT. (2.748)
DESCRIPTION (REQUIRED PARKING)		RATIO
BUILDING C-STORE AND REST.	1 PER 250 SQ. FT.	48 SPACES
BUILDING C-STORE, C/SR AND SHOWERS	1 PER 200 SQ. FT.	45 SPACES
BLK. RETAIL/BLK. BAY	1 PER 250 SQ. FT.	45 SPACES
TOTAL PARKING SPACES REQUIRED		138 SPACES
DESCRIPTION (PROVIDED PARKING)		SIZE
STANDARD (VEHICLE)	9'-0" x 18'-0"	113
AV. PARKING	12'-0" x 20'-0"	11
ACCESSIBLE SPACES	17'-0" x 20'-0"	4
CLEAN AIR PARKING	9'-0" x 18'-0"	12
TRUCK PARKING	17'-0" x 20'-0"	286
TOTAL PARKING SPACES PROVIDED		326 - SPACES

KEY PLAN

- 1 NEW C-STORE AND RESTAURANT WITH DRIVE THROUGH
- 2 NEW CANOPY 10 MPD
- 3 NEW TRUCK ENCLOSURE 12'-0" x 18'-0"
- 4 NEW HEAVY TRUCK
- 5 NEW UNDERGROUND GASOLINE TANKS
- 6 CONCRETE SLAB: 7" CONCRETE SLAB
- 7 1/4" REBAR @ 18" O.C.
- 8 EACH WAY OVER 8" COMPACT BASE
- 9 MATERIAL AND GRADE OF
- 10 PER SOILS REPORT AND
- 11 RECOMMENDATIONS. REMOVING BARS
- 12 TO BE NO LESS THAN 2" AND NO
- 13 MORE THAN 4" FROM SURFACE.
- 14 NEW ACCESSIBLE RAMP WITH
- 15 TRUNCATED DOMES.
- 16 NEW PARKING STANDARDS 9'x20'
- 17 NEW PARKING STANDARDS 9'x18'
- 18 NEW BV PARKING STANDARDS 12'x25'
- 19 NEW CLEAN AIR PARKING 18
- 20 NEW ACCESSIBLE PARKING SPACE.
- 21 NEW C-STORE (FUEL PAYMENT), C/SR AND SHOWERS
- 22 NEW CANOPY 11 PORTIONS (PWT IN C-STORE)
- 23 NEW TA PETRO 3 BAY
- 24 NEW CAT SCALE
- 25 NEW ABOVE GROUND TANKS
- 26 NEW TRUCK PARKING
- 27 RETENTION BASIN AREA
- 28 EXISTING DRIVEWAY
- 29 NEW DRIVEWAY
- 30 NEW LANDSCAPE
- 31 PROPERTY LINE

AGC DESIGN CONCEPT, INC.

4000 CHANDLER
VILLAGE RD. #311
CHANDLER, AZ 85226
Phone: 480.226.1111

BY

REVISIONS

DATE

NO

COALINGA HARRIS RANCH COMMERCIAL

DORRIS AVE/HWY 198

COALINGA, CA

SITE PLAN

revision: jml

master: released: dtd

project: and date

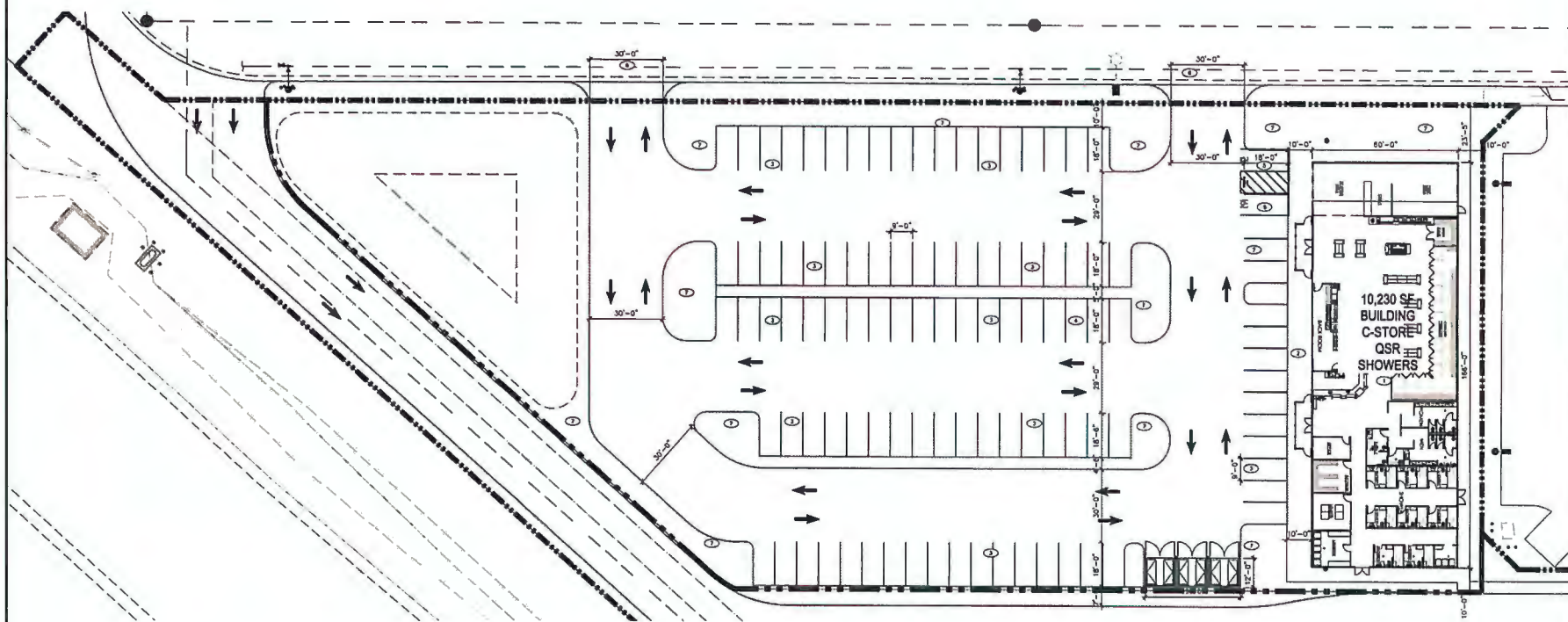
designed: by

planned: AGC

facility: project

sheet name

CUP-1



- KEY PLAN**
- ① NEW C-SIDE (FULL PAYMENT), OSH AND SHOWERS
 - ② NEW ACCESSIBLE RAMP WITH TRUNCATED CONES.
 - ③ NEW PARKING STANDARDS 8"x18"
 - ④ NEW CLEAN AIR PARKING X8
 - ⑤ NEW ACCESSIBLE PARKING SPACE
 - ⑥ NEW DRIVEWAY
 - ⑦ NEW LANDSCAPE
 - ⑧ PROPERTY LINE

01 TRUCK STOP C-STORE SITE PLAN
SCALE: 1"=20'



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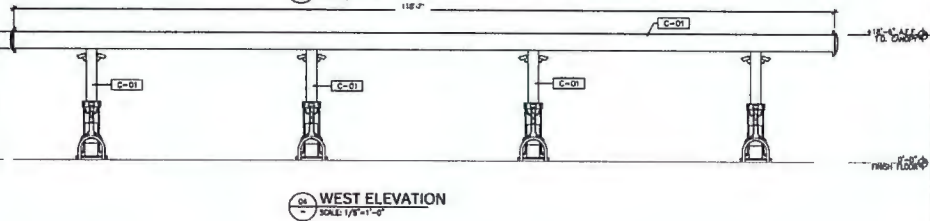
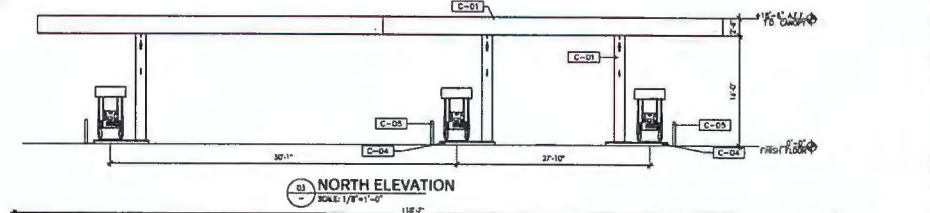
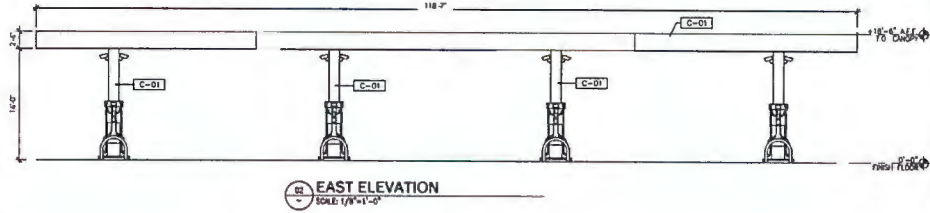
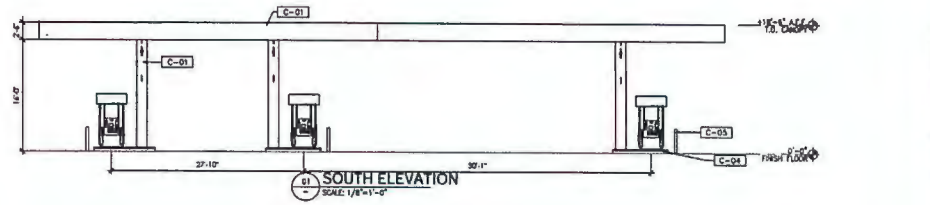
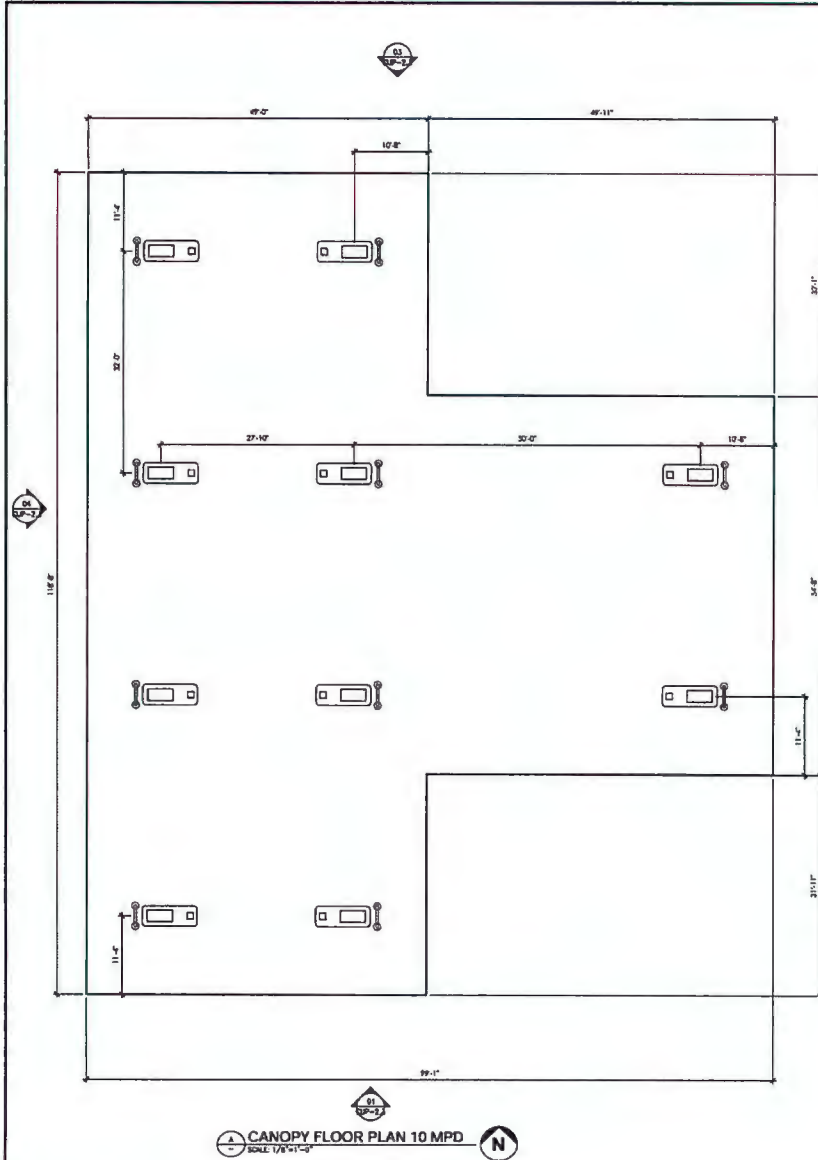
AGC

14250 ORCHARD
VILLAGE RD. A-711
Bakersfield, CA 93305
Phone: 805-255-1111

[illegible]

COALINGA HARRIS RANCH COMMERCIAL
DORRIS AVE./HWY 198
COALINGA, CA
TRUCK STOP C-STORE SITE PLAN

consultant job#	
master release date	
project area date	master drawn by
filenames AGC	
facility/project	
sheet name	
CUP-1.2	



EXTERIOR PAINTS:

- C-01** COLOR: PEARL -RAL 1013
ICI #A0083 "INDIAN LEGEND"
- C-04** COLOR: WASH GREY
BENJAMIN MOORE, 2137-40,
"DESERT TWILIGHT" - P28 DTM (GALLON)
- C-05** COLOR: YELLOW
BENJAMIN MOORE, 2022-10, "YELLOW" - P28
DTM (GALLON)

** GUARD POSTS (TPP) TO BE PAINTED: 2/3 BOTTOM
COLOR [C-01] AND 1 TOP COLOR [C-05]

ACC DESIGN CONCEPT, INC.

3800 OCHOA RD
VALLAJO, CA 94151
Tel: 925.276.1111
Fax: 925.276.1111

AG

REVISIONS	
BY	DATE

COALINGA HARRIS RANCH COMMERCIAL

DORRIS AVE/HWY 198
COALINGA, CA

CANOPY 10 MPD & ELEVATIONS

Project: 10 MPD

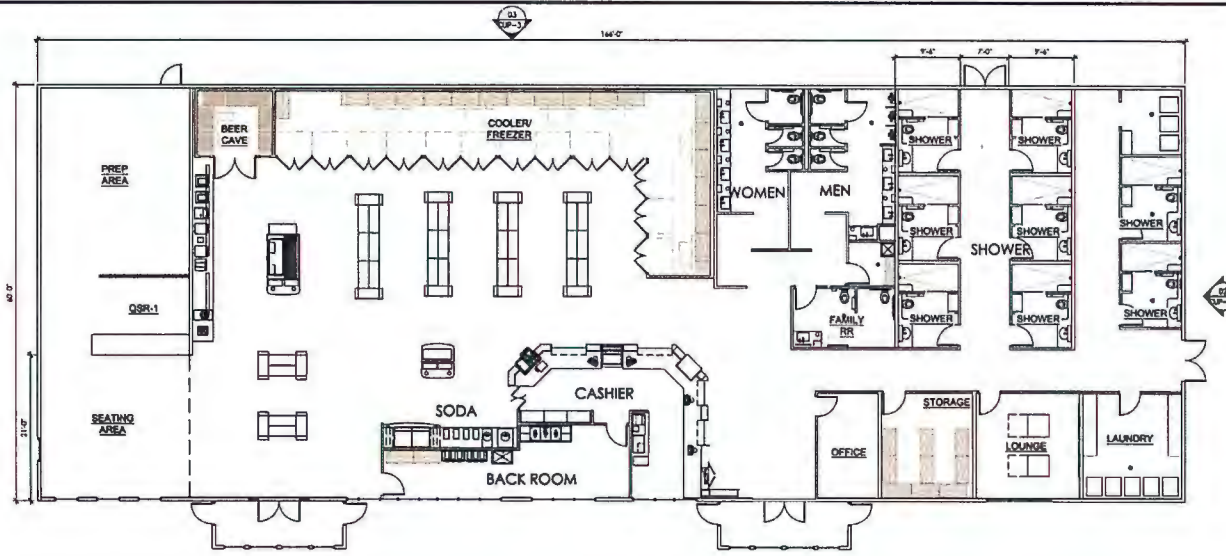
Client: ACC

Designer: ACC

Checker: ACC

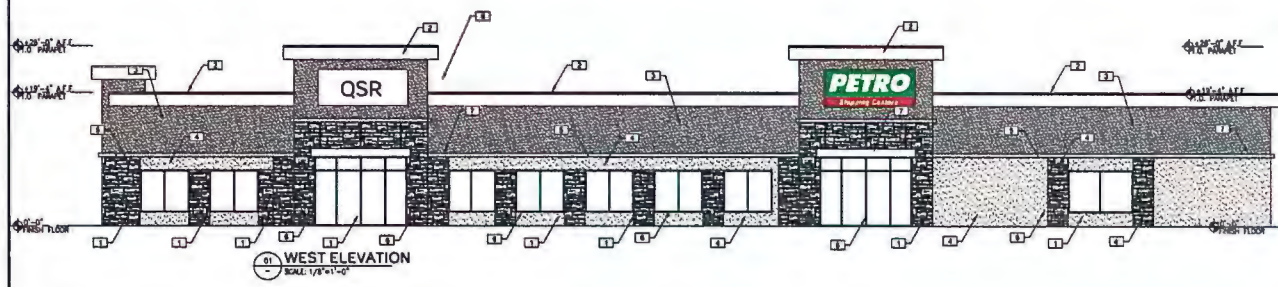
Project: 10 MPD

Sheet Name: CUP-2.3

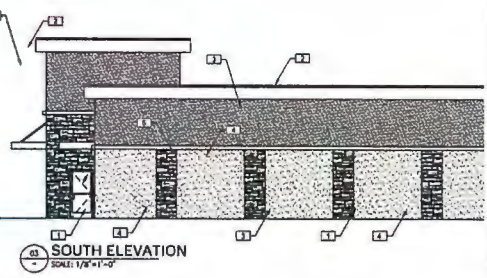


FLOOR PLAN
SCALE: 1/8"=1'-0"

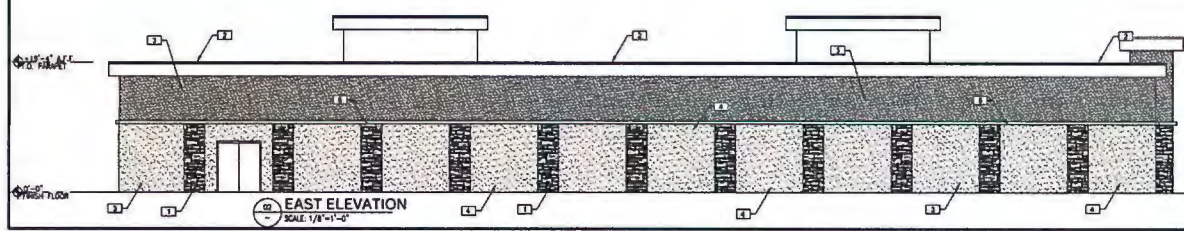
- KEY NOTES**
1. STONE VENEER.
 2. CONTINUOUS ALUMINUM CAP FLASHING.
 3. TEXTURED STUCCO FINISH w/ REQUIRED PLASTIC COMPONENTS.
 4. SMOOTH STUCCO FINISH w/ REQUIRED PLASTIC COMPONENTS.
 5. 8" x 1" x 1" CONT SMOOTH STUCCO BANDING w/ REQUIRED PLASTIC COMPONENTS.
 6. ALUMINUM STORE FRONT.
 7. ALUMINUM SUSPENDED CANOPY SYSTEM BY PERFECTION ARCHITECTURAL SYSTEM, LLC OR EQUAL.
 8. BUILDING SIGN.



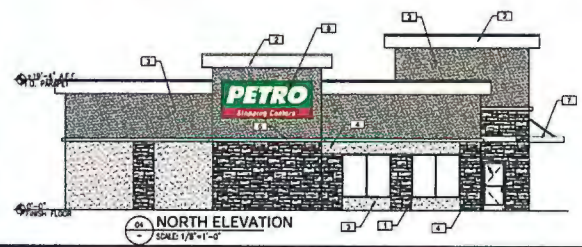
WEST ELEVATION
SCALE: 1/8"=1'-0"



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



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



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

AGC DESIGN CONCEPT, INC.

1400 OCEANOGRAPHY BLVD
VANOC, CA 95593
Phone: 916.285.1111

NO.	DATE	DESCRIPTION

COALINGA HARRIS RANCH COMMERCIAL
DORRIS AVE./HWY 198
COALINGA, CA
C-STORE AND SHOWERS

Consultant job:

Project name: **CUP-3.1**

Project location: **COALINGA, CA**

Project description: **C-STORE AND SHOWERS**

Project status: **COMPLETED**

Project date: **2010**

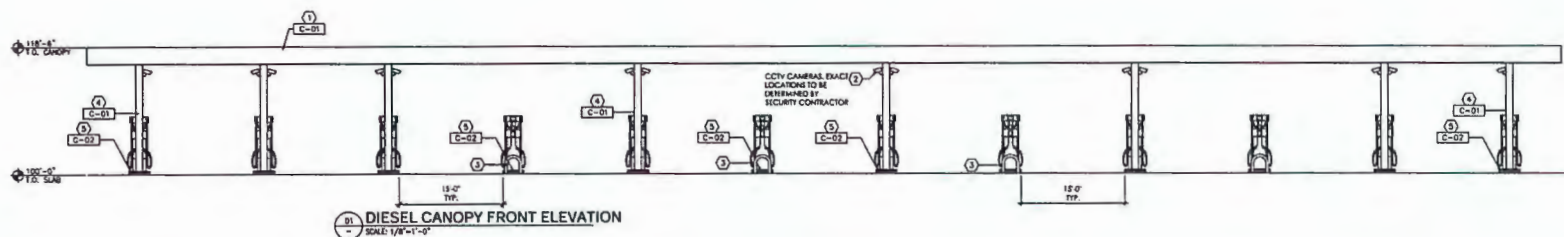
Project owner: **AGC**

Project architect: **AGC**

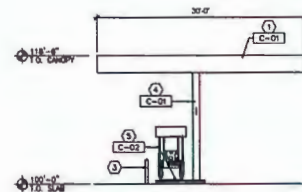
Project engineer: **AGC**

Project contractor: **AGC**

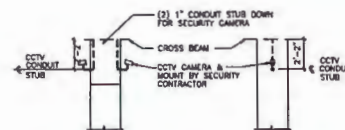
N



01 DIESEL CANOPY FRONT ELEVATION
SCALE: 1/8"=1'-0"



② DIESEL CANOPY SIDE ELEVATION
SCALE: 1/8"=1'-0"



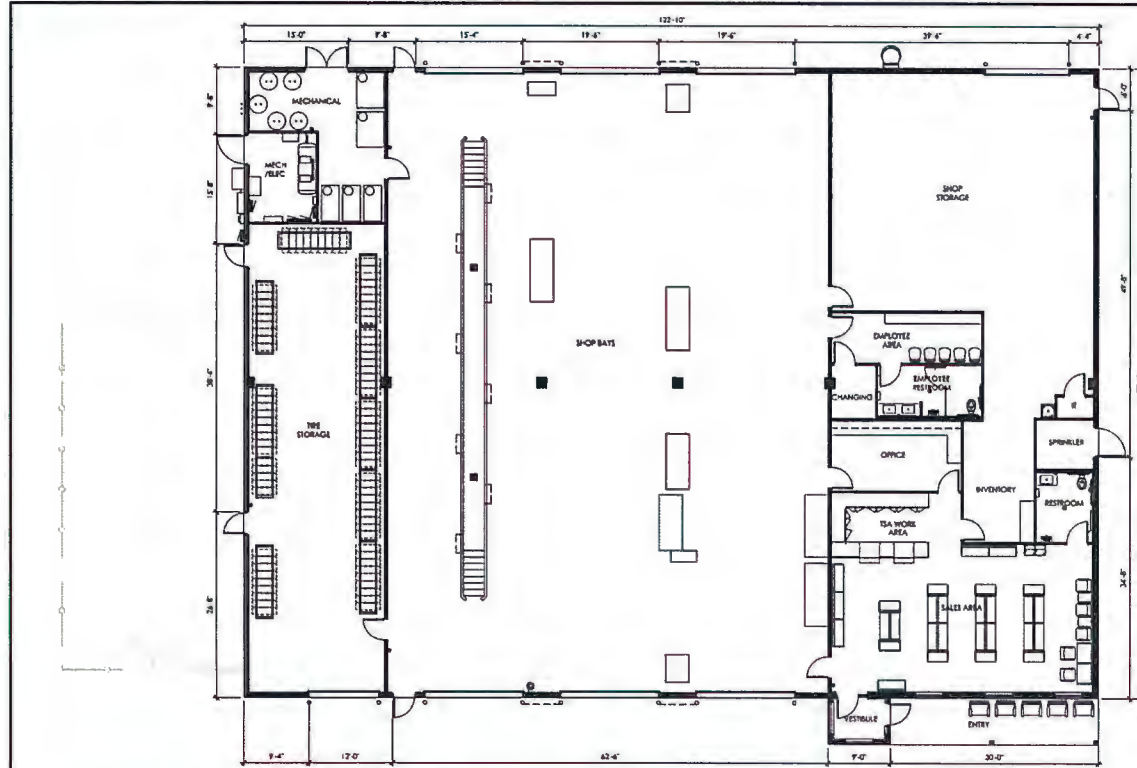
03 CCTV STUB DETAIL
SCALE: 1/8"=1'-0"

- ① A.C.M. FABCA
- ② CITY CAMERAS. EXACT LOCATIONS TO BE DETERMINED BY SECURITY CONTRACTOR
- ③ GUARD POSTS (TYP.)
- ④ CELLARS
- ⑤ ISLAND FORM

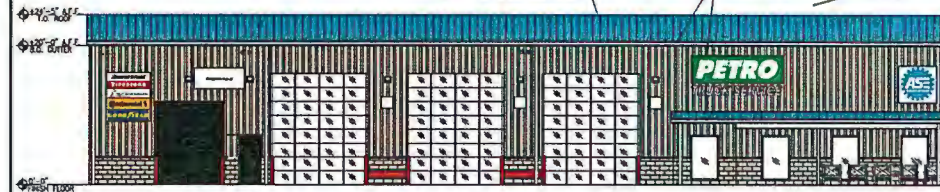
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IC: BA1 BND "INDIAN L'ORCHID"

 C-03 COLOR: Iridescent GRAY
IC: BA1 BND "Gray Moustique"

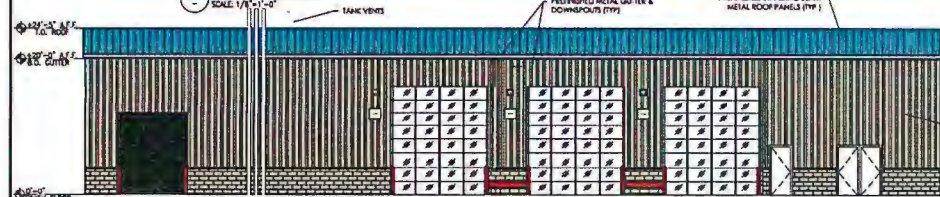
COALINGA HARRIS RANCH COMMERCIAL		DIESEL DEF CANOPY	
DORRIS AVE./HWY 198			
COALINGA, CA.			
construction job number release date _____ project start date _____ transfer drawn by _____ Firmname AGC Facility/Project _____			
sheet name CUP-4.1			



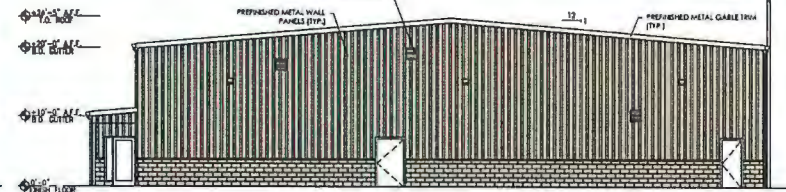
1 TRUCK SERVICE FLOOR PLAN
SCALE: 1/8"=1'-0"



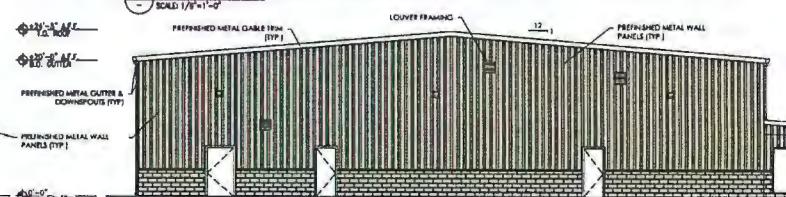
01 TRUCK SERVICE WEST ELEVATION
SCALE: 1/8"=1'-0"



02 TRUCK SERVICE EAST ELEVATION
SCALE: 1/8"=1'-0"



03 TRUCK SERVICE SOUTH ELEVATION
SCALE: 1/8"=1'-0"



04 TRUCK SERVICE NORTH ELEVATION
SCALE: 1/8"=1'-0"



AGC DESIGN CONCEPT, INC.
3400 DUNDAS
VILLAGE RD. SUITE 100
COALINGA, CA 93210
Phone 805.258.1111

NO.	DATE	REVISIONS

COALINGA HARRIS RANCH COMMERCIAL
DORRIS AVE./HWY 198
COALINGA, CA
TRUCK SERVICE FLOOR PLAN

Structure: 004	Master: Release Date
Project: 004	Master: Drawn by
Facility: Project	Facility: Project
Sheet name	CUP-5.1

1.0 INTRODUCTION

1.1 Report Summary

This report contains an analysis of the air quality and greenhouse gas emission impacts of the proposed Coalinga Harris Ranch Commercial Project (project). The proposed project is the construction of two convenience stores - one with fueling pumps and one without - and a truck service station in southwestern Fresno County. The project site plan is shown in Figures 1 and 2.

An analysis of the air quality and greenhouse gas impacts of the project was conducted using the CalEEMod computer model and comparing model results with impact significance thresholds established by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the State CEQA Guidelines. The results of the analysis indicated that the project would have no significant impacts on air quality. It also would have no significant impact relative to greenhouse gas emissions and their impacts on global climate change, with the incorporation of mitigation measures as part of the project.

1.2 Project Description

The project site is adjacent to and south of Dorris Avenue/State Route 198 immediately west of Interstate 5 in unincorporated Fresno County near the city of Coalinga (Figures 2 and 3). The site consists of three parcels: Assessor's Parcel Numbers (APNs) 065-271-08, -09, and -10. All three parcels total approximately 26.75 acres and currently are vacant and undeveloped. The project site is within an area that has been developed with commercial land uses mainly oriented to travelers on Interstate 5, including McDonalds, Carl's Jr., and Taco Bell restaurants adjacent to the project site.

The project proposes new development on each of the three parcels:

- APN 065-271-08, approximately 2.26 acres, is proposed to be developed with a commercial fueling station, which would include a building approximately 9,500 square feet that would be occupied by a convenience store (6,000 square feet) and a drive-thru, fast-food restaurant (3,500 square feet). It also would have a fueling area with 10 multi-product dispensers covered by a canopy.
- APN 065-271-09, approximately 1.84 acres, is proposed to be developed with a building approximately 10,000 square feet for a convenience store with a fast-food restaurant (1,320 square feet), restrooms, showers, lounge areas, storage, and a laundry. The intent of this building is to accommodate commercial truck traffic by providing trucker amenities.
- APN 065-271-10, approximately 22.65 acres, is proposed to be developed with a commercial truck fueling station with 11 fueling positions covered by a canopy. It

also would include a CAT scale and a TA Petro truck service station building of approximately 11,100 square feet. The truck service station would include three shop bays, storage areas, a sales area, and employee restroom facilities.

All businesses on the project site propose to operate 24 hours per day, seven days per week. The project would provide 347 on-site parking spaces in total. These would include 205 spaces for trucks, 121 spaces for passenger vehicles, 11 spaces for recreational vehicles, 4 accessible spaces for drivers with disabilities, and 6 spaces for clean air vehicles.

1.3 Approach to the Project Analysis

The project's potential environmental effects are evaluated in Chapter 2.0. The evaluation is based on environmental impact considerations included in the Air Quality and Greenhouse Gas Emissions sections of the CEQA Checklist in Appendix G of the CEQA Guidelines. For each question, Chapter 2.0 determines whether the project would involve: 1) a Potentially Significant Impact, 2) a Less Than Significant Impact With Mitigation Incorporated, 3) a Less Than Significant Impact, or 4) No Impact, defined as follows:

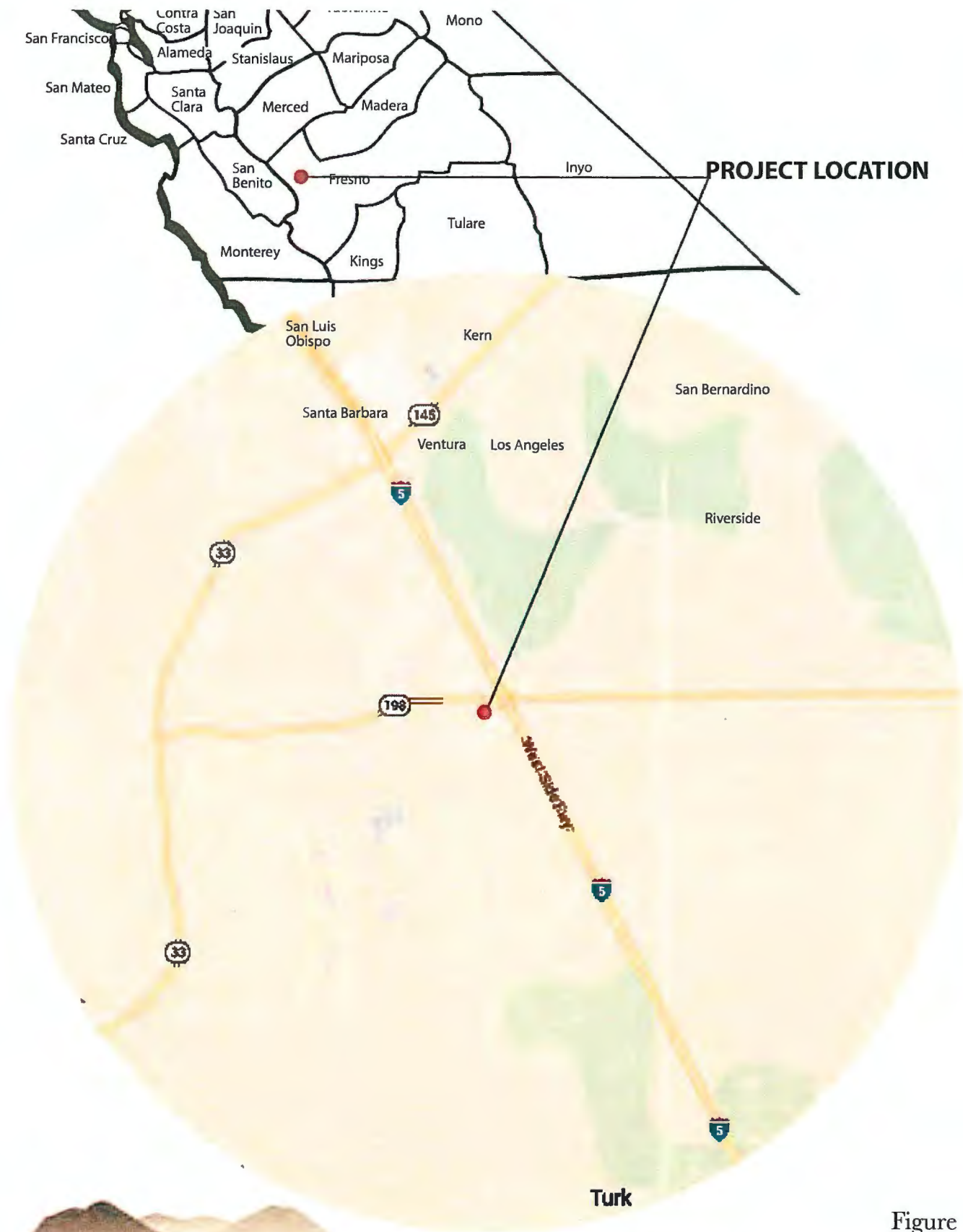
A Potentially Significant Impact occurs when there is substantial evidence that the project would involve a substantial adverse change to the physical environment, i.e., that the environmental effect may be significant, and mitigation measures have not been defined that would reduce the impact to a less than significant level. If there are one or more Potentially Significant Impact entries in the Initial Study, an EIR may be required.

An environmental effect that is Less Than Significant With Mitigation Incorporated is a Potentially Significant Impact that can be avoided or reduced to a level that is less than significant with the application of mitigation measures.

A Less Than Significant Impact occurs when the project would involve effects on a particular resource, but the project would not involve a substantial adverse change to the physical environment, and no mitigation measures are required.

A determination of No Impact is self-explanatory.

The evaluation would ordinarily prescribe mitigation measures for any potentially significant environmental effects of the project. However, the analysis does not identify potentially significant environmental effects; therefore, no mitigation measures are prescribed in this report. Requirements established in law and practice that mitigate environmental impacts are considered in this analysis.







SOURCE: USGS Quadrangle Maps, all are 2021 maps. Domengine Ranch, Gujarral Hills, Harris Ranch.



SOURCE: Google Earth

2.0 IMPACT ANALYSIS

This chapter presents the analysis of the air quality and GHG impacts of the proposed project. The analysis of air quality impacts is presented in Section 2.1 below, and the analysis of GHG impacts is presented in Section 2.2.

2.1 Air Quality Impacts

2.1.1 Environmental Setting

The project site is located within the San Joaquin Valley Air Basin, which covers several counties including Fresno County. The Air Basin is bounded generally by the Coast Ranges to the west and the Sierra Nevada and foothills to the east. The prevailing winds are from the west and north, a result of marine breezes that enter the Air Basin primarily through the Carquinez Strait but also through the Altamont Pass. Surrounding topography results in weak air flow, which makes the Air Basin highly susceptible to pollutant accumulation over time (SJVAPCD 2015a).

The SJVAPCD has jurisdiction over most air quality matters in the Air Basin. It is tasked with implementing programs and regulations required by the federal and California Clean Air Acts. Under their respective Clean Air Acts, both the federal government and the State of California have established ambient air quality standards for six criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead. California has four additional pollutants for which it has established standards. Table 2-1 shows the status of the SJVAPCD in attaining these ambient air quality standards. Except for ozone and particulate matter, the Air Basin is in attainment of, or unclassified for, all federal and State ambient air quality standards. For ozone, the Air Basin is designated Nonattainment/Severe by the State and Nonattainment/Extreme by the federal government. The State also classifies the Air Basin as Nonattainment for PM₁₀ and PM_{2.5}.

Ozone

Ozone is not directly emitted by any source. Rather, it is formed by a reaction in the presence of sunlight from reactive organic gases (ROG) and nitrogen oxides (NO_x), both of which are referred to as “ozone precursors”. The principal sources of ROG and NO_x are the combustion of fuels and the evaporation of solvents, paints, and fuels. High concentrations of ground-level ozone can adversely affect the human respiratory system and aggravate cardiovascular disease and many respiratory ailments. More specifically, ground-level ozone may:

- Make it more difficult to breathe deeply and vigorously.
- Cause shortness of breath, and pain when taking a deep breath.

- Cause coughing and sore or scratchy throat.
- Inflammation and damage the airways.
- Aggravate lung diseases such as asthma, emphysema, and chronic bronchitis.
- Increase the frequency of asthma attacks.
- Make the lungs more susceptible to infection.
- Continue to damage the lungs even when the symptoms have disappeared.
- Cause chronic obstructive pulmonary disease.

People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers.

TABLE 2-1
SAN JOAQUIN VALLEY AIR BASIN ATTAINMENT STATUS

Criteria Pollutant	Designation/Classification	
	Federal Primary Standards	State Standards
Ozone - One hour	No Federal Standard ¹	Nonattainment/Severe
Ozone - Eight hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide (NO _x)	Attainment/Unclassified	Attainment
Sulfur Dioxide (SO _x)	Attainment/Unclassified	Attainment
Lead	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	²

¹ Effective June 15, 2005, EPA revoked the federal 1-hour ozone standard, including associated designations and classifications.

² Regulated by the State of California as part of its toxic air contaminant program.
Source: SJVAPCD 2023.

In addition, people with certain genetic characteristics, and people with reduced intake of certain nutrients, such as vitamins C and E, are at greater risk from ozone exposure (EPA 2018a).

Ozone can damage natural ecosystems such as forest and foothill communities, along with agricultural crops. Damage also may occur to some manufactured products, such as rubber, paint, and plastics.

Particulate Matter

Particulate matter is a complex mixture of solids and liquids that may contain soot, smoke, metals, nitrates, sulfates, dust, water, and tire rubber. It can be directly emitted, or it can form in the atmosphere from reactions of gases such as NO_x. There are many sources of particulate matter emissions, including combustion, industrial and agricultural processes, grading and construction, and motor vehicle use.

The size of the particles is directly linked to their potential for causing health problems, including respiratory, pulmonary, and cardiovascular diseases. Standards are applied to particulates 10 micrometers in diameter or less (PM₁₀), because these particles, when inhaled, are not filtered out prior to reaching the lungs, where they can aggravate respiratory diseases. Particulates originate from automobile traffic, urban construction, grading, farm tilling, and other activities that expose soil and dust. Dry summer conditions and daily winds can increase particulate concentrations. Separate standards have been established for particulate matter that is 2.5 micrometers or less in size (PM_{2.5}), sometimes referred to as “fine particulate matter.” The PM_{2.5} standards reflect health concerns related to respiration of smaller particles. Fine particulates include sulfates, nitrates, organics, ammonium, and lead compounds originating from some activities in urban areas.

Numerous scientific studies have linked particle pollution exposure to a variety of problems, including:

- premature death in people with heart or lung disease
- nonfatal heart attacks
- irregular heartbeat
- aggravated asthma
- decreased lung function
- increased respiratory symptoms, such as irritation of the airways, coughing or difficulty breathing.

People with heart or lung diseases, children, and older adults are the most likely to be affected by particle pollution exposure (EPA 2018b).

Carbon Monoxide

Carbon monoxide (CO) is an odorless, colorless gas that is formed by incomplete combustion. The main source of CO in the San Joaquin Valley Air Basin is on-road motor vehicles. Other CO sources include other mobile sources, miscellaneous processes, and fuel combustion from stationary sources. Because of its ability to readily combine with hemoglobin and displace oxygen in the human body, high levels of CO can affect human health, causing fatigue, headache, confusion, and dizziness, especially for elderly people or individuals with respiratory ailments.

As indicated in Table 2-1, the Air Basin is in attainment/unclassified status for both federal and State CO standards. However, elevated localized CO concentrations still warrant consideration. Localized CO concentrations are often associated with heavy traffic congestion, most frequently occurring at signalized intersections of high-volume roadways. Sensitive land uses near such intersections may be exposed to elevated concentrations of CO.

Toxic Air Contaminants (TACs)

In addition to the criteria pollutants, the California Air Resources Board (ARB) has identified a class of air pollutants known as toxic air contaminants (TACs). TACs are air pollutants that cause or may cause short-term (acute) or long-term (chronic) adverse health effects. These health effects may include cancer, birth defects, neurological and reproductive disorders, or chronic eye, lung, or skin irritation. TACs also may cause adverse environmental and ecological effects.

The State's Air Toxics Inventory includes more than 250 substances considered TACs (ARB 2008a). Most TACs are emitted by specialized industrial processes and are therefore uncommon. However, diesel particulate matter (DPM) is designated by the State of California as a TAC. A primary source of DPM emissions is combustion from diesel engines, such as those in trucks and other motor vehicles. DPM is of concern because it is a potential source of both carcinogenic (i.e., cancer-causing) and non-carcinogenic health effects, and because it is present at some concentration in all developed areas of the state. The ARB has noted that, while DPM emissions constituted only about 4% of total air toxic emissions in the state, it accounted for more than 70% of the 2000 carcinogenic risk associated with outdoor ambient levels of all TACs (ARB 2005). These general risks can be elevated with proximity to the DPM source.

In addition, the project proposes the construction of fueling stations. Gasoline dispensed at fueling stations contains TACs that could be released into the environment during fuel delivery and dispensing operations. These include benzene, toluene, and naphthalene, among others.

2.1.2 Regulatory Framework

Air Quality Attainment Plans

Federal air quality regulation stems from the Clean Air Act, as amended. The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to establish air quality standards for six criteria pollutants: ozone, carbon monoxide, particulate matter, nitrogen dioxide, lead, and sulfur dioxide. Two types of standards have been established: primary standards to protect human health based on EPA medical research and specific concentration thresholds derived therefrom, and secondary standards to protect the public welfare from effects such as visibility reduction, soiling, nuisance, and other forms of damage.

The California Clean Air Act provides the framework for California air quality planning. It establishes the State's own set of ambient air quality standards for criteria pollutants. The State standards cover the six criteria pollutants designated by the federal Clean Air Act along with four other pollutants: hydrogen sulfide, sulfates, vinyl chloride, and visibility reducing particles. In general, the State ambient air quality standards are more stringent than the corresponding federal standards.

Air quality plans adopted by the SJVAPCD to meet federal and State Clean Air Act standards, including those designed to protect human health, are presented in Table 2-2 below. All the plans include federal, State, and local measures that would be implemented through rule making or program funding to reduce air pollutant emissions in the Air Basin.

TABLE 2-2
SUMMARY OF SJVAPCD AIR QUALITY PLANS

Pollutant	Plan	Objective
Ozone	2007 Ozone Plan	Attainment of 1997 federal 8-hour ozone standard for all areas of the Air Basin no later than 2023.
	2016 Ozone Plan	Attainment of 2008 federal 8-hour ozone standard for all areas of the Air Basin by end of 2031.
Particulate Matter	2007 PM ₁₀ Maintenance Plan and Request for Redesignation	Continued attainment of federal PM ₁₀ standard met by the Air Basin.
	2012 PM _{2.5} Plan	Attainment of 2006 federal PM _{2.5} standard, estimated to occur in 2019.

Pollutant	Plan	Objective
	2015 PM _{2.5} Plan for the 1997 PM _{2.5} Standard	Attainment of 1997 federal annual and 24-hour PM _{2.5} standards by end of 2020.
	2016 Moderate Area Plan for the 2012 PM _{2.5} Standard	Attainment of 2012 federal PM _{2.5} standard, requested deadline of 2025.
	2018 Plan for the 1997, 2006, and 2012 PM _{2.5} Standards	Consolidates previous PM _{2.5} plans into a single plan that addresses attainment of the various PM _{2.5} standards.

SJVAPCD Rules and Regulations

Projects within the Air Basin are subject to the regulatory authority of the SJVAPCD, which implements and enforces air quality regulations in eight counties, from San Joaquin County in the north to western Kern County in the south. The District's responsibilities include air quality standard attainment planning, regulation of emissions from non-transportation sources, and mitigation of emissions from on-road sources. SJVAPCD has adopted several rules and regulations that are designed to implement the objectives of the adopted air quality plans. Those considered applicable to the project are summarized below:

Rule 2201 (New and Modified Stationary Source Review Rule)

New stationary sources and modifications of existing stationary sources that may emit criteria pollutants must obtain an Authority to Construct and Permit to Operate the proposed facility. Emissions that exceed impact thresholds must include emission controls and may require additional mitigation. To protect local and regional public health and safety, fueling station applications are reviewed under Rule 2201 for compliance with SJVAPCD rules. SJVAPCD review of these applications includes consideration of proposed vapor recovery equipment and whether the controlled volatile organic compound emissions require offsets or trigger public notice requirements.

Rule 4101 (Visible Emissions)

Rule 4101 prohibits emissions of visible air contaminants to the atmosphere and applies to any source operation that emits or may emit air contaminants.

Rule 4601 (Architectural Coatings)

Rule 4601 limits emissions of volatile organic compounds from architectural coatings by specifying storage, clean up and labeling requirements.

Rule 4621 (Gasoline Transfer into Stationary Storage Containers, Delivery Vessels and Bulk Plants)

Rule 4621 prohibits the transfer of gasoline from a delivery vessel into a stationary storage container unless the container is equipped with an ARB-certified permanent submerged fill pipe and ARB certified pressure-vacuum relief valve, and it utilizes an ARB-certified Phase I vapor recovery system.

Rule 4622 (Transfer of Gasoline into Vehicle Fuel Tanks)

Rule 4622 prohibits the transfer of gasoline from a stationary storage container into a motor vehicle fuel tank with a capacity greater than five gallons, unless the gasoline dispensing unit used to transfer the gasoline is equipped with and has in operation an ARB-certified Phase II vapor recovery system.

Rule 9510 (Indirect Source Review)

Rule 9510, also known as the Indirect Source Rule, is intended to reduce or mitigate emissions of NO_x and PM₁₀ from new development in the SJVAPCD including construction and operational emissions. This rule requires specific percentage reductions in estimated on-site construction and operation emissions, and/or payment of off-site mitigation fees for required reductions that cannot be met on the project site. Construction emissions of NO_x and PM₁₀ exhaust must be reduced by 20% and 45%, respectively. Operational emissions of NO_x and PM₁₀ must be reduced by 33.3% and 50%, respectively. Rule 9510 applies to commercial development projects of 2,000 square feet and larger, so the project would be subject to this rule.

Regulation VIII (Fugitive Dust PM₁₀ Prohibitions)

Rules 8011-8081, which together constitute Regulation VIII, are designed to reduce PM₁₀ emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, landfill operations, etc.

Regulation for In-Use Off-Road Diesel-Fueled Fleets

The ARB has implemented the Regulation for In-Use Off-Road Diesel-Fueled Fleets, which applies to all self-propelled off-road diesel vehicles 25 horsepower or greater used in California and most two-engine vehicles (except on-road two-engine sweepers). The overall purpose of the Off-Road Regulation is to reduce emissions of NO_x and particulate matter from off-road diesel vehicles operating within California. The Off-Road Regulation imposes limits on idling and requires a written idling policy. It also requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or by installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The requirements and compliance dates of the Off-Road Regulation vary by fleet size. In 2022, amendments were adopted that will require fleets to phase out the use of the oldest and highest polluting off-road diesel vehicles in California, prohibit the addition of high-emitting vehicles to a fleet, and require the use of R99 or R100 renewable diesel in off-road diesel vehicles.

2.1.3 Significance Thresholds

According to Appendix G of the CEQA Guidelines, a project may have a significant impact on the environment if it would do the following:

- Conflict with or obstruct implementation of an applicable air quality plan,
- 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,
- Expose sensitive receptors to substantial pollutant concentrations, or
- Result in other emissions, such as those leading to odors, adversely affecting a substantial number of people.

CEQA Guidelines Appendix G states that, where available, significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make significance determinations. In 2015, the SJVAPCD adopted a revised Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which defines thresholds of significance for the assessment of air quality impacts for projects within SJVAPCD's jurisdiction, along with mitigation measures for identified impacts. Table 2-3 shows the significance thresholds established by SJVAPCD for projects as set forth in the GAMAQI.

TABLE 2-3
SJVAPCD SIGNIFICANCE THRESHOLDS AND
PROJECT AIR POLLUTANT EMISSIONS

	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
SJVAPCD Significance Thresholds¹	10	10	100	27	15	15
Construction Emissions	0.05	0.57	0.57	<0.01	0.08	0.04
<i>Above Threshold?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
Operational Emissions	6.38	11.7	35.8	0.10	6.79	1.82
<i>Above Threshold?</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>Yes</i>	<i>No</i>
With Rule 9510 implementation	-	7.80	-	-	3.40	-
<i>Above Threshold?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Notes: All figures are in tons per year.

ROG – reactive organic gases; NO_x – nitrogen oxide; CO – carbon monoxide; SO_x – sulfur oxide; PM₁₀ – particulate matter 10 microns in diameter; PM_{2.5} – particulate matter 2.5 microns in diameter.

¹ Applicable to both construction and operational emissions.

Sources: CalEEMod Version 2022.4.0, SJVAPCD 2015a.

The SJVAPCD significance thresholds are based on offset thresholds established under the New Source Review (SJVAPCD Rule 2201). Under the New Source Review, all new permitted sources with emission increases exceeding two pounds per day for any criteria

pollutant are required to implement Best Available Control Technology. All permitted sources emitting more than the New Source Review offset thresholds for any criteria pollutant must offset all emission increases that exceed the thresholds. The SJVAPCD's attainment plans, developed to meet air quality standards designed in part to protect human health, demonstrate that project-specific emissions below the offset thresholds will have an impact on air quality that is less than significant (SJVAPCD 2015a).

CO in high concentrations would have adverse health impacts, as previously described. A CO "hotspot" is an area of localized CO pollution that is caused by severe vehicle congestion on major roadways, typically near intersections. CO hotspots have the potential to expose receptors to emissions that violate state and/or federal CO standards even if the broader air basin is in attainment status. A project would create no violations of the CO standards if neither of the following criteria are met (SJVAPCD 2015a):

- A traffic study for the project indicates that the Level of Service (LOS) on one or more streets or at one or more intersections in the project vicinity will be reduced to LOS E or F; or
- A traffic study indicates that the project will substantially worsen an already existing LOS F on one or more streets or at one or more intersections in the project vicinity.

The GAMAQI has also set significance thresholds related to exposure to TACs. These thresholds are set in terms of risk, which are divided into two categories. Carcinogenic risk is expressed as cancer cases per one million. Non-carcinogenic effects are divided into long-term (chronic) health effects such as birth defects, neurological damage, or genetic damage; and short-term (acute) effects such as eye irritation, respiratory irritation, and nausea. Non-carcinogenic hazard indices (HI) are expressed as a ratio of expected exposure levels to acceptable exposure levels. The SJVAPCD's current thresholds of significance for TAC emissions from the operations of both permitted and non-permitted sources are presented below:

Carcinogens: Maximally Exposed Individual risk equals or exceeds 20 in one million.

Non-Carcinogens:

Acute: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual

Chronic: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual

2.1.4 Environmental Impacts and Mitigation Measures

The proposed project would generate air pollutant emissions from construction activities. Sources of construction emissions include heavy equipment powered by diesel or other internal combustion engines, vehicle traffic associated with employees and deliveries, and outgassing from paving and painting. After construction work is completed, project operations would generate air pollutant emissions, mainly from vehicles entering and exiting the project site. The occupation of buildings would involve emissions from heating and ventilating systems, known as "area emissions."

Project construction and operational emissions were estimated using the CalEEMod computer program, a modeling program recommended by SJVAPCD. A summary of the CalEEMod results is provided in the Appendix to this report, and Table 2-3 above shows the estimated emissions. It should be noted that the estimates provided in Table 2-3 are for *unmitigated* emissions, meaning emissions that would occur if no measures were implemented that would reduce air pollutant emissions.

The construction emissions were based on a construction period with 120 working days and assumed no phased construction. Operational emissions are assumed to occur in all 365 days of the year, as indicated in the project description. Estimates of operational emissions also incorporated the following assumptions, based on information from the project applicant:

- APN 065-271-08 – 17 employees, 590 visitors per day, daily fuel delivery, weekly inventory delivery.
- APN 065-271-09 – 17 employees, 133 visitors per day, weekly inventory delivery.
- APN 065-271-10 – 8 employees, 40 visitors per day, daily fuel delivery, weekly inventory delivery.

POTENTIAL AIR QUALITY IMPACT 1: AIR QUALITY PLAN CONSISTENCY

As indicated in Table 2-3, all estimated air pollutant emissions generated by project construction would be below the significance thresholds adopted by the SJVAPCD. However, estimated project operational emissions would exceed significance thresholds for NO_x, a component of ozone. For ozone, the SJVAPCD has prepared attainment plans to achieve these standards. As project operational emissions of NO_x would exceed the SJVAPCD significance thresholds, they potentially could conflict with the attainment of the objectives of the ozone plans.

Both project construction and operational emissions would be subject to SJVAPCD Rule 9510, which requires construction and operational emission reductions of NO_x and PM₁₀, as noted above. Rule 9510 is a routinely applied regulatory program that is part of the County's development review process and is routinely reflected in conditions of approval for projects. Application of Rule 9510 would reduce project operational NO_x emissions to the level shown in Table 2-3. This level would be below the SJVAPCD significance threshold; therefore, project operational NO_x emissions would not conflict with applicable air quality plans with the required implementation of Rule 9510. The SJVAPCD will be notified of impending project construction as a part of the required filing of an application for coverage under Rule 9510.

Dust emissions from construction activities would be reduced through the required implementation of SJVAPCD Regulation VIII, enforcement of which is the responsibility of the SJVAPCD. Regulation VIII contains the following dust emission control measures:

- Air emissions related to the project shall be limited to 20% opacity (opaqueness, lack of transparency) or less, as defined in SJVAPCD Rule 8011. The dust control measures specified below shall be applied as required to maintain the Visible Dust

Emissions standard.

- The contractor shall pre-water all land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and phase earthmoving.
- The contractor shall apply water, chemical/organic stabilizer/suppressant, or vegetative ground cover to all disturbed areas, including unpaved roads, throughout the period of soil disturbance.
- The contractor shall restrict vehicular access to the disturbance area during periods of inactivity.
- The contractor shall apply water or chemical/organic stabilizers/suppressants, construct wind barriers and/or cover exposed potentially dust-generating materials.
- When materials are transported off-site, the contractor shall stabilize and cover all materials to be transported and maintain six inches of freeboard space from the top of the container.
- The contractor shall remove carryout and trackout of soil materials on a daily basis unless it extends more than 50 feet from site; carryout and trackout extending more than 50 feet from the site shall be removed immediately. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden. If the project would involve more than 150 construction vehicle trips per day onto the public street, additional restrictions specified in Section 5.8 of SJVAPCD Rule 8041 would apply.

Dust control provisions are routinely included in site improvement plans and specifications, along with construction contracts. Conformance with plans and specifications is monitored by County building inspectors.

In addition, it should be noted that most of the project operational emissions would come from mobile sources - cars and trucks. Most of the vehicle traffic associated with the project would be diverted from traffic already on Interstate 5 and State Route 198. Therefore, the project would generate only a limited amount of "new" emissions.

Compliance with the SJVAPCD rules and regulations, along with the Regulation for In-Use Off-Road Diesel-Fueled Fleets described previously, would result in project construction and operational emissions that would not exceed SJVAPCD significance thresholds. Therefore, the impact of the proposed project regarding consistency with the applicable air quality plans would be **less than significant**.

POTENTIAL AIR QUALITY IMPACT 2: CUMULATIVE EMISSIONS

Cumulative impacts on air resources may be assessed at both a regional - in this case, the San Joaquin Valley Air Basin - and a local level, which would be Fresno County. The project would involve contributions to potential air quality impacts at both levels.

The potential air quality impacts of planned development in Fresno County were addressed in the County General Plan EIR. The EIR stated that General Plan development would lead to a significant cumulative increase in air pollutant emissions, including PM₁₀, CO, ROG, and NO_x, that would be caused by mobile source activity, area sources, and stationary sources. Although not specifically identified with cumulative emissions, the EIR concluded that increased emissions caused by mobile source activities, area sources, and stationary sources would be significant and unavoidable. A Statement of Overriding Considerations was adopted for this impact in conjunction with the approval of the County General Plan.

As noted in the discussion under Potential Air Quality Impact 1, both project construction and operational emissions would not exceed the SJVAPCD significance thresholds established for criteria pollutants, except for operational NO_x emissions. However, as described, implementation of SJVAPCD Rule 9510 would reduce operational NO_x emissions below its significance threshold.

The SJVAPCD significance thresholds were developed, in part, to ensure that project emissions did not interfere with the implementation of air quality management plans designed to ensure that the Air Basin meets federal and State air quality standards. Since the CalEEMod results indicate that project operations would not exceed ROG, NO_x, and particulate matter significance thresholds, the project would not have a potentially significant cumulative impact on ozone or particulate matter levels in the San Joaquin Valley Air Basin, which is in nonattainment status for both. As noted in the discussion under Potential Air Quality Impact 1, implementation of SJVAPCD rules and regulations would further reduce emissions.

The project would contribute to air pollutant emissions in the County and the Air Basin. However, as project emissions would not exceed SJVAPCD significance thresholds, project development would not generate new or more severe air quality impacts that were not analyzed in the County General Plan EIR. Given this, the project would not make a contribution to air quality impacts that is cumulatively considerable, and project impacts related to cumulative emissions are considered **less than significant**.

POTENTIAL AIR QUALITY IMPACT 3: EXPOSURE OF SENSITIVE RECEPTORS

“Sensitive receptors” refer to those segments of the population most susceptible to poor air quality, which include children, the elderly, and those with pre-existing serious health problems affected by poor air quality. Land uses where sensitive individuals are most likely to spend time also may be called sensitive receptors; these include residential communities, schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, and hospitals (SJVAPCD 2015a). The nearest sensitive receptor to the project site appears to be a single-family residence approximately 1,181 feet west of APN 065-271-08.

Criteria Pollutants Other Than CO

In 2018, the California Supreme Court decided *Sierra Club v. County of Fresno*, also known as the Friant Ranch case. In its opinion, the court stated that an EIR prepared for a community plan update and specific plan inadequately described air quality impacts in part because, although it did explain the general health impacts of pollutants, it did not explain

the specific impacts the project's emissions would have on health. A brief filed in the case by the SJVAPCD, along with a brief filed jointly by the California Association of Environmental Professionals and the California Chapter of the American Planning Association California, explained that the current state of air quality modeling does not allow for assessing the specific impacts of a project's air quality emissions on human health in an area (SJVAPCD 2015b).

The California Supreme Court stated in its Friant Ranch opinion that "if it is not scientifically possible to do more than has already been done to connect air quality effects with potential human health impacts, the EIR itself must explain why, in a manner reasonably calculated to inform the public of the scope of what is and is not yet known about the Project's impacts." Based upon the information provided by SJVAPCD and the two associations, a specific connection between the project's emissions and health impacts on nearby sensitive receptors cannot be reasonably drawn. As indicated in Table 2-3, project operational emissions of criteria pollutants would be below SJVAPCD significance thresholds, which were developed in part to ensure attainment of primary federal ambient air quality standards designed to protect human health. Therefore, it is unlikely that the sensitive receptor to the west would be exposed to pollutant emissions at levels that would affect human health.

Carbon Monoxide (CO)

As previously described, CO in high concentrations would have adverse health impacts. The project site is located near the interchange of Interstate 5 and State Route 198. A traffic study conducted for the project determined that the interchange currently operates at no worse than LOS B. With the project, the interchange would operate at no worse than LOS C.

A traffic study by TJW Engineering evaluated potential traffic conditions without and with the proposed project at four intersections along State Route 198, including two with proposed driveways to the project site (see Figure 1-1). With the project, both driveway intersections would operate at LOS F, indicating potential elevated CO concentrations at these driveways could occur. The traffic study recommended stop controls be placed on the eastbound and westbound approaches to these intersections, making both all-way, stop-controlled intersections. With these recommended improvements, LOS at these intersections would be above acceptable levels per GAMAQI CO standards. Project site plans indicate that stop signs would be installed on these approaches. In addition, the nearest sensitive receptor to the intersection, the single-family residence, is approximately 1,181 feet away and therefore unlikely to be exposed to any elevated CO concentrations. The project would not generate any CO emissions that could affect sensitive receptors.

TACs

Project construction emissions would likely include DPM, which is classified as a TAC. DPM emissions can have adverse health effects on residents if they experience long-term exposure. Construction emissions of DPM would cease once construction is completed and would not result in any long-term exposure for sensitive receptors. Project operational emissions of DPM could have a significant health effect, as these emissions would be long-

term. In addition, as previously described, gasoline contains toxic substances such as benzene, toluene and naphthalene. Gasoline vapor emissions may contain some of these substances.

A screening level Health Risk Assessment (HRA) was conducted for the project by Environmental Permitting Specialists. The HRA is available in the Appendix to this report. A screening level HRA is a simplified analysis to determine if a project is likely to cause significant health risks to residents living near the project site. By its nature, a screening level HRA is a conservative (an overstatement) of actual risks. The results of the HRA are presented in terms of two risk scores at various distances from the project site: a cancer risk score and a non-cancer risk score. A cancer risk score above 10 and a non-cancer risk score above 1, which are consistent with SJVAPCD significance thresholds, indicate a potential for significant health risks, which would require a more refined health risk assessment.

The HRA analysis is based on annual and daily emission estimates during the construction and operational phases, as estimated by the CalEEMod run for the project, which in part drew upon the traffic study conducted for the project. The traffic study was revised based on the estimated truck traffic. The estimated daily truck trips associated with the project would be 1,160, based on trip generation rates of comparable projects. The analysis was further refined by incorporating emissions during the operational phase based on detailed emission calculations from dispensing and storage of gasoline; on-site and off-site truck emissions; and emissions from the drive-thru restaurant.

The main toxic air pollutant associated with the construction and operational phases is DPM, which is released from construction equipment and from heavy-duty trucks. Annual emission rate of fine particulate (PM-10E in the CalEEMod report) is used as a surrogate for DPM. For the operational phase, trace amounts of organic emissions are released during gasoline dispensing and storage. In addition, a small amount of organics are released during food preparation. These were considered in the HRA.

The nearest land use sensitive to TAC emissions is a residence approximately 1,181 feet (300 meters) from the project site. The risk score results are based on this distance. For the project construction phase, the maximum cancer risk score is 3.7. This is below the significance threshold of 10, thereby indicating minimal cancer risk. There are no acute or chronic health effects from exposure to DPM. Therefore, no acute or chronic (non-cancer) risk scores were calculated.

For the project operational phase, the main source of TAC risk is truck emissions from vehicle idling and truck movement near the project site. The screening level HRA determined that the cancer risk score at the nearest residence would be 5.62 and non-cancer risk scores would be below 1. These include emissions from gasoline dispensing and storage activities. These scores are below the significance thresholds. The HRA concluded the proposed project would not pose significant public health risks to the community, and a detailed health risk assessment is not recommended.

SMAQMD Rules 448 and 449 require the installation of vapor recovery systems that would limit the amount of vapors that would be emitted into the atmosphere. This would further

reduce the amount of gasoline vapors, with their TACs, that would escape into the atmosphere. In summary, the nearest sensitive receptor to the project site would not experience exposure to any pollutants, including TACs, that would pose a significant risk to health. Project impacts related to exposure of sensitive receptors to TAC or other emissions would be **less than significant**.

POTENTIAL AIR QUALITY IMPACT 4: ODORS

Odors are more of a nuisance than an environmental hazard. Nevertheless, the Environmental Checklist in CEQA Guidelines Appendix G regards objectionable odors as a potentially significant environmental impact. The GAMAQI states that a project should be evaluated to determine the likelihood that it would result in nuisance odors (SJVAPCD 2015a).

As noted above, the nearest sensitive receptor to the project site appears to be a single-family residence approximately 1,181 feet to the west. Odors that could be generated at the project site include releases of gasoline vapors and diesel exhaust, and cooking odors from the fast-food restaurants. Such odors in general would be confined mainly to the project site and would readily dissipate. The GAMAQI does not consider restaurants as significant sources of objectionable odors (SJVAPCD 2015a). As discussed under Impact 3, vapor recovery systems that would limit vapor emissions from fuel dispensers would be required. Based on this information, the nearest sensitive receptor to the project site is unlikely to be exposed to odors from project operations. Project impacts related to odors are considered **less than significant**.

2.2 Greenhouse Gas Emissions

2.2.1 Environmental Setting

Global climate change is a shift in the “average weather,” or climate, of the Earth as a whole. Recent scientific observations and studies indicate that global climate change, linked to an increase in the average global temperature that has been observed, is now occurring. There is a consensus among climate scientists that the primary cause of this change is human activities that generate emissions of greenhouse gases (GHGs) (CAPCOA 2009). GHGs are gases that trap heat in the earth’s atmosphere. They include carbon dioxide, the most abundant GHG, as well as methane, nitrous oxide, and other, less abundant gases. GHGs vary in their heat-trapping properties. Because of this, measurements of GHG emissions are commonly expressed in carbon dioxide equivalent (CO₂e), in which emissions of all other GHGs are converted to equivalent carbon dioxide emissions.

GHG emissions in California in 2020, the most recent year for which data are available, were estimated at approximately 369.2 million metric tons CO₂e – a decrease of approximately 24% from the peak level in 2004. Transportation was the largest contributor to GHG emissions in California, with 37% of total emissions - a smaller share than in recent years, most likely due to reduced traffic volume during the COVID-19 lockdown. Other significant sources include industrial activities, with approximately 20% of total emissions,

and electric power generation, both in-state and imported, with approximately 16% of total emissions (ARB 2022a).

No general inventory of GHG emissions has been prepared for unincorporated Fresno County. An inventory of GHG emissions from County government operations during the 2010 calendar year stated that emissions generated by these operations were approximately 117,977 metric tons CO₂e. The largest sources were solid waste facilities, buildings, and vehicles. The government operations inventory has not been updated (Fresno County 2023).

The State of California, through a collaboration of three agencies, has prepared Climate Change Assessments that provide scientific assessments on the potential impacts of climate change in California and reports potential adaptation responses. The most recent reports include assessments of climate change impacts by region, including the San Joaquin Valley. Potential climate change impacts occurring in the San Joaquin Valley include the following (Fernandez-Bou et al. 2021):

- Higher temperatures.
- Increasing potential evapotranspiration from plants and soils.
- Longer and more severe droughts.
- Declining snowpack.
- More intense precipitation events.
- More frequent and extensive wildfires.

The consequences of these impacts would fall on the following sectors in the San Joaquin Valley. These would especially affect rural disadvantaged communities (Fernandez-Bou et al. 2021).

- Agriculture - fewer winter chill hours, shifts in water availability, and extreme heat have direct and indirect impacts such as changes in yield, crops water demand, increasing competition for water from other sectors, and reduced farm labor availability.
- Ecosystems - scarcer water supply will shape habitats and will be the determining factor for survival of many species, increases in soil salinity by saltwater intrusion, future droughts may lead to insufficient flooding and a decrease in food availability for waterfowl, warming in rivers contributing to local species extinction and facilitating the colonization by invasive species.
- Water resources - reduced water availability for irrigated agriculture, demand for groundwater for agriculture will increase while groundwater availability decreases, degradation of water quality.

- Infrastructure - accelerated deterioration of private property, canals, dams, roads, railways, and levees due to increasing land subsidence, droughts and associated overpumping, wildfires, and floods.
- Public health - more heat-related deaths and illnesses, illnesses caused by poor water quality, and other issues caused by droughts, wildfires, and some agricultural activities.

2.2.2 Regulatory Framework

Unlike the criteria air pollutants described in the preceding Air Quality section, GHGs have no “attainment” standards established by either the federal or state governments. Nevertheless, the EPA has found that GHG emissions endanger both the public health and public welfare under Section 202(a) of the Clean Air Act, due to their impacts associated with climate change (EPA 2009).

State of California

California has addressed climate change on its own initiative as early as 1988, when the California Energy Commission was designated as the lead agency for climate change issues. However, the most significant state activities have occurred since 2005, when executive orders and State legislation established the current framework for dealing with climate change. Several of these actions are described below.

EXECUTIVE ORDERS S-3-05 AND B-30-15

Executive Order S-3-05, signed by Governor Schwarzenegger in 2005, established GHG emission reduction targets for California. Specifically, GHG emissions would be reduced to the level of emissions in the year 2000 by 2010, to the level of emissions in the year 1990 by 2020, and to 80% below the 1990 emissions level by 2050. The desired 2050 GHG emission reduction is consistent with the Intergovernmental Panel on Climate Change objectives for stabilizing global climate change. The 2020 reduction goal set forth by S-3-05 was codified by AB 32, which is described below.

On April 29, 2015, Governor Brown signed Executive Order B-30-15, which advanced the goals of Executive Order S-3-05 by establishing a GHG reduction target of 40% below 1990 emission levels by 2030. The 2030 reduction goal set forth by B-30-15 was codified by Senate Bill (SB) 32, which also is described below. In 2022, AB 1279 was enacted, requiring statewide GHG emissions to be reduced to at least 85% below 1990 levels by 2045. This magnifies and accelerates the 2050 reduction goal set forth in Executive Order S-3-05. The AB 1279 goals have been incorporated in the recently adopted 2022 Scoping Plan (see SB 32 discussion below).

AB 32

AB 32, the Global Warming Solutions Act of 2006, is State legislation that sets goals of reducing GHG emissions to year 2000 levels by 2010 and to year 1990 levels by 2020. These specific goals are directly related to the Governor’s overall objectives established in Executive Order S-3-05. The State’s initial planning efforts were oriented toward meeting

the legislated 2010 and 2020 goals, while placing the State on a trajectory that will facilitate eventual achievement of the 2050 goal set forth in Executive Order S-3-05.

The ARB has primary responsibility for AB 32 implementation. ARB adopted a Climate Change Scoping Plan in 2008 with the purpose of meeting the AB 32 targets. The 2008 Scoping Plan proposed to reduce GHG emissions from the State's projected 2020 "business-as-usual" emissions by approximately 29%. Nearly 85% of the GHG reductions would be achieved under a "cap-and-trade" program and "complementary measures," including expansion of energy efficiency programs, increase in the use of renewable energy sources, and low-carbon fuel standards, among others. The remaining 15% would include measures applicable to GHG sources not covered by the cap-and-trade program (ARB 2008b).

The cap-and-trade program was the centerpiece of the GHG reduction program set forth in the 2008 Scoping Plan. In general, the program sets a "cap" on the total GHG emissions that would be allowed in California, which gradually decreases over time. Allowances for GHG emissions are sold at auction to industrial activities and utilities that emit large quantities of GHGs, which in turn can sell allowances that are unused to other activities that need more allowances (the "trade" component). The State Legislature recently extended the cap-and-trade program from its original expiration in 2020 to 2030, as part of a strategy to meet GHG reduction targets set by SB 32 (see below).

In May 2014, the ARB approved the First Update to the Scoping Plan. The 2014 Update lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to the 2050 target set forth in Executive Order S-3-05. It recommended actions in nine sectors: energy, transportation, agriculture, water, waste management, natural and working lands, short-lived climate pollutants, green buildings, and the cap-and-trade program (ARB 2014).

Recently, the ARB released the California Greenhouse Gas Emission Inventory, with data from 2020. For the target year of 2020, state GHG emissions were 369.2 million metric tons CO₂e, which was 35.3 million metric tons CO₂e below 2019 emissions and 61.8 million metric tons CO₂e below the AB 32 target (ARB 2022a). However, this substantial decrease was most likely caused by the lockdown ordered by the State that year in response to the COVID-19 pandemic. Economic recovery from the pandemic may result in GHG emission increases over the next few years (ARB 2022a).

SB 32

In 2016, SB 32 was enacted. SB 32 extends the GHG reduction goals of AB 32 by requiring statewide GHG emission levels to be 40% below 1990 levels by 2030, in accordance with the target established by Executive Order B-30-15. The State adopted an updated Scoping Plan in 2017 that sets forth strategies for achieving the SB 32 target. The 2017 Scoping Plan continues many of the programs that were part of the previous Scoping Plans, including the cap-and-trade program, low-carbon fuel standards, renewable energy, and methane reduction strategies. It also addresses for the first time GHG emissions from the natural and working lands of California, including the agriculture and forestry sectors. Both natural and working lands sequester carbon in trees, other vegetation, soils, and aquatic

sediment. The 2017 Scoping Plan recommends protecting working lands from conversion, enhancing carbon sequestration, and encouraging innovation in the disposal of biomass from working lands (ARB 2017).

On December 15, 2022, ARB adopted an update to the Scoping Plan. The 2022 Scoping Plan assesses progress towards achieving the SB 32 2030 reduction target and lays out a path to achieve a reduction in GHG emissions to 85% below 1990 levels by 2045, as well as to achieve carbon neutrality no later than 2045, in accordance with Executive Order B-55-18 (see below). Proposed strategies to achieve these reductions include rapid movement to zero-emission transportation, phasing out fossil fuel use for heating homes and buildings, further restricting use of chemicals and refrigerants that are thousands of times more powerful at trapping heat than carbon dioxide, expanded development of renewable energy sources, increased use of natural and working lands for incorporating and storing carbon, and greater employment of carbon removal technology (ARB 2022b).

EXECUTIVE ORDER B-55-18

In 2018, Governor Brown signed Executive Order B-55-18. This executive order set a statewide goal of achieving carbon neutrality no later than 2045. “Carbon neutrality” refers to achieving net zero carbon emissions (i.e., GHGs) by balancing a measured amount of carbon released with an equivalent amount sequestered or offset. After 2045, California shall achieve and maintain net negative GHG emissions, or greater GHG sequestration or offsets than emissions. The carbon neutrality goal set by Executive Order B-55-18 was codified this year with the signing of AB 1279, discussed above.

EXECUTIVE ORDER N-79-20 AND IMPLEMENTING REGULATIONS

In 2020, Governor Newsom issued Executive Order N-79-20, which stated that 100% of in-state sales of new passenger cars and trucks are to be zero-emission by 2035; 100% of in-state sales of medium- and heavy-duty trucks and busses are to be zero-emission by 2045 where feasible; and 100% of off-road vehicles and equipment sales are to be zero-emission by 2035 where feasible.

Consistent with the goals of the Executive Order, the ARB adopted the Advanced Clean Truck Regulation in June 2020 to achieve NO_x and GHG emission reductions through advanced clean technology. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b-3 truck sales, 75% of Class 4-8 straight truck sales, and 40% of truck tractor sales. By 2045, every new truck sold in California will be zero-emission.

Also consistent with the Executive Order, ARB adopted the Advanced Clean Cars II Regulation in 2022. The regulation would require all new passenger cars, trucks and SUVs sold in California to be zero-emission vehicles by 2035. The process of scaling down emissions from new vehicles would begin in the 2026 car model year.

In April 2023, ARB adopted the Advanced Clean Fleets Regulation. The regulation requires fleet owners operating vehicles for private services such as last-mile delivery and

federal fleets such as the Postal Service, along with state and local government fleets, to begin their transition toward zero-emission vehicles starting in 2024. Last mile delivery and yard trucks, along with drayage trucks, must transition to zero-emission vehicles by 2035. Work trucks and day cab tractors must be zero-emission by 2039, and sleeper cab tractors and specialty vehicles must be zero-emission by 2042.

Regional and Local

REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

The Fresno Council of Governments, a metropolitan planning organization whose members are Fresno County and the incorporated cities within the County, adopted a Regional Transportation Plan (RTP) in 2022. The RTP sets forth the Fresno Council of Governments' transportation goals, objectives, and policies for each transportation mode, describes the existing transportation system, discusses recent accomplishments, provides a needs assessment, and proposes short-term and long-term actions for both planning and actual project improvements. It also identifies existing and anticipated revenue sources and financing techniques available for the region's planned transportation investments, ongoing operations and maintenance.

A component of the RTP is the Sustainable Communities Strategy (SCS), required to be included by SB 375, which encourages coordinated transportation and land use planning to reduce GHG emissions. The SCS is intended to identify integrated land use and transportation strategies that lower per capita GHG emissions from cars and light duty trucks, among other objectives. SB 375 requires the ARB to set regional GHG emission reduction targets for 2020 and 2035 for each metropolitan planning organization and to update the regional targets at least every eight years. The Fresno County region's state-mandated target is a 6% reduction in per capita GHG emissions from cars and light duty trucks, compared with 2005, by 2020; and a 13% reduction by 2035.

FRESNO COUNTY

The current Fresno County General Plan does not contain any goals or policies applicable to GHG emissions and climate change. The General Plan includes energy efficiency goals and policies applicable to new and existing housing; however, they would not apply to the project. The County has not adopted a GHG emission reduction plan, or a Climate Action Plan as it is called in some jurisdictions.

The proposed County General Plan update, in its Health and Safety Element, contains a discussion of climate change and policies designed to promote adaptation and resilience. No specific GHG reduction targets are proposed. As of this writing, a draft of the updated County General Plan has been released for public review. The final adoption date for the updated General Plan is not known, and changes to the proposed climate change policies could occur prior to adoption.

2.2.3 Significance Thresholds

According to Appendix G of the CEQA Guidelines, a project may have a significant impact on the environment if it would do the following:

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

This analysis is conducted in accordance with CEQA Guidelines Section 15064.4, which states that a lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. CEQA Guidelines Section 15064.4(b) states that a Lead Agency should consider the following factors, among others, when assessing the significance of impacts from GHG emissions on the environment:

- The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting.
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

Some jurisdictions have established quantitative thresholds for determining the significance of project GHG emissions from construction activities and project operations. Neither the County nor SJVAPCD has established such quantitative significance thresholds, although the SJVAPCD recommends a 29% reduction from business-as-usual GHG levels for project operational emissions.

However, the County is currently updating its General Plan. As part of the General Plan update, a Draft EIR has been prepared that analyzes the potential impacts of development under the updated General Plan on GHG emissions, among other environmental issues. The EIR developed targets of GHG emissions per service population, based on projected County GHG emissions and population of residents and employees. The thresholds indicate per service population GHG emission targets of 4.0 metric tons CO₂e by 2030 and 0.8 metric tons CO₂e by 2042 (Fresno County 2023). These emission targets function as significance thresholds in the County General Plan Update EIR and are used as such in this analysis.

2.2.4 Environmental Impacts and Mitigation Measures

POTENTIAL GHG IMPACT 1: PROJECT GHG CONSTRUCTION EMISSIONS

The CalEEMod model estimated the total GHG construction and operational emissions associated with the proposed project site development (see Appendix). Table 2-4 presents the results of the CalEEMod run.

TABLE 2-4
PROJECT GHG EMISSIONS

GHG Emission Type	Unmitigated Emissions (metric tons CO ₂ e)	Mitigated Emissions (metric tons CO ₂ e)
Construction (total)	232.5	232.5
Operational (annual)	10,285	10,285

Source: California Emissions Estimator Model v. 2022.4.0.

Based on results from the CalEEMod run, total project GHG construction emissions would be 232.5 metric tons CO₂e. These emissions would occur only during construction work and would cease once work is completed. Implementation of rules and regulations described in the Air Quality section that are designed to reduce construction air pollutant emissions is also expected to reduce incrementally the amount of GHGs generated by project construction, particularly the Regulation for In-Use Off-Road Diesel-Fueled Fleets. The amount of GHG reduction from compliance with these rules and regulations cannot be quantified.

Given this, project impacts related to construction GHG emissions are considered **less than significant**.

POTENTIAL GHG IMPACT 2: PROJECT GHG OPERATIONAL EMISSIONS AND CONSISTENCY WITH GHG REDUCTION PLANS

Project operational GHG emissions, mainly from vehicle use, are estimated to generate approximately 10,285 metric tons CO₂e annually without mitigation (see Table 2-4). The CalEEMod run included water conservation measures, required by SBX7-7, that would lead to a 20% reduction in indoor and outdoor water use. With incorporation of these measures, estimated operational GHG emissions would remain at approximately 10,285 metric tons CO₂e annually.

The project is a highway commercial development that would primarily serve motorists and truck drivers on Interstate 5 and State Route 198. Almost all the project operational GHG emissions (10,158 metric tons CO₂e) would come from mobile sources, primarily from vehicle traffic diverted from these major highways. The project would generate little employment and thus relatively small vehicle traffic that would contribute to new GHG emissions. Given the size of the project, it is not expected that the project would interfere with the objectives of the 2022 RTP/SCS, which focuses its actions mainly on residential and employment center development in and around Fresno and along State Route 99. Moreover, as implementation of State rules regarding cars and trucks occurs, the amount of GHG emissions generated by all mobile sources would decrease.

In summary, project GHG operational emissions would be consistent with the GHG reduction goals of the State and the Fresno County region. Project operational impacts on GHG emissions, both project-specific and cumulative, would be **less than significant**.

3.0 CONCLUSION AND REFERENCES

3.1 Conclusion

The project proposes the construction of the Coalinga Harris Ranch Commercial Project, which proposes development of a building for light industrial/warehouse uses. The project would generate air pollutant and GHG emissions, mainly from vehicle traffic. Estimates of these emissions were developed using CalEEMod, with inputs based on project information.

The results of the CalEEMod runs indicate that the project would not generate air pollutant emissions, either construction or operational, that would exceed the significance thresholds established by SJVAPCD. The project would generate diesel particulate matter, mainly from truck exhaust. Diesel particulate matter (DPM) is considered a TAC, which could lead to an increased carcinogenic risk for nearby sensitive receptors. However, the HRA prepared for the project indicates that the project would not lead to an increase in carcinogenic risk for nearby receptors that would exceed the SJVAPCD threshold. It also would not increase non-carcinogenic (acute and chronic) risks. The project would not generate any significant amounts of odors. Air quality impacts of the project are considered less than significant.

While the project would generate GHG emissions, these emissions would be consistent with the reduction targets of applicable GHG reduction plans, mainly the State's Scoping Plan. GHG impacts of the project would be less than significant.

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March 17th, 2025

Fresno County Department of Public Works and Planning
2220 Tulare St, Sixth Floor
Fresno, CA 93721

Subject: Operational Statement

Project: Coalinga Harris Ranch Commercial
Fresno County Project #: 21-102560
RMK Project #: RMK-0014

Operational Statement

The proposed project is developing 3 current vacant parcels, notated as parcel 1, parcel 3, and parcel 3. All buildings proposed will be new constructed buildings. There will be no existing buildings reused for the development. All parcels are accessible by a county roadway fronting the parcels, as seen on the proposed site plan. The existing site is in conformance with the surrounding uses. The project will not add any unsightly presence that would disturb the surrounding properties. To reduce dust all parking and traffic will be routed through paved surfaces. The proposed use of parcel 1 is a commercial fueling station. Parcel 1 will include a 9,500 SF total building composed of a Convenience Store (6,000 SF) and a drive thru fast-food restaurant (3,500 SF) with a 10 MPD fueling canopy. The convenience store on Parcel 1 will include the sale of beer and wine. Parcel 2 will include a 10,000 SF building. The parcel 2 building will include a fast-food restaurant (+/-1,320 SF), convenience store, restrooms, showers, lounge areas, storage, and a laundry. The convenience store on Parcel 2 will include the sale of beer and wine. The intent of the parcel 2 building is to accommodate commercial truck traffic and trucker amenities. Parcel 3 will include an 11-position commercial truck canopy, a Cat scale, and a TA Petro 3 bay service station (11,100 SF). The proposed site plan has been reviewed and approved by TA to meeting there engineering and architectural standards for a TA development. The TA Petro 3 bay service station includes 3 shop bays, storage areas, a sales area, and employee restroom facilities. All businesses will be open 24 hours a day, 7 days a week. The site will sell goods that will be produced at other locations and shipped onsite. The goods will consist of typical merchandise, foods, truck parts that would be sold at a convenience store, fast food restaurant, and commercial truck service station. Any materials needed for the proposed parcel 1 and parcel 2 buildings will be stored in the designated storage areas shown on the floor plan. The parcel 3 service station building has designated storage areas as shown on the floor plan and a fenced outdoor storage area connected to the building. The truck service station will require typical services equipment. This will include power tools, air compressor tools, lifts, equipment for moving inventory, etc. The proposed development will offer jobs for the area as well as increase the counties sells. The estimated number of employees for Parcel 1 will be 17 and the estimated number of visitors is 590 people per day. Parcel 1 will require daily deliveries for fuel and weekly deliveries for inventory. The estimated number of employees for Parcel 2 will also be 17 and the estimated number of visitors is 133 people per day. Parcel 2 will require weekly deliveries for inventory. Parcel 3 will have 8 employees and is expected to have 40 visitors per day. Parcel will require daily deliveries for fuel and weekly deliveries for inventory. Each parcel is providing sufficient parking for employees, customers, and deliveries. All proposed parking will be on newly constructed pavement. The parking for parcel 1 is as follows: 25 vehicle parking stalls and 11 RV parking stalls. The parking for parcel 2 is as follows: 106 vehicle parking stalls. The parking for parcel 3 is as follows: 188 commercial truck parking stalls.

Each of the (3) proposed buildings will require a domestic water and wastewater supply. The proposed site plans to use the existing water and sewer mains available in the county roadway fronting the parcels.

- The estimated water use would be as follows:
 - Parcel 1 = 2,300 gpd
 - Parcel 2 = 5,800 gpd
 - Parcel 3 = 580 gpd
- The estimated wastewater use would be as follows:
 - Parcel 1 = 1,600 gpd
 - Parcel 2 = 4,000 gpd
 - Parcel 3 = 400 gpd

Regarding future submittals, a sign program will be provided at a later date showing proposed advertisement sign locations for the buildings. A fuel price sign will be placed fronting Dorris Avenue. All other sign locations are to be determined at a future date. The site will be appropriately lighted using onsite parking lot lights. Landscaping plans will be produced during the construction document phase of the project. Currently the site is not proposing any fencing. For a more detailed description of the proposed buildings please refer to the floor plans shown on the architectural plan set. The floor plans detail which areas of the building will be allocated for certain uses.

To aid in processing, the operational statement items having been summarized in a numbered list below reflecting the counties F006 Checklist Template.

The proposed use of parcel 1 is a commercial fueling station. Parcel 1 will include a 9,500 SF total building composed of a Convenience Store (6,000 SF) and a drive thru fast-food restaurant (3,500 SF) with a 10 MPD fueling canopy. The convenience store on Parcel 1 will include the sale of beer and wine. Parcel 2 will include a 10,000 SF building. The parcel 2 building will include a fast-food restaurant (+/- 1,320 SF), convenience store, restrooms, showers, lounge areas, storage, and a laundry. The convenience store on Parcel 2 will include the sale of beer and wine. The intent of the parcel 2 building is to accommodate commercial truck traffic and trucker amenities. Parcel 3 will include an 11-position commercial truck canopy, a Cat scale, and a TA Petro 3 bay service station (11,100 SF).

The TA Petro 3 bay service station includes 3 shop bays, storage areas, a sales area, and employee restroom facilities.

1. Nature of the operation--what do you propose to do?
 - a. The proposed project is developing 3 current vacant parcels, notated as parcel 1, parcel 3, and parcel 3.
 - i. The proposed use of parcel 1 is a commercial fueling station. Parcel 1 will include a 9,500 SF total building composed of a Convenience Store (6,000 SF) and a drive thru fast-food restaurant (3,500 SF) with a 10 MPD fueling canopy. The convenience store on Parcel 1 will include the sale of beer and wine.
 - ii. Parcel 2 will include a 10,000 SF building. The parcel 2 building will include a fast-food restaurant (+/-1,320 SF), convenience store, restrooms, showers, lounge areas, storage, and a laundry. The convenience store on Parcel 2 will include the sale of beer and wine. The intent of the parcel 2 building is to accommodate commercial truck traffic and trucker amenities.
 - iii. Parcel 3 will include an 11-position commercial truck canopy, a Cat scale, and a TA Petro 3 bay service station (11,100 SF).station (11,100 SF). The TA Petro 3

bay service station includes 3 shop bays, storage areas, a sales area, and employee restroom facilities.

2. Operational time limits
 - a. All businesses will be open 24 hours a day, 7 days a week.
3. Number of customers or visitors
 - a. The estimated number of visitors for Parcel 1 is 590 people per day.
 - b. The estimated number of visitors for Parcel 2 is 133 people per day.
 - c. The estimated number of visitors for Parcel 3 is 40 people per day.
4. Number of employees
 - a. The estimated number of employees for Parcel 1 will be 17.
 - b. The estimated number of employees for Parcel 2 will be 17.
 - c. The estimated number of employees for Parcel 3 will be 8.
5. Service and delivery vehicles
 - a. Parcel 1 will require daily deliveries for fuel and weekly deliveries for inventory
 - b. Parcel 2 will require daily deliveries for inventory
 - c. Parcel 3 will require daily deliveries for fuel and weekly deliveries for inventory.
6. Access to the site
 - a. All parcels are accessible by a county roadway fronting the parcels, as seen on the proposed site plan.
7. Number of parking spaces for employees, customers, and service/delivery vehicles
 - a. Each parcel is providing sufficient parking for employees, customers, and deliveries. All proposed parking will be on newly constructed pavement.
 - i. The parking for parcel 1 is as follows: 25 vehicle parking stalls and 11 RV parking stalls.
 - ii. The parking for parcel 2 is as follows: 106 vehicle parking stalls.
 - iii. The parking for parcel 3 is as follows: 188 commercial truck parking stalls.
8. Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location?
 - a. The site will sell goods that will be produced at other locations and shipped onsite. The goods will consist of typical merchandise, foods, truck parts that would be sold at a convenience store, fast food restaurant, and commercial truck service station.
9. What equipment is used?
 - a. The truck service station will require typical services equipment. This will include power tools, air compressor tools, lifts, equipment for moving inventory, etc.
10. What supplies or materials are used and how are they stored?
 - a. Any materials needed for the proposed parcel 1 and parcel 2 buildings will be stored in the designated storage areas shown on the floor plan. The parcel 3 service station building has designated storage areas as shown on the floor plan and a fenced outdoor storage area connected to the building.
11. Does the use cause an unsightly appearance?
 - a. The existing site is in conformance with the surrounding uses. The project will not add any unsightly presence that would disturb the surrounding properties. To reduce dust all parking and traffic will be routed through paved surfaces.
12. List any solid or liquid wastes to be produced.
 - a. Each of the (3) proposed buildings will require a wastewater supply for raw sewage services. The proposed site plans to use the existing sewer main available in the county roadway fronting the parcels.
 - b. The estimated wastewater use would be as follows:
 - i. Parcel 1 = 1,600 gpd
 - ii. Parcel 2 = 4,000 gpd

- iii. Parcel 3 = 400 gpd
13. Estimated volume of water to be used (gallons per day)
- a. Each of the (3) proposed buildings will require a domestic water supply. The proposed site plans to use the existing water main available in the county roadway fronting the parcels.
 - b. The estimated water use would be as follows:
 - i. Parcel 1 = 2,300 gpd
 - ii. Parcel 2 = 5,800 gpd
 - iii. Parcel 3 = 580 gpd
14. Describe any proposed advertising including size, appearance, and placement?
- a. A future sign program will be submittal and processed for the project. Fuel price signs and a monument sign will be placed fronting Dorris Avenue. All buildings will include signage as well. All other sign locations are to be determined at a future date.
15. Will existing buildings be used or will new buildings be constructed?
- a. All buildings proposed will be new constructed buildings. There will be no existing buildings reused for the development.
16. Explain which buildings or what portion of buildings will be used in the operation
- a. The proposed use of parcel 1 is a commercial fueling station. Parcel 1 will include a 9,500 SF total building composed of a Convenience Store (6,000 SF) and a drive thru fast-food restaurant (3,500 SF) with a 10 MPD fueling canopy. The convenience store on Parcel 1 will include the sale of beer and wine.
 - b. Parcel 2 will include a 10,000 SF building. The parcel 2 building will include a fast-food restaurant (+/-1,320 SF), convenience store, restrooms, showers, lounge areas, storage, and a laundry. The convenience store on Parcel 2 will include the sale of beer and wine. The intent of the parcel 2 building is to accommodate commercial truck traffic and trucker amenities.
 - c. Parcel 3 will include an 11-position commercial truck canopy, a Cat scale, and a TA Petro 3 bay service station (11,100 SF). The TA Petro 3 bay service station includes 3 shop bays, storage areas, a sales area, and employee restroom facilities.
17. Will any outdoor lighting or an outdoor sound amplification system be used?
- a. The site will be appropriately lighted using onsite parking lot lights.
18. Landscaping or fencing proposed?
- a. Landscape plans will be produced during the construction document phase of the project. Currently the site is not proposing any fencing.
19. Any other information that will provide a clear understanding of the project or operation.
- a. For a more detailed description of the site plan and proposed buildings uses refer to the provided plans for the development.
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.
- a. The property is owned by Coalinga Travel Holding LLC with attention to owner Khushpreet Kour.

Sincerely,



Daniel Barnes
Project Manager



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Daniel Barnes

APPLICATION NOS.: Unclassified Conditional Use Permit Application No. 3761 & Initial Study No. 8367

DESCRIPTION: Allow the construction and operation of an Interstate Freeway Interchange Commercial development, to be located on three parcels totaling approximately 26.74 acres, in the following configuration: Parcel 1 (APN 065-271-08/2.26-acres) will be developed with a 10 MPD fueling station, and an approximately 9,700 square-foot building containing a convenience store, and a quick serve (QSR) drive through restaurant; Parcel 2 (APN 065-271-10/1.84-acres) will be developed with a 10,230 square-foot building containing a commercial truck stop, with a convenience store, quick serve restaurant (QSR), and appurtenant facilities, including restrooms, showers, lounge areas, storage and laundry facilities; Parcel 3 (APN 065-271--09/22.64-acres) will be developed with an 11-position commercial truck fueling canopy, truck scale, and TA Petro three bay truck service station with retail sales, in an 11,000 square-foot building, located in the southwest quadrant of the Dorris Avenue and Interstate 5 interchange, Major Commercial Center, within the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on south side of State Route 198 (Dorris Avenue) westerly adjacent to Interstate 5 (APNs 065-271-08, 09,10) (SUP. DIST. 4).

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; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes a freeway interchange commercial development which will involve the renovation of an existing building and modification of an existing parking area to include an automobile fueling station. The project is consistent with the intent of the freeway interchange commercial development regulations contained in Section 860 of the Fresno County Zoning Ordinance, which designates specific Interstate 5 freeway interchanges as either major or minor commercial centers and includes development standards which regulate such things as landscaping, signage, and building height.

Policy LU-D.6 of the Fresno County General Plan requires that a commercial interchange development be designed to achieve aesthetic excellence and incorporate considerations for noise contours abutting traffic ways, architectural cohesiveness, and signing restraints. Section 860.E.2 of the Fresno County Zoning Ordinance addresses development standards for Freeway Interchange Development, and requires that landscaping be provided and maintained, and that plants and related materials be arranged in a manner consistent with and complementary to the building design and materials.

The project proposal would be aesthetically consistent and cohesive with the surrounding development and given that the proposed buildings are similar in design to the adjacent commercial development, there would be no impact to the visual character of the area or the quality of public views resulting from this project.

No scenic vistas were identified however, Interstate 5 is designated as a Scenic Highway in the Fresno County General Plan as per Figure OS-2. General Plan Policy OS-L.3.d. requires that land uses adjacent to a scenic drive or scenic highway, provide for maintenance of a natural open space area that is 200 feet in depth parallel to the right-of-way of the scenic drive or roadway. The subject parcel nearest to Interstate 5 has an eastern boundary located approximately 600 feet west of the nearest right of way of the southbound Interstate 5 ramp which creates a natural Open Space Area adjacent to the subject parcel providing a buffer between the proposed development and the southbound I-5 exit ramp. The existing open space buffer is consistent with General Plan Goal OS-I and General Plan Policy OS-L.3.d. Therefore, impacts to public views and the scenic quality of the landscape adjacent to Interstate 5, would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

A lighting impact analysis was prepared for the project by Base Camp Environmental, Inc. dated September 20, 2023. The analysis evaluated the potential for off site impacts created by development and operation of the proposed project.

The project proposes to utilize pole mounted light fixtures in the parking areas and new lighting attached to the fuel canopies and building mounted lighting, therefore the proposed new lighting would add to existing light sources on adjacent development, and therefore have the potential to increase glare, and light pollution in the vicinity. The impact analysis considered the existing conditions at the site which is vacant, and absent any lighting, and the existing commercial development adjacent to the project site, and that there a limited number of noncommercial, light sensitive uses in the area. One of note is a single-family dwelling located approximately 900 feet to the west. The project would result in a change in the view shed from the perspective of the receptor location. New lighting would extend over a broader range than currently exists. The lighting impact analysis asserts that the although the project would generate a substantial increase in on-sight lighting levels, the change would not represent a significant increase over the baseline lighting levels associated the adjacent commercial development along the north and south sides of Dorris Avenue. Light spill over beyond the boundaries of the site would be minimized because of the distance to the nearest receptors, which are a cluster of residences located approximately 1,200 feet to the west, which appear to have some screening provided by surrounding trees.

County General Plan Policy requires that new sources of light be evaluated for their potential to impact adjacent property and the public right of way. In this case, there aren't a substantial number of off-site receptors on adjacent properties, however, new outdoor lighting associated with the project does have the potential impact motorists on the adjacent highway, as the project site is adjacent to State Route 198 (Dorris Avenue). Chapter 820.3.080 of the Fresno County Zoning Ordinance requires in part that all exterior lighting be directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, which will minimize off-site glare. Additionally, exterior lights must be installed so that lights do not blink, flash or be of unusually high intensity or brightness, and must be of appropriate height, intensity and scale to the structures and uses they are serving.

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: NO IMPACT:

According to the California Natural Resources Agency 2016 Fresno County Important Farmlands Map, the subject parcels are designated as Farmland of Local Importance, which is defined as all farmable lands with Fresno County that do not meet the definitions of Prime, Statewide, or Unique Farmland, which includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture and grazing land. Therefore, the project will not result in the conversion of any Prime, Unique or Farmland of Statewide Importance.

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

FINDING: NO IMPACT:

The subject parcels are zoned Exclusive Agricultural; however, they are not involved in agricultural operations, and are located within a designated freeway commercial interchange, adjacent to the Interstate highway, designated for such commercial development, pursuant to County General Plan Policy and the Zoning Ordinance Section 860. Additionally, none of the subject parcels are subject to Williamson Act Contract.

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

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

FINDING: NO IMPACT:

The subject parcels do not contain any land designated as forest or timberland.

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

FINDING: NO IMPACT:

The parcels on which the proposed project are zoned for agriculture, and designated as Westside Freeway Commercial Interchange, in the Coalinga Regional Plan. The project is located in an area designated for commercial development, and limited agricultural uses, not the more intensive use typically associated with the Exclusive Agricultural Zoning. The project will not convert any Farmland as defined in subsection A above.

III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and did not note any conflicts with an applicable air quality plan resulting from construction of the project, however, the Air Quality and GHG analysis modeling prepared for the project by BaseCamp Environmental (discussed further in Subsection B. below, determined that project operation would exceed significance thresholds for NO_x (oxides of nitrogen) which is a component of Ozone, therefore project operational emissions could potentially conflict with attainment of ozone reduction plan objectives. The project is subject to Air District Rule 9510 which requires construction and operation emissions reductions of NO_x and PM₁₀. Application of Rule 9510 would reduce project operational emissions of NO_x to a less than significant level, therefore with implementation of Rule 9510, a regulatory requirement, project operational emissions of NO_x would be below the Air District significance threshold and would not conflict with the applicable air quality plan.

- 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:

The Air District commented that project emissions resulting from construction and/or operation may exceed Air District established thresholds for certain criterial pollutants, and should provide an analysis of anticipated mobile and stationary source emissions that would result from construction and operation of the project; and that a health risk screening assessment should be conducted to evaluate risk to surrounding sensitive receptors associated with implementation of the project.

In accordance with the Air District recommendations, an Air Quality and GHG report was prepared for the project by BaseCamp Environmental, dated September 2023. Project construction and operational emissions estimates relied upon the use of the California Emissions Estimator Model (CalEEMod) software application. Construction emissions were based upon a construction period of 120 working days within one phase. Operational emissions were assumed to occur 365 days per year, consistent with the project description. The Air Quality and GHG report found that neither construction emissions nor operational emissions would exceed any established thresholds of significance for criteria pollutants, such as reactive organic gases, carbon monoxide, sulfur oxides, PM₁₀, (particulate matter 10 microns in diameter and PM_{2.5} (particulate matter 2.5 microns in diameter). However, the modeling did estimate that

project operational emissions of oxides of nitrogen (NO_x) would exceed Air District established significance threshold as discussed in subsection 'A' above; however, implementation of Air District Rule 9510 (Indirect Source Review) would reduce project operational NO_x below the Air District established threshold.

Accordingly, the air quality and greenhouse gas report concluded that the project would not have a significant impact on air quality.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District reviewed the proposed project and commented that the project should reduce impacts from construction related diesel exhaust emissions by utilizing the cleanest available off-road construction equipment, including the latest tier equipment, and that ongoing emissions from mobile and stationary sources should be analyzed.

The project site is located in an area of commercial development, and the number of receptors outside of the surrounding commercial development is relatively low. The nearest sensitive receptors to the project site are a cluster of residences located approximately 1,200 feet west of the project site.

A traffic impact analysis for the project concluded that the two proposed project driveways would operate at a Level of Service F, creating the potential for elevated carbon monoxide at these driveways. However, a traffic study prepared for the project recommended that stop controls be placed on the east and westbound approaches to these two intersections, so that both intersections would have all-way stop control; and with the implementation of these measures, LOS levels would remain above acceptable levels, consistent with the Air District Carbon Monoxide standards. The installation of all way stop controls at the two project drive approaches to SR 198 has been included as a mitigation measure under Section XVII (Transportation). Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, or result in other emissions, or odors, that would affect a substantial number of people.

The Air Quality Impact Analysis included a screening level Health Risk Assessment (HRA), which evaluated annual and daily emission estimates during construction and operation of the project, utilizing the California Emissions Estimator Model (CalEEMod). The results of the HRA were presented in terms of risk scores at various distances from the project site, a cancer risk score above ten (10) and a non-cancer risk score above one (1), consistent with Air District significance thresholds, would indicate a potential for significant health risks, requiring a more refined health risk assessment. The analysis was also based in part on the projected trip generation rates included in the traffic analysis. The main source of pollutant associated with the daily truck traffic was identified as Diesel Particulate Matter (DPM) which is considered a toxic air contaminant

(TAC). The evaluation considered the estimated number of truck trips of 1,160 projected by the traffic analysis, and additional emissions from operations from the storage and dispensing of fuel, on-site and off-site truck emissions, and vehicle emissions from the drive through restaurant. For the construction phase of the project, the maximum cancer risk score and the nearest residence was 3.7, and for the operational phase, the maximum cancer score was 5.62 at the nearest residence, both of which are below the significance threshold of 10. The results of the Screening Health Risk Assessment (HRSA) indicated that a refined HRA was not necessary for the project.

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 WITH MITIGATION INCORPORATED:

A biological assessment (BA) was prepared for the project by Moore Biological Consultants, dated September 26, 2023. The BA concluded that, the project site consists of highly disturbed ruderal grassland, and bare dirt and would not provide suitable habitat for any special status species identified as being likely to occur in the vicinity of the project site. However, the BA determined that, three special status species, the Swainson's Hawk, the Burrowing Owl, and the San Joaquin Kit Fox could potentially occur on the site, and as such the following mitigation measures are required to be implemented by a qualified biologist:

* **Mitigation Measure(s)**

1. *Pre-construction surveys for nesting Swainson's hawks within one quarter-mile mile of the project site shall be required if construction commences between March 1 and September 15. If active nests are found, a qualified biologist should determine the need(if any) for temporal restrictions on construction using criteria set forth in the Swainson's Hawk Technical Advisory Committee (SWHTAC, 2000).*
2. *Pre-construction surveys for burrowing owls within 250 feet of the site shall be required if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist shall, determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by the California Department of Fish and Wildlife. (CDFG, 2012).*

3. *Pre-construction "walking transect" surveys for San Joaquin Kit Fox dens shall be required within 14 days prior to the commencement of construction as described in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS, 1999). In the unlikely event a kit fox den is found, consultation with USFWS and CDFW shall be required, to develop an appropriate course of action.*
4. *Shrubs, and grasslands in the site could be used by other birds, protected by the MBTA and FGCC. If shrub or grassland removal is scheduled during the nesting season of raptors (January 1 through July 31), a preconstruction survey for nesting raptors by a qualified biologist shall be required. If other vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds shall be required. If active nests are found, work in the vicinity of the nests shall be delayed until the young fledge.*

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; or
- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The Biological Assessment concluded that there are no riparian habitats, or sensitive natural communities, wildlife corridors, or native wildlife nursery sites on the project site. Additionally, no jurisdictional waters of the U.S. or waters of the state, or sites that meet the technical criteria for wetlands such as presence of hydrophytic vegetation, hydric soils, and wetland hydrology. Therefore, no impacts to such resources will occur as a result of development of the project. The project site is not in area with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan, and the site is not in designated critical habitat of any federally listed species.

- 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 proposed project will neither conflict with any local policies or ordinances protecting biological resources, nor will it conflict with the provisions of any conservation plan.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

According to a review of the County Geographic Information System, the proposed project site is located within an area designated to be moderately sensitive for archeological resources. Based on this indication, the project materials were routed to the Southern San Joaquin Valley Information Center (SSJVIC) for review and a historic records search. The SSJVIC commented that the archaeological sensitivity of the project site was low, but that a new archaeological survey should be done. A cultural resources analysis was prepared for the project by Solano Archaeological Services, dated August 25, 2023. The cultural resources memo provided analysis based on a cultural and historical records search, outreach to local tribal governments, and a field survey of the site.

The project was also routed for comment to local Tribal governments who have requested such notification under the provisions of AB 52. The Tribe requested review of the Archaeological inventory, and that a Tribal representative be present on the project site for monitoring purposes during ground disturbing activities.

The results of the Cultural Resources Memorandum were that no historical or cultural resources, unique geological features, or evidence of possible human remains were identified on the site. However, the potential still exists for previously unknown subsurface cultural or tribal cultural resources to exist. As such a mitigation measure will be implemented to address cultural resources in the unlikely event that they are unearthed during ground-disturbing activities related to the project.

* **Mitigation Measure(s)**

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

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

VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes the construction of new buildings which are subject to local and state standards for building and energy efficiency. The project is expected to have a less than significant impact on energy resources. The project will not 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?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?
 - 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-5 (Probabilistic Seismic Hazards (10% Probability in 50 Years) of the Fresno County General Plan Background Report (FCGPBR); and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is located near identified earthquake hazard zone area with a moderate probability of reaching 40-60% peak horizontal ground acceleration in a uniform soft-

rock site condition, during a seismic event. The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.

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

FINDING: NO IMPACT:

No geologic unit or unstable soil was identified on the project site. The site comprises of existing buildings, with most of the area paved area which lies within a paved parking lot. Therefore, the project will 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than three percent), which precludes the possibility of land sliding on-site.

The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil. The project site is not in an area identified by the Fresno County Background Report (FCGPBR) Figure 9-6 (Landslide Hazards and Areas of Subsidence, as being susceptible to liquefaction or subsidence. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on-site.

- 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

As per Figure 7-1 (Expansive Soils) of the FCGPBR, Fresno County General Plan Background Report, the project site is not located within an area of known risk of expansive soils.

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

FINDING: NO IMPACT:

The project will utilize an existing community wastewater treatment facility. The project estimates that it would contribute approximately 6,000 gallons per day of wastewater to the existing offsite wastewater treatment facility which also serves surrounding commercial development. The project would not require the construction of new or the expansion of existing wastewater treatment facilities.

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

FINDING: NO IMPACT:

A cultural resources analysis was prepared for the project by Solano Archaeological Services, dated August 25, 2023. No historical or paleontological resources, unique geological features, or evidence of possible human remains were identified in this analysis.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Air Q and GHG Analysis prepared for the proposed project by determined that project construction emissions would generate an approximate total of 232.5 metric tons of CO₂e, and that project operation would generate an annual total of approximately 10,285 metric tons of CO₂e.

GHG emissions modeling estimates from both construction and operation of the project would be consistent with the State's GHG reduction goals, and the Fresno COG adopted Regional Transportation Plan (RTP), Sustainable Communities Strategy (SCS) and thus result in a less than significant impact related to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or

- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division review of the proposal requires that prior to the issuance of building permits, the applicant shall comply with the following:

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 electronically pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). For more information, please contact the local Hazmat Compliance Program at (559) 600-3271. 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 wastes.

- 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:

- 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to review of the US EPA's NEPAAssist web application, the subject parcel is not located within one-quarter mile of a school. The project site is located within one half mile of two identified hazardous waste sites regulated under the Resources Conservation and Recovery Act (RCRA). The sites are identified as gas stations located east and west of the project site.

The proposed project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no listed sites located within a half-mile radius of the proposed project site.

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

FINDING: NO IMPACT:

The project site is located approximately 2,300 feet west of the of the Harris Ranch Airport a privately owned public use airport. The project site is located within traffic patter zone of the Fresno COG adopted Harris Ranch Airport Land Use Compatibility Plan. As such, the project was required to be reviewed by the Airport Land Use Commission, and at its regularly scheduled hearing of February 5, 2024, the ALUC made a finding of consistency with the Airport Land Use Compatibility. The project site is not located withing the identified CNEL noise contours of the airport runway, therefore, noise impacts from airport operations would not result in exposure of people working in the area to excessive noise. The nearest residences to the airport are located approximately, three quarters of one mile (4,000 feet) west of the airport.

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

FINDING: NO IMPACT:

The project site is located at the intersection of State Route 198 (Dorris Avenue) and Interstate 5. The project site will be accessible from State Route 198 via existing paved private internal roads. All ingress and egress and internal circulation will be required to comply with the applicable Fire Code as it pertains to emergency access and turnaround area.

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

FINDING: NO IMPACT:

The project site is not located in a wildland fire area, precluding the site from impacts caused by 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 groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be required to file a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with the State Water Resources Control Board (SWRCB) prior to commencement of construction activity disturbing one-acre or more. Copies of

the filed NOI and SWPPP are required to be provided to the Department of Public Works and Planning, Development Engineering Unit prior to occurrence of any project related grading.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not propose any on-site ground water use but rather will be supplied by a private water service. The project estimates that approximately 8,680 gallons per day would be utilized during project operation. The privately supplied water source may be a combination of both surface and groundwater conveyed from offsite; therefore, the project's water use would not anticipated to cause a substantial decrease in existing groundwater supplies, interfere with groundwater recharge, or impede groundwater management. The water service provider indicated that it would be willing to provide up to, but not in excess of fifteen (15) acre feet of water per year for the entire project (all parcels),

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will be required to submit an engineered grading and drainage plan to the Department of Public Works and Planning for review and approval, to show how additional storm water runoff generated by the proposal will be handled without adversely impacting adjacent property. The grading and drainage plan shall provide calculations of the proposed retention basin storage capacity and design storage capacity.

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

FINDING: NO IMPACT:

The project site is not located in an area at risk for tsunami, or seiche. Additionally, the project site is not in a flood hazard zone.

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

FINDING: NO IMPACT:

The project is not anticipated to conflict with or obstruct implementation of a water quality control plan, or sustainable groundwater management plan. The project will receive water from I-5 Property services, consistent with other commercial properties in the Dorris Avenue Interstate Freeway major commercial interchange area.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or
- 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:

The proposed project will not physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation. The proposed project is located in a designated freeway commercial area, and is consistent with intent and purpose of the Interstate Freeway Interchange Commercial development standards.

XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis. The site is not located in a mineral resource area identified in Policy OS-C.2 of the General Plan, or by Figures 7-7,

7-8, and 7-9 of the General Plan Background Report (FCGPBR), therefore there would be no impacts to mineral resources.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project construction has the potential to expose nearby receptors to temporary increases in groundborne vibrations and ambient noise levels. Additionally, the project is located approximately one-third mile (1,800 feet) west of a small public use airport, however, the project itself would not be nearer to the airport than the existing commercial development. Project construction would be exempt from the daytime noise restrictions, of the Fresno County Ordinance Code, Noise Control Ordinance Chapter 8.40.060, provided no construction activities take place before 6:00 a.m. or after 9:00 p.m. on any day except Saturday or Sunday, or between the hours of 7:00 a.m. and 9:00 p.m. on Saturday or Sunday. Project operation is not anticipated to violate any County noise standards; however, the project is subject to the provisions of the County Noise Ordinance where applicable.

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 proposed project is not anticipated to induce population growth, nor will it displace any existing housing or people. The project entails a commercial development in a designated commercial area, adjacent to other existing commercial development.

XV. PUBLIC SERVICES

Would the project:

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

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

FINDING: NO IMPACT:

The proposal will not have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. In addition, the Fresno County General Plan.

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 is not located near any neighborhood or regional parks or recreational centers and does not propose any new recreational facilities or require the construction of such facilities.

XVII. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The project site is located at the intersection of a state highway and an interstate highway. A traffic impact analysis (TIA) was prepared for the project by TJW Engineering, Inc dated July 22, 2022 which was reviewed by the California Department of Transportation (Caltrans). The TIA evaluated the east and west access drives providing access to the project sites from SR 198 as well as the Interstate 5 southbound off-ramp and northbound off-ramp at SR 198. The TIA determined that the project would create unacceptable levels of service (LOS) at two intersections, the west access and east access driveways connecting to State Route 198 during all peak hours. Caltrans prefers to maintain an LOS between LOS C and D on State highway facilities where feasible. By the year 2042, both the west and east access driveways are expected to operate at a less than acceptable level. The TIA recommended that the project be responsible for installing stop controls for the eastbound and westbound approaches at the West Access driveway to implement an all-way stop-controlled intersection; and the East Access driveway should also have stop controls for the eastbound and westbound approaches to implement all-way stop control. Based on Caltrans review, a revision to the TIA was prepared dated February 29, 2024 required that an intersection control evaluation (ICE) be completed for the project. An ICE was prepared by TJW Engineering dated March 1, 2024. The ICE evaluated four intersections in the vicinity of the project site; the project west access driveway at SR 198, the project east access driveway at SR 198, the I-5 southbound and northbound off-ramps at SR 198. The TIA determined that the project would generate approximately 14,307 new daily trips. The Intersection Control Evaluation determined that, based on the existing plus project traffic volumes warranted the installation of all way stop controls at the two project driveways.

* **Mitigation Measure(s)**

Prior to certification of occupancy:

- 1. The project owner shall install all way stop controls at the intersection of the west access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans; and*
- 2. The project owner shall install all way stop controls at the intersection of the east access driveway and State Route 198 (Dorris Avenue) as recommended by the Intersection Control Evaluation prepared by the Applicant, and approved in concept by Caltrans.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Traffic Impact Analysis prepared for the project included a Vehicle Miles Travelled evaluation. The evaluation asserted that the type of development proposed, effectively screened the project from having to quantify VMT, based on the methodology in the Office of Planning and Research (OPR) 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located at the intersection of a state highway and an interstate highway. A traffic impact analysis (TIA) was prepared for the project by TJW Engineering, Inc dated July 22, 2022 (Revised February 29, 2024, which was reviewed by the California Department of Transportation (Caltrans). The TIA evaluated the east and west access drives providing access to the project sites from SR 198 as well as the Interstate 5 southbound off-ramp and northbound off-ramp at SR 198. The TIA determined that the project would create unacceptable levels of service at two intersections, the west access and east access driveways on the south side of State Route 198 during all peak hours and recommended that all way stop control be installed at both intersections, as discussed under Section XVII.A above. The TIA did not identify any existing or proposed geometric design features or conclude that either of the study intersections were dangerous or would result in increased hazards as a result of the project.

- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District, the California Highway Patrol and the Fresno County Sheriff's Office reviewed the proposed project and expressed no concerns related to the adequacy of existing or planned emergency access. The project does not have any major construction, or design features that would impair emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: NO IMPACT:

The archaeological inventory prepared for the project did not identify any cultural, historical or tribal cultural resources.

Under the provisions of Assembly Bill 52 (AB 52), participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County on addressing potential tribal cultural resources.

No concerns were expressed by notified California Native American Tribes and no consultation request was received. Therefore, mitigation will be implemented to address tribal cultural resources in the unlikely event they are unearthed during ground-disturbing activities related to the project.

* **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. A qualified archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Heritage Commission within 24 hours.*

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: NO IMPACT:

The project will receive potable water and wastewater service from a local provider. The provider indicated a willingness to serve the project subject to conditions and limitations by agreement with the project owner.

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

FINDING: NO IMPACT:

No water supply concerns were raised by any reviewing agencies or the water supplier for the project.

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

FINDING: NO IMPACT:

The wastewater treatment provider for this project determined that the existing wastewater treatment facility has adequate capacity to serve the project.

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

FINDING: NO IMPACT:

The project will be subject all applicable state and local standards pertaining to solid waste disposal and all applicable state solid waste reduction goals.

XX. WILDFIRE

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

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or

- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

The project site is not located within a State Responsibility Area or, in a designated fire hazard severity zone according to the Fresno County State Responsibility Area Fire Hazard Severity Zone Map, dated June 15, 2023, published by the State of California Department of Forestry and Fire Protection.

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 WITH MITIGATION
INCORPORATED:

The project will not substantially degrade the quality of the environment nor substantially reduce the habitat of a fish or wildlife species. Based on the analysis, the project would have less than significant impact on biological resources, with adherence to the recommended Mitigation Measures.

* **Mitigation Measure(s)**

1. See Mitigation Measures under Section IV Biological Resources.

- 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: NO IMPACT:

No cumulatively considerable impacts were identified. A cumulative impacts analysis was prepared for the project, by RMK Design, Inc. dated September 20, 2023. The cumulative impacts analysis identified other similar projects which have been approved,

at other freeway commercial interchange areas. The cumulative impacts analysis determined that the proposed project would not significantly contribute to any adverse environmental impacts, because development of this type, in designated commercial interchange areas is consistent with General Plan Policy, and such impacts have been considered in this context. The individual impacts of this project were identified under the appropriate resource section, and either determined to have no impact, a less than significant impact or be able to be avoided or minimized through the implementation of specific mitigation measures.

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

FINDING: NO IMPACT:

Responsible agencies and departments concurred with the findings and conclusions of the prepared technical studies and determined that no substantial adverse impacts on human beings would occur.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3761, 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 Agriculture and Forestry Resources, Energy, Geology and Soils, Mineral Resources, Noise, Land Use and Planning, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

Potential impacts related to Aesthetics, Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, and have been determined to be less than significant.

Potential impacts relating to Aesthetics, Biological Resources, Cultural and Tribal Cultural Resources, and Transportation have determined to be less than significant with compliance with the included 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.

JS

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3700-3799\3761 (Freeway commercial)\CEQA\CUP 3761 IS Write Up.docx

EXHIBIT 8

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 8367	LOCAL AGENCY MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Jeremy Shaw, Planner	Area Code: 559	Telephone Number: 600-4207	Extension: 0-4207
Project Applicant/Sponsor (Name): Daniel Barnes	Project Title: Unclassified Conditional Use Permit Application No. 3761 & Initial Study No. 8367		
Allow the construction and operation of an Interstate Freeway Interchange Commercial development, to be located on three parcels totaling approximately 26.74 acres in the following configuration: Parcel 1 (APN 065-271-08/2.26-acres) will be developed with a 10 MPD fueling station, and an approximately 9,700 square-foot building containing a convenience store, and a quick serve (QSR) drive through restaurant; Parcel 2 (APN 065-271-10/1.84-acres) will be developed with a 10,230 square-foot building containing a commercial truck stop, with a convenience store, quick serve restaurant (QSR), and appurtenant facilities, including restrooms, showers, lounge areas, storage and laundry facilities; Parcel 3 (APN 065-271--09/ 22.64-acres) will be developed with an 11-position commercial truck fueling canopy, truck scale, and TA Petro three bay truck service station with retail sales, in an 11,000 square-foot building, located in the southwest quadrant of the Dorris Avenue and Interstate 5 interchange, Major Commercial Center, within the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: It has been determined that there would be no impacts to Agriculture and Forestry Resources, Energy, Hydrology and Water Quality, Mineral Resources, Noise, Land Use and Planning, Public Services, Recreation, Utilities and Service Systems, and Wildfire. Potential impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, have been determined to be less than significant. Potential impacts relating to Aesthetics, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, and Transportation have determined to be less than significant with compliance with the included Mitigation Measures.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – March 14, 2025		Review Date Deadline: Planning Commission – April 24, 2025	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Jeremy Shaw, Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**