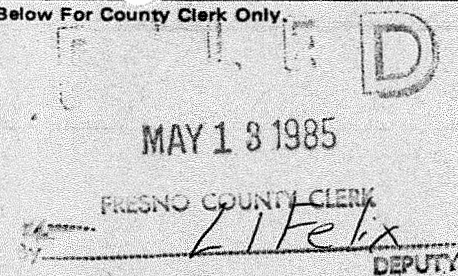


| | |
|--|---|
| File original and one copy with: FRESNO COUNTY CLERK Room 401, Courthouse 1100 Van Ness Fresno, California 93721 Mailing Address: P.O. Box 1628 Fresno, California 93717 | Space Below For County Clerk Only. <div style="text-align: center;">  </div> CLK 2047.00 E04-73 R00-00 |
|--|---|

| | | |
|------------------------------------|---|---|
| Agency File No. EA No. 2554 | LOCAL AGENCY NOTICE OF DETERMINATION | County Clerk File No.: (Enter if Negative Declaration has been filed) E- 5050 |
|------------------------------------|---|---|

| | | | |
|--|---|-------------------------------|------------------------|
| Responsible Agency (Name): Fresno County | Address (Street and P.O. Box): 4499 East Kings Canyon Road | City: Fresno | Zip Code: 93702 |
| Agency Contact Person (Name and Title): Edward R. Gaylord, Supervising Civil Engineer | Area Code: (209) | Telephone Number: 453-5059 | Extension: -- |

| | |
|--|--------------------------------|
| Applicant (Name): Fresno County Resources and Development | Project Title: CUP No. 2146 |
|--|--------------------------------|

Project Description (Omit if Negative Declaration has been filed):

Expansion of the existing 30-acre American Avenue Disposal Site to become a regional non-hazardous sanitary landfill. Eventually, over a period of 20 or more years, the landfill could entail 440 acres and consist of a series of knolls rising about 100 feet above the surrounding area.

Justification for Determination (Omit if EIR Not Required and See Negative Declaration):

Potential impacts of the project were identified as dust, runoff, leachate contamination of ground water, existence of landfill in close proximity to a few residences, increase in the area exposed to excessive noise levels, landfill gas migration, fire hazards. Mitigation measures were adopted which substantially reduced, and in some cases eliminated the potential impacts. It was determined that there were no significant unavoidable adverse impacts.

| | |
|--|--|
| Negative Declaration Filed: Date: <input checked="" type="checkbox"/> Not Applicable | Notice of Completion Filed with State: Date: August 29, 1985 <input type="checkbox"/> Not Applicable |
| Decision: Project <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Disapproved | Determination: Impact <input type="checkbox"/> Significant <input checked="" type="checkbox"/> Not Significant |
| Environmental Impact Report: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required | Environmental Impact Report: <input checked="" type="checkbox"/> Prepared <input type="checkbox"/> Not Prepared |

Copy of Environmental Impact Report Available at (Address):
 Fresno County Resources and Development, 4499 East Kings Canyon Road, Fresno, CA 93702 Not Applicable

| | | |
|-----------------|--|---|
| Date: 5/8/85 | Type or Print Signature: Katie Bearden, Fresno Co. Planning Dept. | Submitted by (Signature): <i>Katie Bearden</i> |
|-----------------|--|---|

File original and one copy with:

FRESNO COUNTY CLERK
Room 401, Courthouse
1100 Van Ness
Fresno, California 93721
Mailing Address:
P.O. Box 1628
Fresno, California 93717

Space Below For County Clerk Only.

FILED

JAN 31 1994

By Maria J. Saldares
FRESNO COUNTY CLERK
-DEPUTY

CLK 2047.00 E04-73 R00-00

Agency File No.

EA 3986

LOCAL AGENCY
NOTICE OF DETERMINATION

County Clerk File No.:

(Enter if Negative Declaration has been filed)

E-9310000329 AMENDED

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):

Richard Perkins, Staff Analyst

Area Code:

209

Telephone Number:

453-5055

Extension:

-0-

Applicant (Name):

Fresno County

Project Title:

CU 2623

Project Description (Omit if Negative Declaration has been filed):

NOTE: Document is being re-recorded to amend legal description on Negative Declaration. Original was recorded on 10/1/93

Justification for Determination (Omit if EIR Not Required and See Negative Declaration):

Negative Declaration ~~XXXX~~ published

Date: 8/20/93 Not Applicable

Notice of Completion Filed with State:

Date: Not Applicable

Decision:

Project PC 9/9/93 Approved Disapproved

Determination:

Impact Significant Not Significant

Environmental Impact Report:

Required Not Required

Environmental Impact Report:

Prepared Not Prepared

Copy of Environmental Impact Report Available at (Address):

Not Applicable

Date: 1/14/94

Type or Print Signature:
Peter J. Harkins, Senior Staff Analyst

Submitted By (Signature):
Peter J. Harkins

LOCAL AGENCY
NOTICE OF DETERMINATION
(Not to exceed one page)

County Clerk File No. E-

| | |
|---|---|
| File original and one copy with: Fresno County Clerk Room 401, Courthouse 1100 Van Ness Fresno, California 93721 Mailing Address: P.O. Box 1628 Fresno, California 93717 | Space Below For County Clerk Only. <div style="text-align: center; font-size: 2em; font-weight: bold;">FILED</div> <div style="text-align: center;">JAN 31 1994</div> <div style="text-align: center;"> FRESNO COUNTY CLERK By <u>Maria J. Balderas</u> -DEPUTY </div> |
| CLK-2046.00 E04-73 R00-00 | |

| | | |
|------------------|--------------------------------------|------------------------|
| Agency File No.: | LOCAL AGENCY NEGATIVE DECLARATION | County Clerk File No.: |
| EA 3986 | | E- 931000329 Amended |

| | | | |
|----------------------------|--------------------------------|--------|-----------|
| Responsible Agency (Name): | Address (Street and P.O. Box): | City: | Zip Code: |
| Fresno County | 2220 Tulare St., Sixth Floor | Fresno | 93721 |

| | | | |
|---|------------|-------------------|------------|
| Agency Contact Person (Name and Title): | Area Code: | Telephone Number: | Extension: |
| Richard Perkins, Staff Analyst | 209 | 453-5055 | -0- |

| | |
|-------------------|----------------|
| Applicant (Name): | Project Title: |
| Fresno County | CU 2623 |

Project Description:

Modify a previously approved Conditional Use Permit to allow an increase in tonnage from 1,200 to 1,640 tons per day, with a peak daily load of 2,400 tons per day, on a 440-acre site located on the northwest corner of W. American Avenue and S. Humboldt Avenue Alignment in Fresno County

NOTE: Document is being re-recorded to amend project description. Original was recorded on 10/1/93

Justification for Negative Declaration:

Environmental Assessment No. 3986 indicates that dust impacts are addressed by application of water. There is no substantial evidence in the record to demonstrate that the project will have a significant effect on the environment. A Negative Declaration is recommended, subject to approval by the decision-making body. The Environmental Assessment is available for review at: 2220 Tulare Street, Ste. "A", Fresno, CA

FINDING:

The proposed project will not have a significant impact on the environment.

| | |
|------------------------------------|-----------------------|
| Newspaper and Date of Publication: | Review Date Deadline: |
| Fresno Business Journal - 8/20/93 | PC 9/9/93 |

| | | |
|---------|--|---------------------------|
| Date: | Type or Print Signature: | Submitted by (Signature): |
| 1/14/94 | Peter J. Harkins, Senior Staff Analyst | <u>Peter J. Harkins</u> |

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

FILED

De Minimis Impact Finding

JAN 28 1994

FRESNO COUNTY CLERK

Maria J. Balderas
Fresno County
DEPUTY

Project Title/Location (include county): EA 3986; CB 2623 Fresno County

Located at the northwest corner of W. American Avenue and S. Humboldt Avenue Alignment in Sections 32 & 33, Township 14 South, Range 17 East, Mount Diablo Base & Meridian, in Fresno County.

Project Description:

Modify existing CUP to allow an increase in the daily tonnage deliveries from 1,200 to 1,640 tons per day, with a peak daily load of 2,400 tons per day, at the American Landfill.

Findings of Exemption (attach as necessary):

An Environmental Assessment/Initial Study was conducted for this project. Project is limited to an increase in daily tonnage deliveries, no expansion of the existing facility boundary is proposed. Given the limited scope of the project, there will be no impact to wildlife resources.

NOTE: Document is being re-recorded to reflect amendment to project description on Negative Declaration. Original was recorded on 10/1/93.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

[Signature]

Title: Development Services Manager

Lead Agency: Fresno County

Date: 1/18/94



STATE OF CALIFORNIA-THE RESOURCES AGENCY
 DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFG 753.5a (6-91)

7414

Lead Agency: Fresno County Date: 10/01/1993
 County/State Agency of Filing: County of Fresno Document No.: E9310000329
 Project Title: CU 2623
 Project Applicant Name: Fresno County Phone Number: 453-5055
 Project Applicant Address: 2220 Tulare St. 6th Floor Fresno, CA 93721

Project Applicant (check appropriate box): Local Public Agency School District Other Special District
 State Agency Private Entity

CHECK APPLICABLE FEES:

- () Environmental Impact Report \$850.00 \$ _____
- () Negative Declaration \$1,250.00 \$ _____
- () Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$ _____
- () Projects Subject to Certified Regulatory Programs \$850.00 \$ _____
- () County Administrative Fee County Agency \$25.00 \$ _____
- () Project that is exempt from fees

TOTAL RECEIVED \$ _____

Signature and title of person receiving payment: *Anthony L. Vay*

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FASE THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY/STATE AGENCY OF FILING

| | |
|---|--|
| File original and one copy with: Fresno County Clerk Room 401, Courthouse 1100 Van Ness Fresno, California 93721 Mailing Address: P.O. Box 1628 Fresno, California 93717 | Space Below For County Clerk Only. <div style="text-align: center;"> <h1>FILED</h1> <p>OCT 01 1993</p> <p><i>Anthony L. Chavez</i> BY _____ FRESNO COUNTY CLERK DEPUTY</p> </div> <p>CLK-2046.00 E04-73 R00-00</p> |
|---|--|

| | | |
|-----------------------------|--|---|
| Agency File No.: EA 3986 | LOCAL AGENCY NEGATIVE DECLARATION | County Clerk File No.: E- 9310000329 |
|-----------------------------|--|---|

| | | | |
|---|--|-----------------|--------------------|
| 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): Richard Perkins, Staff Analyst | Area Code: 209 | Telephone Number: 453-5055 | Extension: -0- |
|---|-------------------|-------------------------------|-------------------|

| | |
|------------------------------------|---------------------------|
| Applicant (Name): Fresno County | Project Title: CU 2623 |
|------------------------------------|---------------------------|

Project Description:

Modify a previously approved Conditional Use Permit to allow an increase in tonage from 1,200 to 1,640 tons per-day on a 440-acre site located on the northwest corner of W. American Avenue and S. Humboldt Avenue alignment in Fresno County.

Justification for Negative Declaration:

Environmental Assessment No. 3986 indicates that dust impacts are addressed by application of water. There is no substantial evidence in the record to demonstrate that the project will have a significant effect on the environment. A Negative Declaration is recommended, subject to approval by the decision-making body. The Environmental Assessment is available for review at: 2220 Tulare Street, Ste. "A", Fresno, CA.

FINDING:

The proposed project will not have a significant impact on the environment.

| | |
|---|------------------------------------|
| Newspaper and Date of Publication: Fresno Business Journal - 8-20-93 | Review Date Deadline: PC 9-9-93 |
|---|------------------------------------|

| | | |
|------------------|--|--|
| Date: 8-27-93 | Type or Print Signature: Peter J. Harkins, Senior Staff Analyst | Submitted by (Signature): <i>Peter J. Harkins</i> |
|------------------|--|--|

DATE: December 22, 1999

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 11472 – ENVIRONMENTAL IMPACT REPORT NO. 4341, UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 2804

APPLICANT: Fresno County

REQUEST: Modify Unclassified Conditional Use Permit No. 2623 to allow an increase in the average daily deliveries from 1,640 tons to 2,200 tons and the peak daily tonnage to 3,600 tons for the American Avenue Landfill on a 440-acre parcel of land in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) District.

LOCATION: On the north side of American Avenue between the S. Plumas and S. Humboldt Avenue alignments. (18950 W. American Avenue) (APN 020-052-04ST, 05ST, 09ST, 013ST, 020-210-26ST, 27ST, 34ST and 35ST) (Sup. Dist. 1).

PLANNING COMMISSION ACTION:

At its hearing of November 18, 1999, the Commission considered the staff report and testimony (summarized on Exhibit "A").

Five separate motions were then made by the Commission regarding Final Supplemental Environmental Impact Report No. 4341 and Unclassified Conditional Use Permit Application No. 2804 as follows:

Motion 1:

A motion was made by Commissioner Laub and seconded by Commissioner Peters to:

1. Certify the Final Supplemental Environmental Impact Report and adopt findings and statements pursuant to the California Environmental Quality Act as stated below:

The Final Supplemental Environmental Impact Report for the American Avenue Landfill Project has been completed in compliance with CEQA pursuant to Section 15090 of the California Environmental Quality Act Guidelines.

- The Planning Commission has reviewed and considered the information contained in the Final SEIR prior to approving the project.
- The Final SEIR reflects the County's independent analysis and sets forth an adequate range of alternatives to this project.

This motion passed on the following vote:

VOTING: **Yes:** Commissioners Johnson, King, Laub, Moore, Molen, Peters.
 No: None.
 Absent: Commissioners Eaton, Tokmakian, Wilcox.

Motion 2:

A motion was then made by Commissioner Laub and seconded by Commissioner Moore to:

2. Move to adopt findings, pursuant to Section 15091 of the CEQA Guidelines, for the two potentially significant environmental effects identified in the Final SEIR for the American Avenue Landfill Project. The administrative record includes evidence and logical steps used in making these findings.

A. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final SEIR for the potentially significant impact which has been reduced to a less-than-significant level:

AIR

The proposed project will create PM-10 impacts with the operation of on-site equipment.

B. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final SEIR.

AIR

The proposed project will create Nitrous Oxide impacts with the operation of on-site equipment.

This motion passed on the following vote:

VOTING: Yes: Commissioners Johnson, King, Laub, Moore, Molen, Peters.
No: None.
Absent: Commissioners Eaton, Tokmakian, Wilcox.

Motion 3:

A motion was then made by Commissioner Moore and seconded by Commissioner Peters to:

3. Move to adopt a statement of overriding considerations for the one significant and unavoidable impact. The overriding consideration is the financial and beneficial effects of the project for the citizens of Fresno County.

AIR

The project will create Nitrous Oxide impacts with the operation of on-site equipment.

This motion passed on the following vote:

VOTING: Yes: Commissioners Johnson, King, Laub, Moore, Molen, Peters.
No: None.
Absent: Commissioners Eaton, Tokmakian, Wilcox.

Motion 4:

A motion was then made by Commissioner Peters and seconded by Commissioner Moore to:

4. Move to adopt the Mitigation Monitoring and Reporting Plan for the American Avenue Landfill Project as set forth in Exhibit "B".

This motion passed on the following vote:

VOTING: Yes: Commissioners Johnson, King, Laub, Moore, Molen, Peters.

No: None.

Absent: Commissioners Eaton, Tokmakian, Wilcox.

Motion 5:

A motion was then made by Commissioner Moore and seconded by Commissioner Laub to:

5. Move to adopt findings for Unclassified Conditional Use Permit No. 2804 as stated in the Staff Report with conditions of approval (Exhibit "C").

This motion passed on the following vote:

VOTING: Yes: Commissioners Johnson, King, Laub, Moore, Molen, Peters.

No: None.

Absent: Commissioners Eaton, Tokmakian, Wilcox.

CAROLINA JIMENEZ-HOGG, Director
Planning & Resource Management Department
Secretary-Fresno County Planning Commission

By Leona S. James
Leona Franke James, Division Manager
Development Services Division

- NOTES:**
1. The Planning Commission action is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.
 2. The approval of this project will expire two years from the date of approval unless 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 Planning & Resource Management Department prior to the expiration of the conditional use permit.

EXHIBIT "A"

Staff: The Fresno County Planning Commission accepted the Staff Report dated November 18, 1999, including modifications presented by staff.

Applicant: A representative of Fresno County Planning & Resources Management Department, Resources Division, presented testimony in support of the project as summarized below:

- The Coalinga and American Avenue Landfill sites are both regional landfill sites and are operated by Fresno County.
- We agree with staff's findings and the recommendation mitigation measures.
- The current application seeks increases in the allowable daily deliveries.
- There will be no change to the size or height of the American Avenue Landfill site.
- There will not be any change in operations.
- Approximately 87 percent of waste generated within the County comes to this site.
- The landfill operates in compliance with the Solid Waste Facilities Permit, the conditions imposed by earlier Conditional Use Permits and all State and Federal laws governing the operation of solid waste landfills.
- The previous Conditional Use Permit estimated that the landfill had a life expectancy of approximately 30 more years.
- The landfill has received more waste than expected.
- Technology has improved to allow for more efficient use of the landfill, including greater compaction of the waste.
- With the improvements to the technology, the life expectancy of the landfill is still 30 more years.

Resource Recovery Programs will extend the life of the landfill.

- **State Law AB-989 requires a 50 percent diversion of waste by the end of the year 2000. This will further extend the life of the landfill.**
- **Fresno County anticipates that future waste levels will stay constant or decrease with more diversion and recycling of waste.**

American Avenue Landfill Administrative Final Supplemental Environmental Impact Report

Mitigation Monitoring Program County of Fresno

July
99

TPG
Consulting
CORPORATE

Visalia Office
711 N. COURT STREET, SUITE J
Visalia, California 93291
Telephone 559.739.8072
Fax 559.732.3089

FRESNO OFFICE
8405 N. FRESNO STREET, SUITE 300
FRESNO, CALIFORNIA 93720
Telephone 559.439.4881
Fax 559.438.7554
Email tpg@theworks.com

FINAL
SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT

MITIGATION MONITORING PROGRAM

AMERICAN AVENUE LANDFILL
COUNTY OF FRESNO

STATE CLEARINGHOUSE NUMBER: 98091036

SUBMITTED

July, 1999

Prepared For:

County of Fresno
2220 Tulare Street, Sixth Floor
Fresno, CA 93721
(559) 262-4853
Attn: Joanne Striebich, Staff Analyst

Prepared By:

TPG Consulting, Inc.
8405 N. Fresno Street, Suite 300
Fresno, California 93720
(559) 439-4881
Attn: Charles Clouse, Principal

MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program was developed in response to Assembly Bill (AB) 3180 (Section 21081.6 of the Public resources code), effective January 1, 1989. Its purpose is to ensure that proposed mitigation measures included in environmental documentation will extend beyond the pages of the document, and are implemented to reduce or eliminate significant detrimental project-related impacts to the environment. This program implements the mitigation measures outlined in the Supplemental Draft EIR and the Final EIR for the American Avenue Landfill, State Clearinghouse No. 98091036.

The following mitigation and control measures are identified in the Draft Supplemental EIR prepared for the American Avenue Landfill. The following outlines responsibility for the identified mitigation and control measures. It should be noted that the control measures identified for air quality impacts are not mandatory and are suggested measures which the applicant should comply with.

*American Avenue Landfill - COUNTY OF FRESNO
MITIGATION MONITORING PROGRAM*

| RESOURCE | TIMING | MITIGATION AND CONTROL MEASURES | RESPONSIBLE AGENCY |
|-------------|---|---|--|
| Air Quality | Throughout remaining landfill operation. When on-site equipment purchased. | 1. The applicant shall purchase the cleanest diesel engines available for on-site equipment and/or convert all on-site diesel equipment to alternative fuels. | County of Fresno - Public Works & Development Services Department |
| | Throughout remaining landfill operation. Daily operation. | 2. The applicant shall effectively stabilize dust emissions using water, chemical stabilizer/ suppressant, or vegetative ground cover on all disturbed areas, including storage piles, which are not being actively utilized for landfill purposes. | |
| | Throughout remaining landfill operation. Daily operation. | 3. The applicant shall effectively stabilize dust emissions using water or chemical stabilizer/suppressant on all on-site unpaved roads. | |
| | Throughout remaining landfill operation. Daily operation. | 4. The applicant shall effectively control fugitive dust emissions utilizing application of water or by presoaking for all land clearing, grubbing, scraping, excavation, land leveling, grading, and cut & fill activities. | |

*American Avenue Landfill - COUNTY OF FRESNO
MITIGATION MONITORING PROGRAM*

| RESOURCE | TIMING | MITIGATION AND CONTROL MEASURES | RESPONSIBLE AGENCY |
|--|--|---|--------------------|
| Throughout remaining landfill operation. Daily operation. | Throughout remaining landfill operation. Daily operation. | 5. The applicant shall limit all operations or expeditiously remove the accumulation of mud or dirt from on-site paved roads and adjacent public streets at least once every 24 hours when operations are occurring. <i>(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.)</i> | |
| Throughout remaining landfill operation. | Throughout remaining landfill operation. Daily operation. | 6. The applicant shall limit traffic speeds on unpaved roads to 15 mph. | |
| Throughout remaining landfill operation. Daily operation. | Throughout remaining landfill operation. | 7. The applicant shall ensure that landfill roads connected to off-site adjacent paved public roads are paved for a sufficient distance to allow mud and dirt accumulation to drop off. | |
| Throughout remaining landfill operation. Daily operation. | Throughout remaining landfill operation. Daily operation. | 8. The applicant shall install wind breaks at windward side(s) of the Landfill. | |
| Throughout remaining landfill operation. Daily operation. | Throughout remaining landfill operation. Daily operation. | 9. The applicant shall suspend excavation and grading activity when winds exceed 20 miles per hour (mph). | |

American Avenue Landfill - COUNTY OF FRESNO
MITIGATION MONITORING PROGRAM

| RESOURCE | TIMING | MITIGATION AND CONTROL MEASURES | RESPONSIBLE AGENCY |
|----------|--|--|--------------------|
| | Throughout remaining landfill operation. Daily operation. | 10. The applicant shall limit area subject to excavation, grading, and other activities at any one time. | |
| | Throughout remaining landfill operation. Daily operation. | 11. The applicant shall effectively stabilize fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant after the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, or said piles. | |
| | Throughout remaining landfill operation. | 12. The applicant shall comply with SJVUAPCD Rule 4642 - Solid Waste Disposal Sites. | |
| | Throughout remaining landfill operation. | 13. The applicant shall comply with SJVUAPCD Rule 2201 - New Source Review. | |
| | Throughout remaining landfill operation. | 14. The applicant shall comply with SJVUAPCD Rule 2520 - Supplemental Requirements for Federally Mandated Operating Permits. | |

EXHIBIT "C"

Conditions of Approval
Unclassified Conditional Use Permit Application No. 2804

1. The use shall be operated in substantial conformance with the operational statement approved by the Planning Commission.
2. Conditions of Unclassified Conditional Use Permit Nos. 953, 1665, 2416 and 2623 shall remain in full force and effect.
3. All mitigation measures listed in the Mitigation Monitoring and Reporting Program shall be complied with.



11472

**AGENDA ITEM NO. 2
STAFF REPORT
TO
THE FRESNO COUNTY PLANNING COMMISSION
Environmental Impact Report No. 4341
Unclassified Conditional Use Permit Application No. 2804
November 18, 1999**

Applicant: Fresno County

Request: Modify Unclassified Conditional Use Permit No. 2623 to allow an increase in the average daily deliveries from 1,640 tons to 2,200 tons and the peak daily tonnage to 3,600 tons for the American Avenue Landfill.

Location: The north side of American Avenue between the S. Plumas and S. Humboldt Avenue alignments, approximately five miles southwest of the City of Kerman (18950 W. American Avenue) (APN 020-052-04ST, 05ST, 09ST, 013ST, portion of 020-210-26ST, 27ST, 34ST and 35ST).

Present Zoning: AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) District.

A. AREA, EXISTING LAND USE, SURROUNDING ZONING, AND PUBLIC NOTICING

1. **Approximate Area:** 440 acres
2. **Use of Subject Property:** American Avenue Landfill.
3. **Use of Surrounding Area:** Agriculture, Rural Homesites (see Existing Land Use Map, Exhibit 1).
4. **Surrounding Zoning:** AE-20 (See Existing Zone Map, Exhibit 2)
5. **City Limits:** The City of Kerman is located approximately five miles northeast of the subject property.
6. **Noticing:** Notices were sent to 31 property owners within one-quarter mile of the subject property.

B. BACKGROUND

Conditional Use Permit No. 953 was approved in 1971 authorizing a solid waste disposal operation on a 20 acre portion of the project site. The site was expanded an additional ten acres in 1979, through the approval of Conditional Use Permit No. 1665. On March 28, 1985, Conditional Use Permit No. 2416 was approved on the subject parcel which allowed the expansion of the landfill from a 30-acre landfill to a 440 acre regional non-hazardous sanitary landfill. An Environmental Impact Report (SCH # 84050705) was prepared for this expansion. The most recent Conditional Use Permit (CUP 2623) was approved on July 12, 1993, to allow an increase in the average daily deliveries from 1,200 tons to 1,640 tons and peak daily tonnage to 2,400 tons for the American Avenue Landfill.

Although approval of the most recent CUP authorized increases in the average daily deliveries and peak daily tonnage, the existing Solid Waste Facilities Permit (SWFP) was not revised to reflect the increase. As a result, the Fresno County Department of Community Health, Environmental Health System, acting as the Local Enforcement Agency, has issued a Notice and Order requiring the Planning & Resource Management Department to submit a revised SWFP application.

Under this request, the applicant is proposing to modify the previously approved Conditional Use Permit to allow an increase in the average daily deliveries from 1,640 tons to 2,200 tons and the peak daily tonnage to 3,600 tons. A supplement to the previous Environmental Impact Report (1985) has been prepared to address the potential environmental impacts of this increase.

C. OPERATIONAL STATEMENT

The Operational Statement submitted by the applicant is included as Exhibit 3.

D. SITE PLAN

The site plan (Exhibit 4) submitted by the applicant shows the subject 440 acre landfill located on the north side of American Avenue, which was previously approved under Conditional Use Permit No. 2623.

E. ENVIRONMENTAL ANALYSIS

A Supplemental Environmental Impact Report (SEIR) was prepared for this project. The SEIR is a supplement to the EIR certified in 1985 (SCH # 84050705). The SEIR was prepared by a consultant in conformance with California Environmental Quality Act (CEQA) Guidelines and County-adopted policies and procedures.

The SEIR is appended to this staff report by reference. Copies of the Final

SEIR, including the Draft SEIR, Responses to Comments and Draft Mitigation Monitoring and Reporting Program, were provided to the Commission as Advance Agenda Material on October 21, 1999.

A summary of the project and associated impacts addressed by the SEIR is attached as Exhibit 5. Environmental impacts in the following areas were found to be potentially significant: traffic/circulation, air quality and noise. Although the SEIR determined that the implementation of recommended mitigation measures could reduce a number of potential impacts to a level of insignificance, other impacts could not be mitigated to such a level. Exhibit 5 identifies those impacts that were determined to be Significant Unavoidable Impacts and summarizes the evaluation of three alternatives to the project. The Mitigation Monitoring and Reporting Program is attached as Exhibit 6 and includes the mitigation measures set out in the FSEIR that resulted in a "less-than-significant" finding.

Certification of the SEIR will require adoption of findings and for those impacts that cannot be mitigated to a level of insignificance, a statement of overriding considerations pursuant to Section 15093 of the CEQA Guidelines.

F. STAFF ANALYSIS/RECOMMENDED FINDINGS OF FACT

A Conditional Use Permit Application may be approved only if the four findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The following analysis addresses each of the required findings:

Finding 1: *That the site for 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 the Zoning Ordinance, to adjust said use with land and uses in the neighborhood.*

The subject parcel is 440 acres in size, with most of the site consisting of landfill area. Under this request, the applicant is proposing an increase in the allowed average daily deliveries from 1,640 tons to 2,200 tons per day and the peak daily tonnage to 3,600 tons. The applicant is not requesting an expansion of the landfill. The subject parcel should continue to be adequate to accommodate this use.

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

Access to the subject parcel is from W. American Avenue. The majority of the traffic traveling to the site will be coming from the Fresno-Clovis Metropolitan area and it is expected that the trucks will use the preferred route of Jensen and State Route 145 (Madera Avenue) to reach American Avenue. American and Jensen Avenues are both classified as Arterial roads in the Transportation Element of the General Plan. State Route 145 (Madera Avenue) is designated

as an Expressway in the Transportation Element of the General Plan.

Under this request, the applicant is proposing an increase in the allowed average daily deliveries from 1,640 tons to 2,200 tons and the peak daily tonnage to 3,600 tons. According to the operational statement submitted by the applicant, from January 1998, through July 1998, approximately 1,700 tons per day were deposited in the landfill. Peak daily rates exceeded 2,200 tons 57 times, including 20 days that exceeded 2,400 tons and four days that exceeded 2,600 tons. The high peak of 2,818 tons was established on November 28, 1997. For the period of January through August 1998 an average of 201 vehicles per day made waste deliveries to the landfill. The highest recorded day totaled 297 waste deliveries (August 11, 1998). Increase in landfill activities with the increase in daily deliveries is estimated to generate a total of 450-vehicles per day.

The traffic study conducted as part of the SEIR indicated that all intersections currently operate at or above the adopted Level of Service "C" standard. Left-turn pocket warrant analysis showed that none of the analyzed approaches require left-turn pockets. With the proposed delivery rate increase added to the existing volumes, all intersections are projected to continue to operate at or above the Level of Service "C" standard. In the year 2020 with the proposed delivery rate increase, all intersections will operate at or above the adopted standards. Again, all approaches analyzed for left-turn pockets showed that none would be required in the year 2020 with proposed delivery rate increase conditions.

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

The subject parcel is located in a mixed agricultural and rural residential area with surrounding parcels ranging in size from 1.25 acres to 483 acres. Most of the smaller parcels are developed with a residence or are vacant and the larger parcels are in agricultural use.

The American Avenue Landfill is operated by Fresno County and is classified as a Class III facility and is authorized to accept non-hazardous solid wastes and inert solids, which include municipal solid waste, agricultural waste, construction and demolition waste, inert materials, dead small domestic animals, shredded tires, treated medical waste, and non-friable asbestos.

The landfill is designated in the County General Plan as a regional facility. It consists of three fill areas (I, II, III), which encompass 440 acres. Solid waste is no longer being deposited in Fill Area I (30 acres). Fill Area II is divided into eight modules, totaling 160 acres. Total space devoted to modules is somewhat less in order to provide for buffer and access areas. Modules 1-4 have been constructed and solid waste is currently being deposited in this area. Modules 5 and 6 will begin accepting waste in December 1999. Module 7 should be completed during the month of November 1999 and accepting waste in the

spring of 2001. Module 8 is tentatively scheduled to be constructed during the summer of 2001. Fill Area III will be comprised of approximately 250 acres divided into 14 modules. Construction in this area is not scheduled to begin until approximately 2005. The projected life of the landfill is approximately 30 to 32 years. The authorized hours and days of operation for the landfill facility are seven days a week from 6:00 a.m. to 6:00 p.m. daily and currently there are thirteen full time and four extra help employees. With the proposed increase in daily deliveries, five additional employees will be added.

The previous Conditional Use Permit (CUP 2623) authorized 1,640 tons of solid waste per day to be delivered to the landfill with a peak daily tonnage of 2,400 tons. However, according to the operational statement submitted by the applicant, in January 1998 through July 1998, the facility received an average daily delivery of approximately 1,700 tons. Peak daily rates exceeded 2,200 tons 57 times, including 20 days that exceeded 2,400 tons and four days that exceeded 2,600 tons. The high peak of 2,818 tons was established on November 28, 1997. Planning & Resource Management Department staff project that despite Assembly Bill ("AB") 939 diversion practices, average daily deliveries will at least hold steady and may even increase 5% per year based on current waste sources. If additional waste sources (such as Madera and Kings Counties) begin delivering to the landfill, the proposed permitted average daily rate of 2,200 may be exceeded in as little as two to three years. AB 939 required each city and county in California to divert 25 percent of its solid waste from landfill disposal by 1995, increasing to 50 percent by the year 2000. These diversion goals could be achieved by various methods, including source reduction, recycling, and composting. However, due to the increased waste volumes resulting from the closure of other landfills, regional facilities such as the American Avenue Landfill expect to continue to see an increase in waste received.

The current proposal amounts to an increase in the fill-rate of the landfill. The proposed increase in solid waste disposal to the site will result in additional traffic and may increase litter and noise impacts on surrounding parcels. The SEIR recommended specific mitigation measures to reduce these impacts. These conditions require, in part, that the cleanest available diesel engines be purchased for on-site equipment and/or convert all on-site diesel equipment to alternative fuels, that dust emissions be stabilized, windbreaks be installed at the windward side(s) of the landfill, and that excavation and grading be suspended when winds exceed 20 miles per hour. As indicated in Finding 2, the traffic impact study indicated that the roads serving the site are adequate to accommodate the additional traffic that will be generated by this use. The Mitigation Monitoring and Reporting Program is attached as Exhibit 6.

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

The subject parcel is designated Agriculture in the General Plan. The American Avenue Landfill is also designated in the Solid Waste Facility Policy of the

General Plan as the regional landfill to serve the incorporated and unincorporated areas of the County. The plan does not permit any new municipal solid waste landfills. It was determined under the previous Conditional Use Permit that this use is consistent with the General Plan. Based on the fact that this proposal will not result in a change in the use, but an operational change, this proposal can be considered consistent with the General Plan.

G. STAFF RECOMMENDATION

Staff believes the required findings can be made and therefore recommends approval of Unclassified Conditional Use Permit Application No. 2804, subject to the following conditions:

1. The use shall be operated in substantial conformance with the operational statement approved by the Planning Commission.
2. Conditions of Unclassified Conditional Use Permits Nos. 953, 1665, 2416 and 2623 shall remain in full force and effect.
3. All mitigation measures listed in the Mitigation Monitoring and Reporting Program (Exhibit 6 of this Staff Report) shall be complied with.

CEQA Action

Compliance with CEQA is a prerequisite for any action on the project. The basic requirements are that the Planning Commission must certify that the SEIR has been completed in compliance with CEQA Guidelines Section 15090, and must articulate the factors that should be included in the findings and statement of overriding considerations required by CEQA pursuant to CEQA Sections 15091 and 15093.

The specific actions and suggested motions are outlined below:

If the Commission determines that it can not certify that the SEIR has been prepared in compliance with CEQA, the Commission can take no action on the project until it can find that: (1) the final SEIR has been completed in compliance with CEQA, (2) the final SEIR has been reviewed and considered by the Commission, and (3) the final SEIR represents the County's independent judgement and analysis and sets forth an adequate range of alternatives to this project.

Legal standard for evaluating a SEIR

To evaluate the SEIR, the Commission should consider whether the SEIR was prepared with a sufficient degree of analysis to provide the Commission with information which enables it to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be

exhaustive, but the sufficiency of an SEIR should be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an SEIR inadequate, but the SEIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure. (CEQA Guidelines, section 15151.)

Planning Commission Action

If the Planning Commission believes the SEIR has been completed in compliance with CEQA, the following steps/action are necessary:

The Commission's first step will be the certification of the final SEIR as referenced above.

The second step in the CEQA portion of the Commission's action is the adoption of findings pursuant to Section 15091 of the CEQA Guidelines. There are three findings that would be appropriate to this project because there are two (2) potentially significant impacts. One of these potentially significant impacts can be reduced to a less-than-significant level through mitigation. One impact remains a significant and unavoidable impact. These impacts are summarized in Table 2 of Volume 1 of the final SEIR. A copy of the table was also included in the Staff Report as Exhibit 5.

The one remaining significant unavoidable impact is:

AIR (1)

- The proposed project will create Nitrous Oxide impacts with the operation of on-site equipment.

The third step will be the adoption of a Statement of Overriding Considerations relative to the significant unavoidable impact. The Commission will be asked to identify the specific considerations. The Commission may require changes to the project which will reduce the impact for which this Statement must be made.

The fourth and final step in the CEQA portion of the Commission's action would be the adoption of the Mitigation Monitoring and Reporting Plan. Adoption of this plan will set in place the provisions to assure that mitigation measures for the project are carried out.

Project Action

Once the Commission has completed its CEQA actions it may proceed with action on the project. The project application is for approval of the Unclassified Conditional Use Permit. Any action to approve the project will

require CUP findings. Three conditions of approval are recommended for the project as set forth in the Staff Report.

Motion Alternatives

1a. Move to certify that:

- The Final Supplemental Environmental Impact Report for the American Avenue Landfill Project has been completed in compliance with CEQA pursuant to Section 15090 of the California Environmental Quality Act Guidelines.
- The Planning Commission has reviewed and considered the information contained in the final SEIR prior to approving the project.
- The final SEIR reflects the County's independent analysis and judgement and sets forth an adequate range of alternatives to this project.

OR

1b. Move to determine that additional information is required to make the FSEIR for the American Avenue Landfill Project a complete document. (Specify the information that is needed.) Direct that the revised section of the SEIR be recirculated and that notice of hearing be provided when the review and response to comments is completed.

2. Move to adopt findings, pursuant to Section 15091 of the CEQA Guidelines, for the one potentially significant environmental effect identified in the FSEIR for the American Avenue Landfill Project. This impact is set forth in Table 2 of Exhibit 5 of the Staff Report. The administrative record includes evidence and logical steps used in making these findings.

- A. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final SEIR. One of the two potentially significant impacts has been reduced to a less-than-significant level through mitigation measures. The other impact is substantially lessened through mitigation but remains significant and unavoidable. The potentially significant impact which have been reduced to a less-than-significant level is:

AIR

The proposed project will create PM-10 impacts with the operation on on-site equipment.

- B. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final SEIR.
- 3. Move to adopt a statement of overriding considerations for the one significant and significant-unavoidable impact. *(Specify the consideration for the impacts listed below. Note: the Commission may require changes to the project which would modify this findings.)*

AIR

- 1. The project will create Nitrous Oxide impacts with the operation of on-site equipment.
- 4. Move to adopt the Mitigation Monitoring and Reporting Plan for the American Avenue Landfill Project as set forth in Exhibit 6.
- 5a. Move to adopt findings for Unclassified Conditional Use Permit No. 2804 as stated in the Staff Report.

OR

- 5b. Move to deny Unclassified Conditional Use Permit Application No. 2804 for the American Avenue Landfill Project because the project will have significant environmental impacts that can not be fully mitigated and it would create a burden on the area which are not outweighed by social and economic benefits. *(Specify the impacts/areas of concerns).*

OR

- 5c. Move to require changes to be made in the project to reduce or avoid significant environmental effects. *(Under this alternative the Commission may either define the details of the changes and incorporate them into a approval motion (Refer to Motion 5a.) or identify the areas change and continue the matter to allow details of the changes to be worked out.)*

NOTES:

The following notes reference various mandatory requirements of Fresno County or other agencies and are provided as information to the project applicant.

- 1. A revised Solid Waste Facilities Permit shall be submitted to the Fresno County Department of Community Health, Environmental Health System. Contact the Environmental Health System, Waste Management at (559) 445-3271.
- 2. The proposed project will be subject to the adopted rules of the San Joaquin Valley Unified Air Pollution Control District.

EXISTING ZONING MAP

CUP 2804
TRS 14/17 - 32 & 33



AL20
KERRMAN
AE20

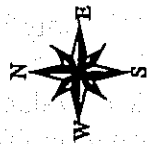
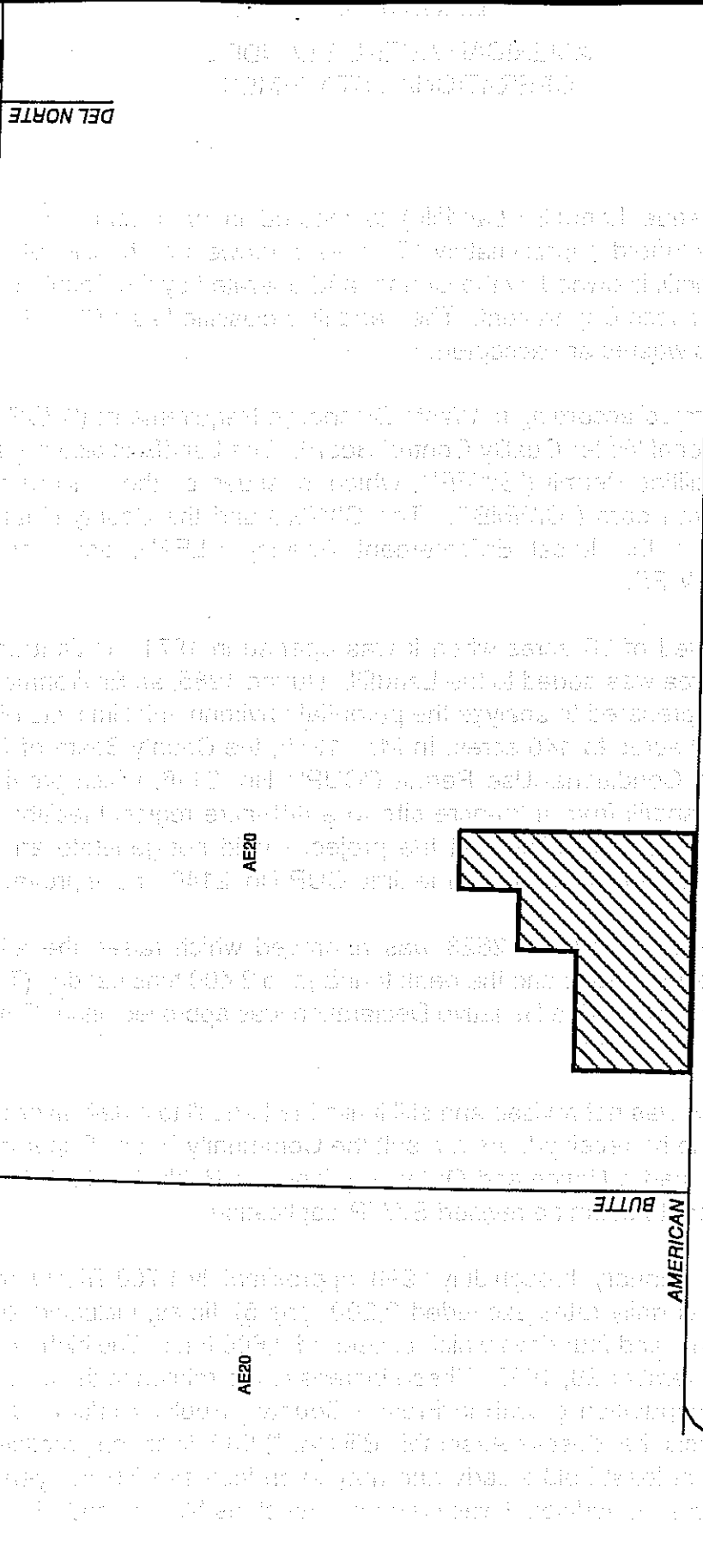
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AMERICAN AVENUE LANDFILL
OPERATIONAL STATEMENT

OCT 14 1998

COUNTY OF FRESNO
PUBLIC WORKS & DEVELOPMENT SERVICES DEPARTMENTINTRODUCTION

The American Avenue Landfill ("Landfill") is located in rural central Fresno County ("County") and is situated approximately 17 miles southwest of the City of Fresno (see Figure 1). The Landfill is owned by the County and operated by the County Public Works & Development Services Department. The Landfill is classified as a Class III facility, and only nonhazardous wastes are accepted.

The Landfill is operated according to Waste Discharge Requirements ("WDR") issued by the California Regional Water Quality Control Board. The Landfill is also operated under a Solid Waste Facilities Permit ("SWFP"), which is issued by the California Integrated Waste Management Board ("CIWMB"). The CIWMB and the County Health Services Agency, serving as the Local Enforcement Agency ("LEA"), are responsible for administering the SWFP.

The Landfill consisted of 20 acres when it was opened in 1971. In January 1980, an adjacent 10-acre area was added to the Landfill. During 1985, an Environmental Impact Report ("EIR") was prepared to analyze the potential environmental impacts of expanding the Landfill from 30 acres to 440 acres. In May 1985, the County Board of Supervisors ("Board") approved Conditional Use Permit ("CUP") No. 2146, which provided for the expansion of the Landfill from a 30-acre site to a 440-acre regional facility. The Board certified the Final EIR, concluding that the project would not generate any significant unavoidable adverse impacts, at the same time CUP No. 2146 was approved.

In September of 1993, CUP No. 2623 was approved which raised the allowed daily average tonnage to 1,640 tons and the peak tonnage to 2,400 tons per day (TPD). When CUP No. 2623 was approved, a Negative Declaration was approved under Environmental Assessment ("EA") No. 3986.

However, the SWFP was not revised and still limits the Landfill to a daily average of 1,200 tons of solid waste to be received. As a result the Community Health Department, acting as the LEA, has issued a Notice and Order requiring the Public Works & Development Services Department to submit a revised SWFP application.

During the period of January through July 1998, approximately 1,700 TPD were deposited in the Landfill. Peak daily rates exceeded 2,200 tons 57 times, including 20 days that exceeded 2,400 tons, and four days which exceeded 2,600 tons. The high peak of 2,818 tons was set on November 28, 1997. These increases are related to the closure of other area landfills and population growth in Fresno County. Public Works & Development Services staff projects that despite Assembly Bill ("AB") 939 diversion practices, average daily tonnages will at least hold steady and may even increase 5% per year based on current waste sources. If additional waste sources (such as Madera and Kings Counties)

begin delivering to the Landfill, the proposed permitted average daily rate of 2,200 may be exceeded in as little as two to three years.

AB 939 required each city and county in California to divert 25 percent of its solid waste from landfill disposal by 1995, increasing to 50 percent by the year 2000. These diversion goals could be achieved by various methods, including source reduction, recycling, and composting. However, due to the increased waste volumes resulting from the closure of other landfills, regional facilities such as the American Avenue Landfill expect to continue to see an increase in waste received.

PROJECT DESCRIPTION

The project is to increase the average daily load from the permitted average daily tonnage of 1,200 tons to 2,200 tons. The increase in the average daily tonnage is primarily due to the closure of the City of Fresno, BFI Chateau Fresno and BFI Chestnut Avenue Landfills.

Public Works & Development Services Department staff anticipates that, on a limited basis, peak daily loads may be as high as 3,600 tons. These peak daily loads may take place, for example, when there is no solid waste pick up during a holiday period. If this should occur, the associated backlog of solid waste would result in a higher than normal delivery of solid waste during the following week.

Therefore, a revised SWFP will be submitted to increase the average daily tonnage to 2,200 TPD and increase the peak daily load to 3,600 tons. In addition, the CUP must be revised to reflect the same tonnages. As part of the process to make these changes, the associated environmental impacts need to be addressed. A Supplemental Environmental Impact Report (SEIR) will be completed analyzing the environmental effects related to traffic/circulation, air quality, and noise as a result of the proposed increases in daily landfill tonnages. Data and related findings generated through this SEIR will be included with the County's SWFP application.

EXISTING CONDITIONS/OPERATIONAL CHANGES

The following sections present information on existing conditions and projected operational changes associated with the delivery of increased tonnages at the Landfill. Additional permitting and environmental information is contained in the prepared Report of Disposal Site Information, Periodic Site Review, and Preliminary Closure and Post Closure Maintenance Plan. These documents are on file in the Public Works & Development Services Department, Resources Division and with the LEA and the CIWMB.

1. Nature of the Operation

Existing Conditions

The Landfill is classified as a Class III facility and regulations authorize the disposal of nonhazardous solid wastes and inert solids. Such materials include municipal solid waste,

agricultural waste, construction and demolition waste, inert materials, dead small domestic animals, shredded tires, treated medical waste, and non-friable asbestos.

The land uses in the vicinity of the Landfill are rural and agricultural in character.

The Landfill is designated in the County General Plan as a regional facility. It consists of three fill areas (I, II, and III), which encompass 440 acres. Solid waste is no longer being deposited in Fill Area I (30 acres). Fill Area II is divided into eight modules, totaling 160 acres. Modules 1-4 have been constructed and solid waste is currently being deposited in this area. Modules 5 and 6 are scheduled for completion by December 1998 and will begin accepting waste within the next 12 to 18 months. Fill Area III will be comprised of approximately 250 acres divided into 14 modules. Construction in this area is not scheduled to begin until approximately 2005.

The Landfill is operated using the area fill method. Waste is placed in lifts and at the end of each day, a six-inch layer of soil is placed as a cover over the waste.

Projected Changes

The proposed increased tonnage acceptance rates will not change the basic operations of the Landfill. The permitted size and overall plan for the Landfill will not change. For that reason, much of the environmental analysis performed in 1984 is still adequate.

There will be an increase in vehicular trips to and from the Landfill associated with the increased disposal rates. Also, additional pieces of heavy equipment will be needed to handle the increased amounts of waste. These changes may impact the environment in the areas of traffic/circulation, air quality, and noise. These areas will be analyzed in the SEIR.

2. Times of Operation

Existing Conditions

The Landfill is open 362 days a year. It is closed on Thanksgiving Day, Christmas Day, and New Years Day. The maximum operating hours are from 6:00 A.M. to 6:00 P.M. daily. Monday through Friday, one equipment operator arrives at 6:30 A.M. to prepare the site for receiving waste. Additional employees report to work at 7:00 A.M. and 8:30 A.M. Waste deliveries begin at 7:00 A.M. and continue until 4:00 P.M. Normally, all equipment operations are completed by 5:00 P.M. On Saturday and Sunday, lower amounts of waste are received and the employee schedules are reduced. There are no seasonal changes or special activities affecting operating hours.

Projected Changes

The increased daily tonnages will not result in a change in operating hours. Additional

employees will be added to the schedule as needed to meet the additional workload. The increase in employees will be discussed in a later paragraph.

3. Number of Vehicle Trips/Deliveries to the Landfill

Existing Conditions

All information/data presented in this operations statement is based on a seven-day week and a 30-day month. For the period of January through August 1998, an average of 201 vehicles per day made waste deliveries to the Landfill. The highest recorded day totaled 297 waste deliveries (August 11, 1998). All waste deliveries are made between the hours of 7:00 A.M. and 4:00 P.M.

Monday through Friday, 13 employees are assigned to the site. On Saturday, there are six employees, while Sunday there are only two. Other Public Works and Development Services and/or County of Fresno personnel may enter the site daily, accounting for approximately five trips per day.

Other miscellaneous delivery and service vehicles account for five trips per day.

When construction activities for new modules are taking place, there may be as many as 50 additional trips per day. Construction is usually scheduled for 90 working days between the months of May and October.

Projected Changes

For the purpose of environmental impact, increases in Landfill activities will reflect the maximum, peak daily tonnage rate of 3600 TPD. It is estimated that 450 vehicles per day would make waste deliveries at this rate. The new scale facility completed in 1998 is adequate to handle this rate without an increase in operating hours.

Five additional employees would be added, four on the Monday through Friday shift, and one on a Tuesday through Saturday shift.

Miscellaneous delivery/service and other traffic to the site should not increase.

4. Number of Employees

Existing Conditions

A Senior Engineer manages all County landfill operations with a staff consisting of a Staff Analyst, an Account Clerk, a Senior Engineering Technician, and two Engineering Technicians.

Presently, there are 13 full time and four extra help employees assigned directly to the

Landfill. These positions include a Disposal Site Supervisor, a Disposal Site Lead Supervisor, 11 Equipment Operators, and four Disposal Site Attendants.

Starting times are staggered for employees to provide maximum coverage during the busiest hours of the day (8:30 A.M. to 3:30 P.M.). No employees live on site.

Projected Changes

At a peak daily rate of 3600 TPD, five additional employees would be hired. Four Equipment Operators would be added to the Monday through Friday schedule and one more Disposal Site Attendant would be added on a Tuesday through Saturday schedule. These schedule changes could be revised dependent upon daily tonnage rates.

5. Parking

Existing Conditions

All employees and visitors to the Landfill park on unpaved areas near the existing office trailer. Individual parking spaces are not defined. No parking is permitted on American Avenue outside the site fence.

Projected Changes

The approved site plan calls for future construction of a permanent office and maintenance facility. When this facility is built, a paved area will be provided with adequate marked parking for employees and visitors.

6. Equipment

Existing Conditions

Landfill equipment operators use a standard range of heavy equipment to move and compact the solid waste. Solid waste is spread up and down the working face using compaction equipment. The compaction equipment traverses the entire length of the working face and makes several passes over each two-foot thick layer of solid waste. A minimum six-inch layer of soil is placed over the working face of the Landfill at the end of each operational day.

A complete list of the various pieces of equipment will be discussed in the SEIR, along with the environmental impacts to air quality and noise.

Projected Changes

Five new pieces of equipment will be required at the peak daily rate of 3600 TPD. This will include a dozer, two compactors, and two scrapers. However, one of the compactors and

one of the scrapers will replace existing, smaller models. This will result in a net increase of only three heavy equipment items.

The impact of the new equipment will be discussed further in the SEIR.

7. Noise/Dust/Odor

Existing Conditions

The area surrounding the Landfill is predominately agricultural, with a few rural residential uses located within 500 feet of the outermost boundary of the Landfill. Existing sources of environmental noise within the vicinity of the Landfill include present solid waste-related operations, traffic on American Avenue, and intermittent farming operations on surrounding agricultural properties. Current mitigation measures include the installation of sound reducing mufflers on heavy equipment used on the site and a ten foot high soil berm placed around the active area of the Landfill.

Dust emissions result from routine soil excavation and grading operations and from vehicles traveling over unpaved roads. Water is routinely applied to working areas to minimize potential dust generation problems.

The decomposition of the organic components in solid waste may produce unpleasant odors. A minimum six-inch daily cover is placed on the solid waste and this management practice reduces the chance of odor spreading away from the Landfill.

Projected Changes

The increased tonnage delivery rates will not significantly change noise levels at the site itself. The replacement of older equipment with more modern engines and mufflers should mitigate any increase in equipment noise. As the Landfill expands into Fill Area III, the soil berm will be extended to surround all active areas of the Landfill. The SEIR will analyze any potential impacts associated with increased traffic noise along the primary haul routes to the Landfill.

Many of the site access roads at the Landfill have been upgraded by the placement of a weatherproof layer of base rock. This reduces the potential for dust emissions. A water wagon is permanently assigned to the Landfill and used as needed to minimize dust in working areas.

Public Works & Development Services file data indicate that there have been no complaints from the public regarding odors emanating from the Landfill. It is not expected that the increased tonnage rates will affect this area. The minimum six-inch daily cover will continue to be placed on the active area of the Landfill at the end of each day.

8. Water Usage

Existing Conditions

Water for site operations, landscape irrigation, and potable use is drawn from wells within the site boundary. Estimated maximum usage is 100,000 gallons per day during periods of extreme heat and dryness.

Potential site impacts upon groundwater are monitored through a series of groundwater detection wells spaced around the site boundary.

Projected Changes

Any changes in water usage have already been analyzed under the 1984 EIR and site approval documents. Simply increasing the tonnage delivery rate will not significantly affect water usage plans. All water used on site will continue to be drawn from on-site wells.

The detection well network will be expanded as the site boundary expands to the full 440 acres.

9. Building Use/Construction

Existing Conditions

Building facilities at the Landfill have all been approved in previous site plans. A new scalehouse was constructed in FY 1997-1998 and is now operational. A proposed maintenance/office building has previously been approved and will be built after design features are finalized and approved.

Projected Changes

No additional facilities will be required due to the increased tonnage rates. Any future facilities will be added to the site plan and approved through proper siting processes.

10. Landscaping/Fencing

Existing Conditions

There is a six-foot chain link fence with access gates surrounding the current active area of the Landfill. Inside the fence is a landscaped buffer zone in front of the 10 foot high sound berm that also surrounds the site. These features are conditions of CUP No. 2146 and apply to the full 440 acres.

Projected Changes

No changes are proposed for the landscaping or fence designs. As the site expands to the full 440 acres, these features will be expanded. The increased tonnage rates will not affect these features.

11. Utility Systems

Existing Conditions

Water systems have been discussed previously. Electricity and communications are provided by commercial sources. The Mid-Valley Fire Protection District provides structural fire protection. Storm water runoff is contained in an on-site retention basin and septic facilities have been constructed for other waste water.

Projected Changes

There are no proposed changes to utility systems as a result of the increased tonnage delivery rates.

12. Maintenance/Compliance Responsibility

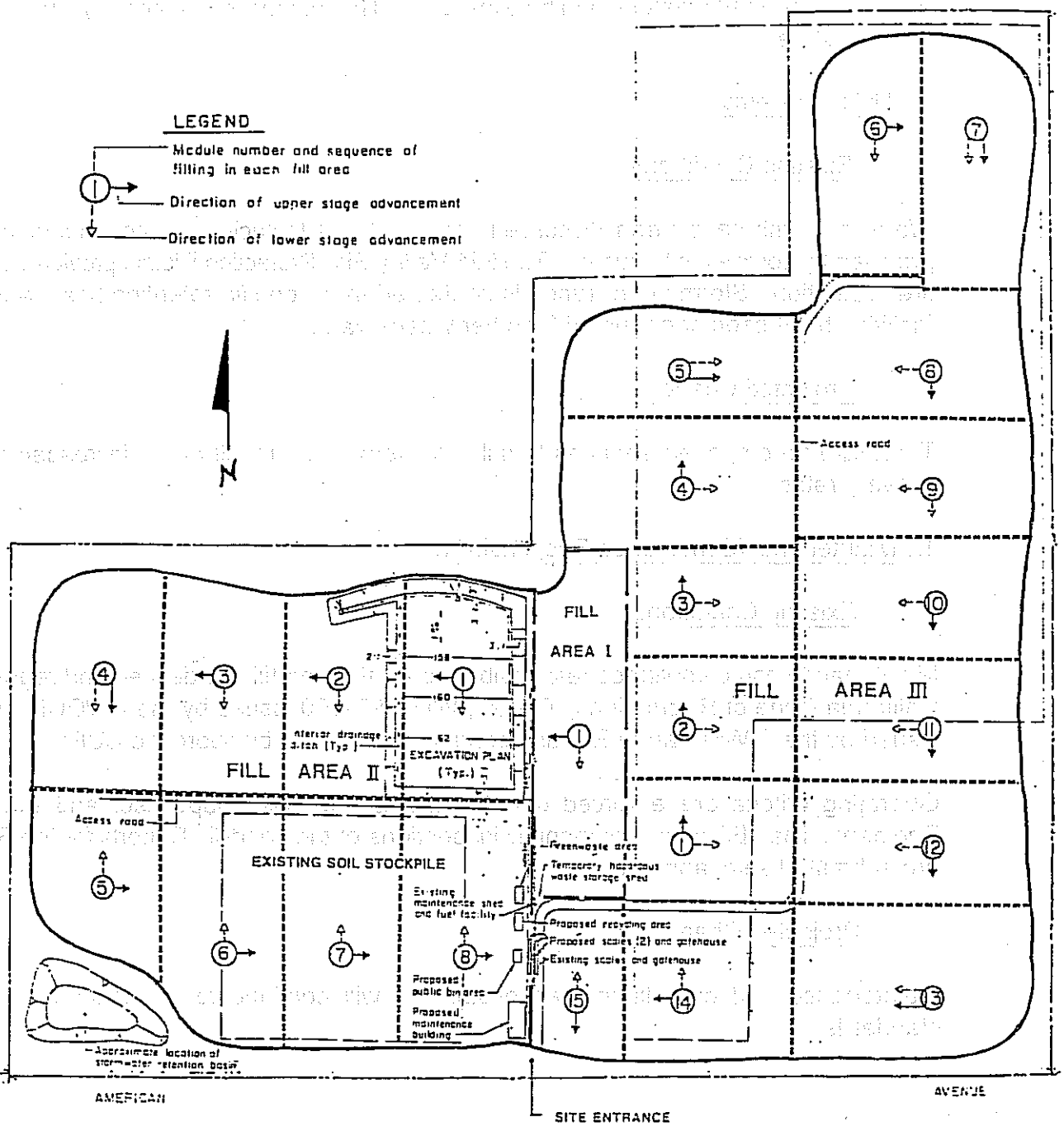
Existing Conditions

Maintenance and compliance responsibilities for the Landfill are defined and regulated by California Code of Regulations, Title 27; WDR 97-200 issued by the RWQCB; a SWFP issued by the CIWMB and LEA, and conditions imposed by approved CUPs.

Operating criteria are enforced daily by the Landfill Site Supervisor and the Senior Engineer. The LEA conducts monthly inspections of the Landfill. Reports for the RWQCB are submitted semi-annually.

Projected Changes

Maintenance and compliance responsibilities will continue to be adhered to per all standards.



SITE PLAN

American Avenue Landfill SEIR



SECTION I - PROJECT SUMMARIES**EXECUTIVE SUMMARY****INTRODUCTION**

This Supplemental Environmental Impact Report (SEIR) analyzes the potential environmental impacts of the proposed increase of authorized average daily loads for the American Avenue Landfill. The American Avenue Landfill is located in rural Fresno County in central California.

The site is situated approximately 17 miles southwest of the City of Fresno and six (6) miles southwest of the City of Kerman. The 440-acre Landfill is located on the north side of American Avenue (18950 W. American Avenue), approximately 4 miles west of State Highway 145 (Madera Avenue). The study area for this project is bounded on the south by American Avenue and by agricultural land to the east, west and north.

The County of Fresno has filed Conditional Use Permit (CUP) Application No. 2804 to revise the previous CUP No. 2623 by increasing the average daily loads from 1,640 to 2,200 tons per day (TPD) and peak daily loads from 2,400 to 3,600 TPD and to revise the Solid Waste Facilities Permit (SWFP) with the same limits, listed above. The SEIR evaluates the potential impacts of revising the CUP and the SWFP as requested.

PROJECT ENVIRONMENTAL SUMMARY

This Supplemental Environmental Impact Report (SEIR) evaluates the project's potential and cumulative impacts regarding Traffic/Circulation, Air Quality and Noise. A summary of potential impacts, mitigation measures and levels of significance identified in this SEIR are provided in Table 2, General Summary of Impacts and Mitigation Measures.

Traffic/Circulation

The existing conditions analysis shows that all study intersections currently operate at or above the adopted level of service standards in both peak periods. With the proposed increase in allowable delivery rates, the future year (2020) study intersections are projected to operate at or above the adopted standard in both peak periods.

Air Quality

With implementation of the proposed control measures identified for impacts of oxides of nitrogen (NOX), precursors to ozone, a significant impact will still occur. This is considered a significant unavoidable impact, which cannot be completely controlled. However, PM-10 impacts will be reduced to a level considered less than significant. No other air quality impacts were identified.

Noise

The additional equipment, like the existing equipment on the landfill site is not expected to significantly increase noise levels generated by the landfill. Existing traffic noise levels in the study area are already well over the County's 55 dBLdn compatibility standard. Therefore the additional traffic due to the project cannot cause traffic noise levels to exceed this standard. The relative change in traffic noise levels due to the project are within the acceptability limits identified. Therefore, from standpoints of overall traffic noise levels and relative change in traffic noise levels, the project will not cause a significant noise impact.

Cumulative traffic noise impacts from 2020 with the project will be well over the County's 55 dBLdn compatibility criterion at locations near road. However, since the existing traffic noise levels in the study area already exceed the County's compatibility standard, the project cannot cause cumulative traffic noise levels which will exceed this standard. No cumulative impacts will result from the project.

ALTERNATIVES

Alternatives to the proposed project under consideration are listed below and are evaluated in this Supplemental EIR. The Alternatives Section provides a project description analysis and evaluation of each alternative's potential impact in comparison to the proposed project.

- Alternative #1: No Project (Existing Rates of fill remains the same)
- Alternative #2: Diversion Program
- Alternative #3: Alternative Location

LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT

The proposed project will not create any long-term impacts which would adversely affect the state of the environment related to traffic/circulation or noise impacts. Significant adverse impacts were identified air quality. With implementation of the recommended air quality control measures identified, impacts will be only partially reduced and will remain significant. The approval of the proposed project will not commit irreversible environmental changes and will not be growth inducing. The proposed project will not modify the scope of the landfill operations. No changes to the size or capacity of the project site are proposed as part of the project.

AREAS OF CONTROVERSY

The areas of controversy based on preliminary comments from public agencies and members of the public include:

- Traffic/Circulation
- Air Quality
- Noise

| | |
|---|---|
| No Impact/Level less than significant | No significant environmental impact has been identified. A less than significant impact is an impact that would not result in a substantial and adverse change in the environment and would not require mitigation. |
| Mitigated to a level less than significant. | A significant environmental impact has been identified and will be reduced to a level that is not considered significant after mitigation is implemented. |
| Partially mitigated remains significant. | A significant environmental impact has been identified and it remains significant even after mitigation is implemented. |
| Significant unavoidable adverse. | A significant environmental impact has been identified and it cannot be mitigated therefore it is still considered significant. |

**TABLE 2
 GENERAL SUMMARY OF IMPACTS, MITIGATION AND CONTROL MEASURES**

The following table summarizes the impacts evaluated in the Supplemental Environmental Impact Report (SEIR) prepared for the proposed project. Each environmental issue addressed in the document is listed followed by impacts identified within that section.

| RESOURCE | DESCRIPTION OF IMPACT | MITIGATION AND CONTROL MEASURES | LEVEL OF SIGNIFICANCE |
|---------------------|---|---|--|
| Traffic/Circulation | No impacts were identified. | | Level less than significant. |
| Air Quality | <p>The proposed project will create NOX impacts with the operation of on-site equipment.</p> <p>The proposed project will create PM-10 impacts with the operation of on-site equipment.</p> | <ol style="list-style-type: none"> 1. The applicant shall purchase the cleanest diesel engines available for on-site equipment and/or convert all on-site diesel equipment to alternative fuels. 2. The applicant shall effectively stabilize dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover on all disturbed areas, including storage piles, which are not being actively utilized for landfill purposes. 3. The applicant shall effectively stabilize dust emissions using water or chemical stabilizer/suppressant on all on-site unpaved roads. 4. The applicant shall effectively control fugitive dust emissions | <p>Partially controlled. Remains a significant unavoidable impact.</p> <p>Reduced to a level less than significant after mitigation.</p> |

| RESOURCE | DESCRIPTION OF IMPACT | MITIGATION AND CONTROL MEASURES | LEVEL OF SIGNIFICANCE |
|----------|-----------------------|---|-----------------------|
| | | <p>utilizing application of water or by presoaking for all land clearing, grubbing, scraping, excavation, land leveling, grading, and cut & fill activities.</p> <p>5. The applicant shall limit all operations or expeditiously remove the accumulation of mud or dirt from on-site paved roads and adjacent public streets at least once every 24 hours when operations are occurring. <i>(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.)</i></p> <p>6. The applicant shall limit traffic speeds on unpaved roads to 15 mph.</p> <p>7. The applicant shall ensure that landfill roads connected to off-site adjacent paved public roads are paved for a sufficient distance to allow mud and dirt accumulation to drop off.</p> | |

| RESOURCE | DESCRIPTION OF IMPACT | MITIGATION AND CONTROL MEASURES | LEVEL OF SIGNIFICANCE |
|----------|-----------------------|--|-----------------------|
| | | <ol style="list-style-type: none">8. The applicant shall install wind breaks at windward side(s) of the Landfill.9. The applicant shall suspend excavation and grading activity when winds exceed 20 miles per hour (mph).10. The applicant shall limit area subject to excavation, grading, and other activities at any one time.11. The applicant shall effectively stabilize fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant after the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, or said piles.12. The applicant shall comply with SJVUAPCD Rule 4642 - Solid Waste Disposal Sites.13. The applicant shall comply with SJVUAPCD Rule 2201 - New Source Review. | |

| RESOURCE | DESCRIPTION OF IMPACT | MITIGATION AND CONTROL MEASURES | LEVEL OF SIGNIFICANCE |
|----------|-----------------------------------|--|------------------------------|
| Noise | No noise impacts were identified. | 14. The applicant shall comply with SJVUAPCD Rule 2520 - Supplemental Requirements for Federally Mandated Operating Permits. | Level less than significant. |

**TABLE 3
 SUMMARY OF ALTERNATIVES**

| Alternative | Feasible | Meets Project Objectives | Under Further Consideration | Environmentally Superior |
|---|-----------------|---------------------------------|------------------------------------|---------------------------------|
| <i>Alternative #1:</i> No Project (Existing rate of fill remains the same) | Yes | No | Yes | No |
| <i>Alternative #2:</i> Diversion Program | Yes | No | Yes | No |
| <i>Alternative #3:</i> Alternate Location | Yes | No | Yes | No |

Source: TPG Consulting, Inc.

EXHIBIT 6

FINAL

SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT

MITIGATION MONITORING PROGRAM

AMERICAN AVENUE LANDFILL
COUNTY OF FRESNO

STATE CLEARINGHOUSE NUMBER: 98091036

SUBMITTED

July, 1999

Prepared For:

County of Fresno
2220 Tulare Street, Sixth Floor
Fresno, CA 93721
(559) 262-4853
Attn: Joanne Striebich, Staff Analyst

Prepared By:

TPG Consulting, Inc.
8405 N. Fresno Street, Suite 300
Fresno, California 93720
(559) 439-4881
Attn: Charles Clouse, Principal

MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program was developed in response to Assembly Bill (AB) 3180 (Section 21081.6 of the Public resources code), effective January 1, 1989. Its purpose is to ensure that proposed mitigation measures included in environmental documentation will extend beyond the pages of the document, and are implemented to reduce or eliminate significant detrimental project-related impacts to the environment. This program implements the mitigation measures outlined in the Supplemental Draft EIR and the Final EIR for the American Avenue Landfill, State Clearinghouse No. 98091036.

The following mitigation and control measures are identified in the Draft Supplemental EIR prepared for the American Avenue Landfill. The following outlines responsibility for the identified mitigation and control measures. It should be noted that the control measures identified for air quality impacts are not mandatory and are suggested measures which the applicant should comply with.

*American Avenue Landfill - COUNTY OF FRESNO
MITIGATION MONITORING PROGRAM*

| RESOURCE | TIMING | MITIGATION AND CONTROL MEASURES | RESPONSIBLE AGENCY |
|-------------|---|---|--|
| Air Quality | Throughout remaining landfill operation. When on-site equipment purchased. | 1. The applicant shall purchase the cleanest diesel engines available for on-site equipment and/or convert all on-site diesel equipment to alternative fuels. | County of Fresno - Public Works & Development Services Department |
| | Throughout remaining landfill operation. Daily operation. | 2. The applicant shall effectively stabilize dust emissions using water, chemical stabilizer/ suppressant, or vegetative ground cover on all disturbed areas, including storage piles, which are not being actively utilized for landfill purposes. | |
| | Throughout remaining landfill operation. Daily operation. | 3. The applicant shall effectively stabilize dust emissions using water or chemical stabilizer/suppressant on all on-site unpaved roads. | |
| | Throughout remaining landfill operation. Daily operation. | 4. The applicant shall effectively control fugitive dust emissions utilizing application of water or by presoaking for all land clearing, grubbing, scraping, excavation, land leveling, grading, and cut & fill activities. | |

American Avenue Landfill - COUNTY OF FRESNO
 MITIGATION MONITORING PROGRAM

| RESOURCE | TIMING | MITIGATION AND CONTROL MEASURES | RESPONSIBLE AGENCY |
|----------|--|--|--------------------|
| | Throughout remaining landfill operation. Daily operation. | 5. The applicant shall limit all operations or expeditiously remove the accumulation of mud or dirt from on-site paved roads and adjacent public streets at least once every 24 hours when operations are occurring. <i>(The use of dry rotary brushes is expressly prohibited except where preaced or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)</i> | |
| | Throughout remaining landfill operation. Daily operation. | 6. The applicant shall limit traffic speeds on unpaved roads to 15 mph. | |
| | Throughout remaining landfill operation. | 7. The applicant shall ensure that landfill roads connected to off-site adjacent paved public roads are paved for a sufficient distance to allow mud and dirt accumulation to drop off. | |
| | Throughout remaining landfill operation. Daily operation. | 8. The applicant shall install wind breaks at windward side(s) of the Landfill. | |
| | Throughout remaining landfill operation. Daily operation. | 9. The applicant shall suspend excavation and grading activity when winds exceed 20 miles per hour (mph). | |

*American Avenue Landfill – COUNTY OF FRESNO
MITIGATION MONITORING PROGRAM*

| RESOURCE | TIMING | MITIGATION AND CONTROL MEASURES | RESPONSIBLE AGENCY |
|----------|--|--|--------------------|
| | Throughout remaining landfill operation. Daily operation. | 10. The applicant shall limit area subject to excavation, grading, and other activities at any one time. | |
| | Throughout remaining landfill operation. Daily operation. | 11. The applicant shall effectively stabilize fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant after the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, or said piles. | |
| | Throughout remaining landfill operation. | 12. The applicant shall comply with SJVUAPCD Rule 4642 – Solid Waste Disposal Sites. | |
| | Throughout remaining landfill operation. | 13. The applicant shall comply with SJVUAPCD Rule 2201 – New Source Review. | |
| | Throughout remaining landfill operation. | 14. The applicant shall comply with SJVUAPCD Rule 2520 – Supplemental Requirements for Federally Mandated Operating Permits. | |

E200310000281

Notice of Determination

To: Office of Planning and Research
1400 Tenth Street, Room 141
Sacramento, CA 95814

From: County of Fresno
2220 Tulare Street, Suite "A"
Fresno, CA 93721

FILED

JUN 30 2003

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

FRESNO COUNTY CLERK
BY Victoria Mendez
DEPUTY

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

Project Title: Initial Study Application No. 4877; Unclassified Conditional Use Permit No. 3055. (County of Fresno)

| | | |
|---|----------------|--------------------------------|
| N/A | Lew Pond | (559) 262-4321 |
| State Clearinghouse Number (If submitted to Clearinghouse) | Contact Person | Area Code/ Telephone/Extension |

Project Location (include County)

On the north side of W. American Avenue between S. Butte Avenue and the S. Humboldt Avenue alignment, approximately three miles southwest of the City of Kerman in the County of Fresno (18950 W. American Avenue) (APN 020-052-04ST, 05ST, 06T, 09ST, and 13ST, and 020-210-26ST, 27ST, 33ST, 34ST and 35ST).

Project Description:

Allow modification of the existing Conditional Use Permits to allow use of Alternative Daily Cover for the American Avenue Landfill on a 437.72 acre site in the AE-20 (Exclusive Agriculture, twenty-acres minimum parcel size) District.

This is to advise that the County of Fresno has approved the above described projects on (X) Lead Agency () Responsible Agency

May 29, 2003 and has made the following determination regarding the above described project(s).
(Date)

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

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Fresno, CA 93721.

Maje M...
Signature

May 29, 2003
Date

Sr Staff Analyst
Title

FRESNO COUNTY DE MINIMIS WORKSHEET

IS No.: 4877

Project No(s): Conditional Use Permit Application No. 3055

Applicant: County of Fresno

Previous Payment of Fish and Game Fees? No

BACKGROUND INFORMATION

Habitat types present on the project site: None

Habitat types adjacent to the project site: Field crops

Cumulative effects of this and similar projects: Insignificant

Project effects to the natural and biological resources of the community (attach add'l sheets as req'd):
No impacts to natural and biological resources are anticipated.

1. Does the Initial Study indicate that the project **may** or **will** result in changes to the following resources (explain "NO" answers, attach additional exhibit(s), as needed):

YES NO

() (X) 1.A Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction?

There are no riparian lands, rivers, streams, watercourses or wetlands on the property. No impacts to fish or game are anticipated.

() (X) 1.B Native and non-native plant life and the soil required to sustain habitat for fish and wildlife?

The site contains no native or non-native plant life and the soil required to sustain habitat for fish and wildlife.

() (X) 1.C Rare and unique plant life and ecological communities dependent on plant life?

The Initial Study did not identify any rare and/or unique communities existing on the project site.

() (X) 1.D Listed threatened and endangered plant and animals and the habitat in which they are believed to reside?

The Initial Study did not identify any threatened and/or endangered plant or animals existing on the project site.

YES NO

- () (X) 1.E Species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the PRC, the Water Code or regulations adopted thereunder?

The Initial Study did not identify any species of plant or animals that require special management.

- () (X) 1.F Marine and terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside?

The Initial Study did not identify any species subject to the Department of Fish & Game jurisdiction existing on the project site.

- () (X) 1.G Air and water resources the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water?

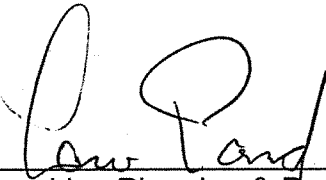
The Initial Study did not identify any impacts to wildlife resources as they may relate to air or water quality.

2. If 1.A through 1.G are all "NO", proceed to 4. below, otherwise proceed to 3. below.
3. Is there substantial evidence in the record to show that, even though a change may occur to the resources identified in 1.A through 1.G, the project involves no potential for adverse effect, either individually or cumulatively, on wildlife (YES/NO) _____. If "YES", the project may be de minimis; proceed to 4. below. If "NO", the project is not de minimis; proceed to 5. below.
4. The project may be de minimis. If the Initial Study will support the finding that the project involves no potential for adverse effect, either individually or cumulatively, on wildlife or the habitat upon which it depends, the Certificate of Fee Exemption form should be filled out. If any of items 1.A to 1.G have been answered "YES", the de minimis impact finding (with attached documentation as needed) should indicate why the project is de minimis even though there is a change to the resources identified in 1.A through 1.G.
5. The project is not de minimis. The applicant should be notified, in writing, that the appropriate fee will need to be paid prior to the filing of the Notice of Determination.

DETERMINATION

- (X) The project is de minimis. Development Services staff has considered the record as a whole and determined that the project will not individually or cumulatively have potential for an adverse effect on wildlife resources as defined in Section 711.2 of the Fish and Game Code. The attached CERTIFICATE OF FEE EXEMPTION supports that determination.

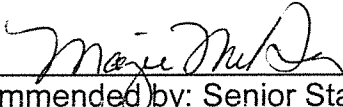
- () The project is not de minimis. Development Services staff has determined based on the evidence herein, or attached hereto, that the project has the potential, individually or cumulatively, to have an adverse effect on wildlife resources as defined in Section 711.2 of the Fish and Game Code. The applicant will be notified and will be required to pay the filing fee prior to the filing of the notice of determination.



Prepared by: Planning & Resource Analyst

5/8/03

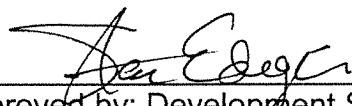
Date



Recommended by: Senior Staff Analyst

5/8/03

Date



Approved by: Development Services Manager

6/18/03

Date

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding**

Project Title/Location (include county):

Initial Study Application No. 4877; Unclassified Conditional Use Permit No. 3055. On the north side of W. American Avenue between S. Butte Avenue and the S. Humboldt Avenue alignment, approximately three miles southwest of the City of Kerman in Fresno County (18950 W. American Avenue) (APN 020-052-04ST, 05ST, 06T, 09ST, and 13ST, and 020-210-26ST, 27ST, 33ST, 34ST and 35ST).

Project Description:

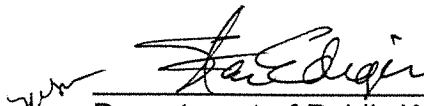
Allow modification of the existing Conditional Use Permits to allow use of Alternative Daily Cover for the American Avenue Landfill on a 437.72 acre site in the AE-20 (Exclusive Agriculture, twenty-acre minimum parcel size) District.

Findings of Exemption (attach as necessary):

An Initial Study was prepared for the project. The application was routed to the State Department of Fish and Game, who did not express concern with the potential for changes in native and non-native plant life to impact fish and wildlife. No evidence was found in the record to demonstrate that the project would have the potential for adverse environmental impacts, and there is no evidence before the agency that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends. The project, therefore, will not impact plant and animal resources.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



Department of Public Works and Planning
Development Services Manager

Lead Agency: Fresno County

Date: 6/18/03

CLERK'S FEES

Transaction ID: 71426
 06/30/2003 04:29:00 PM
 BUS VICTORIA

| Description | Qty | Amt |
|---------------------------|-----|---------|
| EIR | | |
| NOTICE OF DETERMINATION | 1 | \$0.00 |
| EIR COUNTY ADMINISTRATION | 1 | \$25.00 |

Pay by Check: \$25.00

Total Amt. Due: \$25.00
 Total Received: \$25.00



STATE OF CALIFORNIA - THE RESOURCES AGENCY
 DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFG 753.5a (6-01)

222347

Lead Agency: COUNTY OF FRESNO Date: 06/30/2003
 County / State Agency of Filing: COUNTY OF FRESNO Document No: 200310000201
 Project Title: INITIAL STUDY APPLICATION NO. 4877; UNCLASSIFIED CONDITIONAL USE PERMIT M
 Project Applicant Name: COUNTY OF FRESNO Phone Number: (559) 262-4321
 Project Applicant Address: 2220 TULARE STREET, SUITE "A", FRESNO, CA 93721
 Project Applicant (check appropriate box): Local Public Agency School District Other Special District
 State Agency Private Entity

CHECK APPLICABLE FEES:

| | | | |
|--|------------|-----------|---------------------|
| () Environmental Impact Report | \$850.00 | \$ | <u>0</u> |
| () Negative Declaration | \$1,250.00 | \$ | <u>0</u> |
| () Application Fee Water Diversion (State Water Resources Control Board Only) | \$850.00 | \$ | <u>0</u> |
| () Projects Subject to Certified Regulatory Programs | \$850.00 | \$ | <u>0</u> |
| (X) County Administrative Fee | \$25.00 | \$ | <u>25.00</u> |
| () Project that is exempt from fees | | | |
| TOTAL RECEIVED | | \$ | <u>25.00</u> |

Signature and title of person receiving payment: _____ DEPUTY

FRESNO COUNTY
CLERK'S OFFICE
BRANDI L. ORTH

2221 KERN STREET
FRESNO, CA 93721

Finalization 2013136567
04/02/2013 03:01pm
81 Blanca

Item Title Count

1 EIRND 1
EIR - Negative
Declaration

Document ID Amount

DOC# E2013100000852156.25
Time Recorded 03:01 pm

2 EIRND 1
EIR - Negative
Declaration

2 EIRA 1
EIR Administrative Fee

Document ID Amount

DOC# E201310000086 0.00
Time Recorded 03:01 pm

3 EIRA 1
EIR Administrative Fee

Document ID Amount

DOC# E201310000087 50.00
Time Recorded 03:01 pm

Total 4412.50

Payment Type Amount

Cash 2206.25
~~Mo Fee 2206.25~~
Amount Due 0.00

Thank You
Please Retain This Receipt
For Your Records

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt # E201310000093

Lead Agency: COUNTY OF FRESNO Date: 04/02/2013

County Agency of Filing: FRESNO COUNTY CLERK Document No: E201310000093

Project Title: INITIAL STUDY APPLICATION NO. 6631, UNCLASSIFIED CONDITIONAL USE PERM

Project Applicant Name: COUNTY OF FRESNO /EJAZ AHMAD Phone Number: (559) 600-4204

Project Applicant Address: 2220 TULARE STREET, STE. #A, FRESNO, CA 93721

Project Applicant: LOCAL PUBLIC AGENCY

| | | |
|---------------------------------------|----|----------------|
| NOTICE OF DETERMINATION | \$ | 2156.25 |
| MITIGATED NEGATIVE DECLARATION | \$ | 0.00 |
| ADMINISTRATION FEE | \$ | 50.00 |
| Total Received | \$ | 2206.25 |

Signature and title of person receiving payment:

Blanca H. Avalos

FILED

APR 02 2013

FRESNO COUNTY CLERK
By *[Signature]*

Space Below For County Clerk On

E201310000093

CLK-2046.00 E04-73 R00-00

and one copy with:
County Clerk
Kern Street
Fresno, California 93721

| | | |
|--|---|---------------------------------------|
| Agency File No: IS 6631 | LOCAL AGENCY MITIGATED NEGATIVE DECLARATION | County Clerk File No: E- DEPUTY |
| Responsible Agency (Name): Fresno County | Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor | City: Fresno |
| Agency Contact Person (Name and Title): Ejaz Ahmad, Planner | Area Code: 559 | Zip Code: 93721 |
| Applicant (Name): County of Fresno | Telephone Number: 600-4204 | Extension: |
| Project Title: Unclassified Conditional Use Permit Application No. 3393 | | |

Projects Description:

Allow a 15,000 square-foot household hazardous waste collection and management facility within an existing 440-acre waste disposal site in the AE-20 (Exclusive Agriculture; 20-acre minimum parcel size required) Zone District. The project is located at the northwest corner of W. American and S. Humboldt Avenues approximately three miles southwest of the City of Kerman in the Fresno County (SUP. DIST.: 1) (18950 W. American Avenue) (APN: 020 052-04ST, 05ST, 06T, 09ST, 13ST; 020-210-26ST, 27ST, 33ST, 34ST, 35ST).

Justification for Negative Declaration:

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3393, the project will not have a significant effect on the environment.

No impacts were identified to agricultural & forestry resources, biological resources, cultural resources, mineral resources, population & housing, recreation, transportation/traffic.

Potential impacts related to air quality, geology & soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, utilities & service system have been determined to be less than significant.

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

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

FINDING:

With the incorporated Mitigation Measures, the proposed project will have no impact on the environment.

| | |
|--|--|
| Newspaper and Date of Publication: Fresno Business Journal – February 8, 2013 | Review Date Deadline: March 11, 2013 |
| Date: March 29, 2013 | Type or Print Signature: Chris Motta, Principal Planner |
| Submitted by (Signature): <i>[Signature]</i> | |

State 15083, 15085 **LOCAL AGENCY MITIGATED NEGATIVE DECLARATION** County Clerk File No.

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

From: County of Fresno
2220 Tulare Street, Suite "A"
Fresno, CA 93721

FILED

APR 02 2013

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

FRESNO COUNTY CLERK
By Blanca N. Avila
DEPUTY

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

Project Title: Initial Study Application No. 6631, Unclassified Conditional Use Permit Application No. 3393
(County of Fresno)

| | | |
|----------------------------|----------------|--------------------------------|
| 2013021015 | Ejaz Ahmad | (559) 600-4204 |
| State Clearinghouse Number | Contact Person | Area Code/ Telephone/Extension |

Project Location (include County)

The project is located at the northwest corner of W. American and S. Humboldt Avenues approximately three miles southwest of the City of Kerman in the Fresno County (SUP. DIST.: 1) (18950 W. American Avenue) (APN: 020-052-04ST, 05ST, 06T, 09ST, 13ST; 020-210-26ST, 27ST, 33ST, 34ST, 35ST).

Project Description:


Allow a 15,000 square-foot household hazardous waste collection and management facility within an existing 440-acre waste disposal site in the AE-20 (Exclusive Agriculture; 20-acre minimum parcel size required) Zone District.

This is to advise that the County of Fresno has approved the above described project on
(X) Lead Agency () Responsible Agency

March 14, 2013 and has made the following determination regarding the above described project.
(Date)

1. The project will have a less than significant effect on the environment with mitigation incorporated.
2. () An Environmental Impact Report was not prepared for this project pursuant to the provisions of CEQA.
(x) A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [(X) were () were not] made a condition of the approval of the project.
4. A statement of Overriding Consideration [() was (X) was not] adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Fresno, CA 93721.

 3/29/13 Principal Planner
Signature Date Title