County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Planning Commission Staff Report
Agenda Item No. 3
July 16, 2009

SUBJECT: **Initial Study Application No. 6060**
Classified Conditional Use Permit Application No. 3262

Allow the construction and operation of a solid waste transfer and processing facility (conversion of waste grease to biodiesel) on a 3.96-acre portion of a developed 7.60-acre parcel in the M-3 (Heavy Industrial) District.

LOCATION: **The site is located on the north side of E. Vine Avenue, between S. Maple and S. Chestnut Avenues, approximately 730 feet south of the nearest city limits of the City of Fresno (4681 E. Vine Avenue) (SUP. DIST.: 1) (APN No: 487-070-56S).**

Applicant: California Green Energy
Owner: Michael Bessonov

STAFF CONTACT: **Derek Chambers, Planner**
(559) 262-4321

Chris Motta, Senior Planner
(559) 262-4241

RECOMMENDATION:

- Adopt the Negative Declaration prepared for Initial Study No. 6060; and
- Approve Classified Conditional Use Permit Application No. 3262 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

The Commission's action may provide short-term employment opportunities during construction, and up to 13 full-time jobs once the plant reaches full capacity.

EXHIBITS:

1. Location Map
2. Surrounding Zone Map
3. Land Use Map
4. Site Plan
5. Floor Plan/Elevations
6. Applicant's Submitted Operational Statement
7. Summary of Initial Study Application No. 6060
8. Required Findings Necessary for the Granting of a Conditional Use Permit Application as specified in Zoning Ordinance Section 873

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
G.P Designation	General Industrial – Roosevelt Community Plan	N/A
Zoning	M-3 (Heavy Industrial)	N/A
Parcel Size	7.60 acres	N/A
Project Site	Existing 16,000 sq. ft. metal storage building; 2,130 sq. ft. office; paved parking and circulation area	2,300 sq. ft. wastewater treatment facility; eight 16,000 gallon raw grease storage tanks; 2,346 sq. ft. raw grease pretreatment facility; 2,024 treated grease storage facility; 473 sq. ft. odor control facility; two 8,000 gallon glycerin storage tanks; two 8,000 gallon methanol storage tanks; one 8,000 gallon sodium methoxide storage tank; one 8,000 gallon

Criteria	Existing	Proposed
		methanol surge tank; 416 sq. ft. sulphuric and phosphoric acid tote storage; four 16,000 gallon methyl ester rework; four 35,000 gallon biodiesel storage tanks; 1,728 sq. ft. boiler and chiller room; 154 sq. ft. spent bleaching material dumpster; backup generator
Structural Improvements	Existing metal storage building and office	Wastewater treatment facility; storage tanks; raw grease pretreatment and storage facility; odor control facility; boiler and chiller room
Nearest Residence	1,040 feet to the north	No Change
Surrounding Development	Industrial Warehouses, Offices, Fire Station, Single Family Residences	No Change
Operational Features:	Historically utilized as a wood pallet production facility; currently utilized as a truck terminal for the transportation of grease	Waste grease collected from restaurants is deposited on-site and converted into biodiesel fuel to be sold off-site
Employees	N/A	13
Customers	N/A	Three daily
Traffic Trips	N/A	30 daily
Lighting	Existing to be removed	Building exteriors and site perimeter
Hours of Operation	N/A	24 hours per day, seven days per week

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

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 7.

Notice of Intent of Negative Declaration publication date: June 26, 2009

PUBLIC NOTICE:

Notices were sent to 22 property owners within 600 feet of the subject property exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS / BACKGROUND INFORMATION:

A Conditional Use Permit Application may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission (see Exhibit 8).

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

Historically, the project site has been utilized as a wood pallet production facility. However, the project site is currently being used as a truck terminal for a grease hauling transportation center.

ANALYSIS / DISCUSSION:

Finding 1: *Adequacy of the Site*

	Current Standard:	**Proposed Operation:**	**Is Standard Met (y/n)**
Setbacks	None	None (improvements adjacent to existing improvements)	Yes
Parking	N/A	15 spaces plus loading area	Yes
Lot Coverage	No requirement	No requirement	Yes
Separation Between Buildings	Six feet minimum	65 feet (approx.)	Yes
Wall Requirements	No requirement	No requirement	Yes
Septic Replacement Area	N/A	N/A	Yes
Water Well Separation	N/A	N/A	Yes

Reviewing Agency/Department Comments regarding Site Adequacy:

Zoning Section of the Development Services Division: Proposed improvements satisfy the setback requirements of the M-3 Zone District. Completion of a required Site Plan Review shall ensure adequate area for parking and circulation.

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

Analysis:

Staff review of the Site Plan demonstrates that the proposed improvements meet minimum building setback requirements of the M-3 Zone District. Based on the above information and with adherence to the required Site Plan Review, staff believes the site is adequate to accommodate the proposed use, vehicle circulation, and ingress/egress.

Noteworthy Conditions of Approval:

None

Conclusion:

Finding 1 can be made.

Finding 2: *Adequacy of Streets and Highways*

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Vine Avenue	No Change
Direct Access to Public Road	Yes	Vine Avenue	No Change
Road ADT		2,000	No Change
Road Classification		Local	No Change
Road Width		50 feet	57 feet with Irrevocable Offer
Road Surface		Paved (pavement width: 36.9 feet)	No Change
Traffic Trips		N/A	30 daily
TIS Prepared	No	Insignificant increase	Not required
Road Improvements Required		None required – road identified as being in excellent condition	No Change

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

City of Fresno Public Works Department: Additional road right-of-way measuring 32 feet from centerline should be dedicated for public street purposes along Vine Avenue. Street improvements including curb, gutter and sidewalk should be required along Vine Avenue.

Development Engineering Section of the Development Services Division: The minimum total width for a local road right-of-way is 60 feet. Vine Avenue has a total existing right-

of-way of 50 feet at the project site, with 25 feet north and 25 feet south of the centerline.

Design Division: No concerns with the project.

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

Analysis:

Due to City road standards being more stringent than County standards, a Condition will require that the property owner irrevocably offer an additional seven feet of road right-of-way north of the center line of Vine Avenue rather than the additional five feet which would satisfy County standards. Other off-site improvements including curbs and gutters already exist.

Based on the above information and with adherence to the Condition described above, staff believes that Vine Avenue is adequate to accommodate the proposed use.

Recommended Conditions of Approval:

- *Prior to issuance of Building Permits, the Applicant shall record a document irrevocably offering the southerly seven (7) feet of the subject property to the County of Fresno as future right-of-way for Vine Avenue. The ultimate right-of-way line of said offer shall establish the building setback for the future development on the property.*

Conclusion:

Finding 2 can be made.

Finding 3: *Adverse Effects Upon Surrounding Properties*

Surrounding Parcels				
	Size:	**Use:**	**Zoning:**	**Nearest Residence:**
North:	2.21 acres	Warehouse	M-3	None
	0.92 acres	Fire Station	M-3	None
	2.83 acres	Warehouse	M-3	None
South:	1.62 acres	Vacant	M-3	None
	3.24 acres	Vacant	M-3	None
	3.24 acres	Vacant	M-3	None
East:	3.80 acres	Warehouse	M-3	None

Surrounding Parcels				
West:	4.77 acres	Wireless Communications Facility	M-3	None

Reviewing Agency/Department Comments:

Site Plan Review Section of the Development Services Division: Approval of a Site Plan Review shall be required prior to development. The project site is located within the boundaries of the Fresno Metropolitan Flood Control District (FMFCD) and is subject to payment of FMFCD Drainage Fees which shall be collected during the Site Plan Review process. These requirements have been included as Project Notes.

Fresno Metropolitan Flood Control District (FMFCD): Project development shall require payment of a $4,380 Drainage Fee and verification that runoff can be safely conveyed to the Master Plan inlet in Maple Avenue south of Vine Avenue. This requirement has been included as a Project Note. Outdoor storage areas shall be constructed and maintained in such a manner that storm water runoff quality will not be impacted by on-site contaminates associated with the operation. This requirement has been included as a Mitigation Measure.

Development Engineering Section of the Development Services Division: An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the right-of-way. This requirement has been included as a Project Note.

Fresno County Department of Public Health, Environmental Health Division: The Applicant shall complete and submit either a Hazardous Materials Business Plan or a Business Plan Exemption Form prior to occupancy. All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. The Applicant may also be required to file a statement with the Environmental Health Division regarding any proposed above-ground petroleum storage tanks. These requirements have been included as Project Notes.

Fresno County Fire Protection District: All resultant development shall comply with the 2007 California Code of Regulations Title 24 and that subsequent to County approval; copies of the approved Site Plan shall be submitted to the District for review and approval. This requirement has been included as a Project Note.

San Joaquin Valley Air Pollution Control District (Air District): The proposal is expected to have no significant adverse impact on air quality. However, the Applicant may be subject to the following District rules: Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Additionally, Rule 2010 (Authority to Construct, Permit to Operate) requires

the Applicant to obtain permits from the Air District prior to construction, which eliminates the need for an Indirect Source Review. These requirements have been included as Project Notes.

Water/Geology/Natural Resources Section of the Development Services Division: No objection to the project, as the subject property receives water from a community water system operated by the City of Fresno.

California Regional Water Quality Control Board (RWQCB): No concerns related to the project as long as all waste water discharged to the community sewer system is in compliance with City of Fresno pretreatment requirements. However, if construction associated with the proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the Applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These requirements have been included as Project Notes.

Analysis:

The subject property is located in an area of mixed residential and industrial uses and has historically been developed as a wood pallet production facility. The nearest residence is located approximately 1,040 feet north of the subject parcel and view of the project site from said residence is masked by existing industrial structures. Given the existing industrial uses in proximity to the project site, staff believes the proposal will not visually impact surrounding properties.

Based on the above information and with adherence to the Conditions, Project Notes, and Mitigation Measures, staff believes that the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

- *All outdoor lighting shall be hooded and directed so as to not shine towards adjacent properties and public streets.*

- *Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.*

- *Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed through a sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to the Fresno Metropolitan Flood Control District storm drainage system shall not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements.*

Conclusion:

Finding 3 can be made.

Finding 4: *General Plan Consistency*

Relevant Policies:	**Consistency/Considerations:**
General Plan Policy PF-F.1: County shall promote maximum use of solid waste source reduction, reuse, recycling, composting, and environmentally-safe transformation of wastes.	This proposal entails the processing of waste grease into a viable source of fuel. Proposal is consistent with this policy.
General Plan Policy PF-F.2: County shall locate all new solid waste facilities including disposal sites, resource recovery facilities, transfer facilities, processing facilities, composting facilities, and other similar facilities in areas where potential environmental impacts can be mitigated and the facilities are compatible with surrounding land uses.	The proposed operation is located in proximity of existing industrial uses and has design features which filter emissions and contain possible chemical spills. Proposal is consistent with this policy.
General Plan Policy PF-F.6: County shall impose site development and operational conditions on new solid waste facilities in order to mitigate potential environmental impacts on existing and planned land uses in the area.	Adherence to the Conditions, Notes, and Mitigation Measures identified in the Initial Study prepared for the subject proposal will mitigate possible environmental impacts to a level of insignificance. Proposal is consistent with this policy.
General Plan Policy LU-F.30: County shall generally require community sewer and water services for industrial development.	The proposed use will continue utilizing the community water and sewer services currently provided to the subject property by the City of Fresno. Proposal is consistent with this policy.
General Plan Policy LU-G.1: County acknowledges that the cities have primary responsibility for planning within their LAFCO-adopted Spheres of Influence and are responsible for urban development	The City of Fresno Public Works Department requested additional road right-of-way dedication along Vine Avenue and street improvements including curb, gutter and sidewalk. A Condition has

Relevant Policies:	Consistency/Considerations:
and the provision of urban services within their Spheres of Influence.	been included requiring additional road right-of-way dedication along Vine Avenue.

Reviewing Agency Comments:

Policy Planning Section of the Development Services Division: Proposal is not in conflict with the policies of the Fresno County General Plan. The subject property is not subject to an Agricultural Land Conservation Contract and is not located within any clear zone or other imaginary surface of a public use airport as described under FAR Part 77 or within an identified airport noise contour.

Analysis:

Based upon the above considerations, staff believes this proposal is consistent with the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the required Findings for granting the Classified Conditional Use Permit Application can be made based on the factors cited in the analysis, the recommended Conditions of Approval and notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Classified Conditional Use Permit Application No. 3262 subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (approval action)

- Move to adopt the Negative Declaration prepared for Initial Study No. 6060; and

- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3262, subject to the Conditions and notes listed below; and

- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (denial action)

- Move to determine that the required Findings cannot be made (state basis for not making the findings) and move to deny Classified Conditional Use Permit Application No. 3262; and

- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval:

1. Development and operation of the use shall be in substantial conformance with the Site Plan, elevation drawings, and Operational Statement approved by the Commission.

2. The owner of the subject property shall record a document irrevocably offering seven feet of the parcel to the County of Fresno as future right-of-way for Vine Avenue (25 feet existing). The northern line of said offer shall establish the building setback line for future development.

   Note: A Preliminary Title Report or Lot Book Guarantee may be required before the Irrevocable Offer of Dedication can be processed. The owner is advised that where Deeds of Trust or any other type of monetary liens exists on the property, the cost of obtaining a Partial Reconveyance, or any other document required to clear title to the property, shall be borne by the owner or developer. The County will prepare the Irrevocable Offer of Dedication free of charge.

*3. All outdoor lighting shall be hooded and directed so as to not shine towards adjacent properties and public streets.

*4. Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.

*5. Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed through a sanitary sewer system. Storm drains receiving untreated runoff from

such areas that directly connect to Fresno Metropolitan Flood Control District storm drainage system shall not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements.

* MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.

NOTES:
The following notes reference mandatory requirements of Fresno County or other agencies and are provided as information to the project Applicant:

1. Contact the Building and Safety Section of the Department of Public Works and Planning at (559) 262-4211 regarding permits for construction.

2. A Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to, design of parking and circulation, access, grading and drainage, fire protection, and control of lighting.

3. The Applicant shall complete and submit either a Hazardous Materials Business Plan or a Business Plan Exemption form to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 445-3271 for further information.

4. All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. This chapter discusses proper labeling, storage and handling of hazardous wastes.

5. The proposal shall comply with the 2007 California Code of Regulations Title 24 – Fire Code. The Applicant shall submit three Site Plans, stamped "reviewed" or "approved" from the Fresno County Department of Works and Planning, to the Fresno County Fire Department for their review and approval. The Applicant shall submit evidence that their plan was approved by the Fire Department prior to issuance of Building Permits. All fire protection improvements shall be installed prior to occupancy.

6. The Applicant shall adhere to the following rules and regulations set by the San Joaquin Air Pollution District:

   A. Regulation VIII – Fugitive PM10 Prohibitions

   B. Rule 2010– Permits Required

C. Rule 2201 – New and Modified Stationary Source Review

D. Rule 4102 – Nuisance

E. Rule 4601 – Architectural Coatings

F. Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations

G. Rule 4002 – National Emission Standards for Hazardous Air Pollutants

7. If construction associated with the proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the Applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees. The SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.

8. This proposal is located within the Fresno Metropolitan Flood Control District (FMFCD) Drainage Zone HH. A FMFCD Drainage Deposit of $4,380.00 shall be paid prior to the issuance of permits.

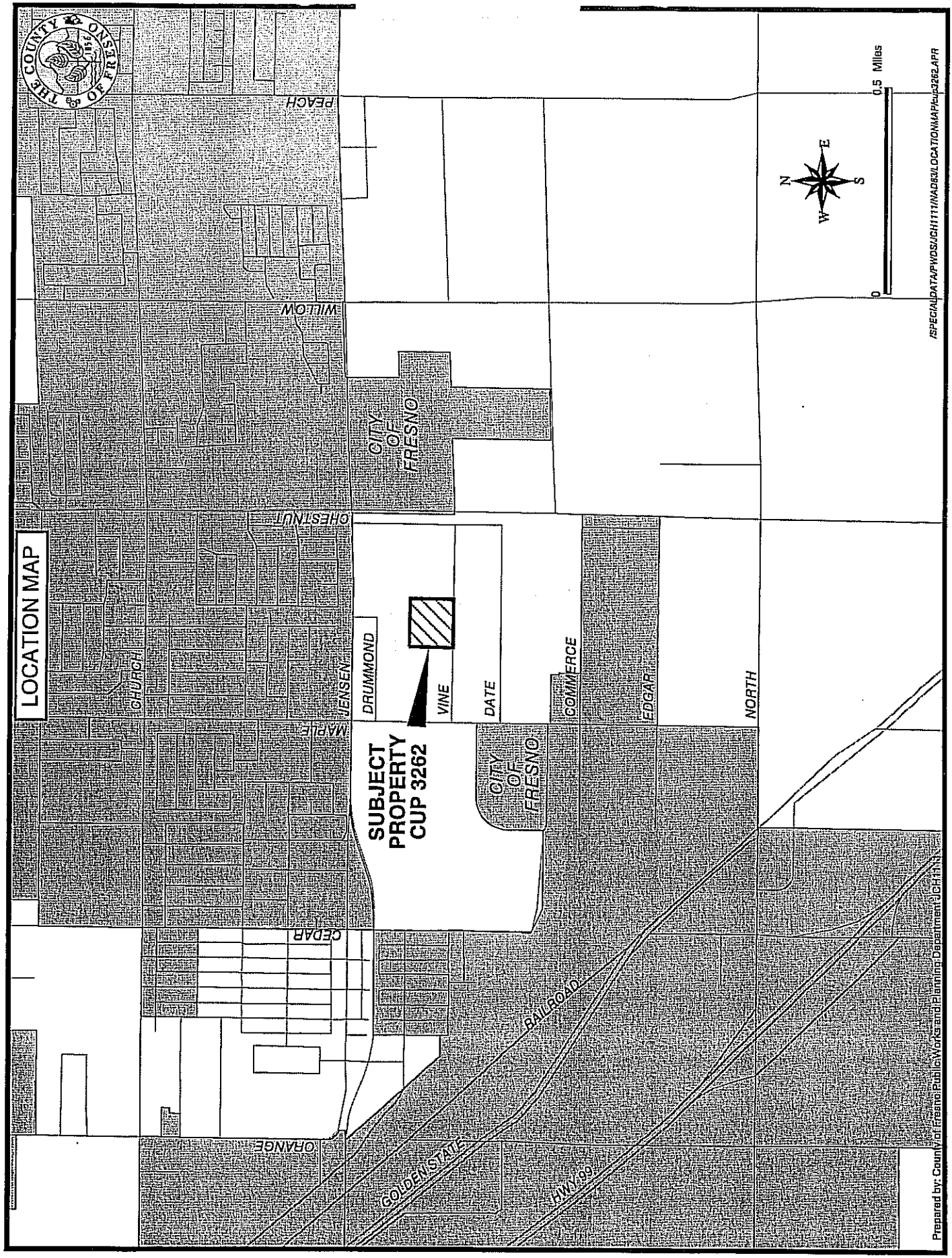
9. Verification that runoff can be safely conveyed to the Master Plan inlet in Maple Avenue south of Vine Avenue shall be provided to the FMFCD.

10. The proposed use shall adhere to the standard construction practices contained in the Building and Grading Sections of the County Ordinance Code and County Building Permit requirements.

11. An Encroachment Permit shall be required from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning for any work done within a County right-of-way, such as the construction or improvement of access driveways.

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3262\CUP3262_sr.doc

EXHIBIT 1


LOCATION MAP
SUBJECT PROPERTY CUP 3262
CITY OF FRESNO
CITY OF FRESNO
PEACH
WILLOW
CHESTNUT
CHURCH
MAPLE
JENSEN
DRUMMOND
VINE
DATE
COMMERCE
EDGAR
NORTH
CEDAR
ORANGE
GOLDEN STATE
RAILROAD
HWY 99
N
E
S
W
0
0.5 Miles
Prepared by: County of Fresno Public Works and Planning Department
I:\SPEC\AUDATA\PWDS\JCH1111\NAD83\LOCATIONMAP\cup3262.APR

CUP 3262
STR 24 - 14/20

EXISTING ZONING MAP

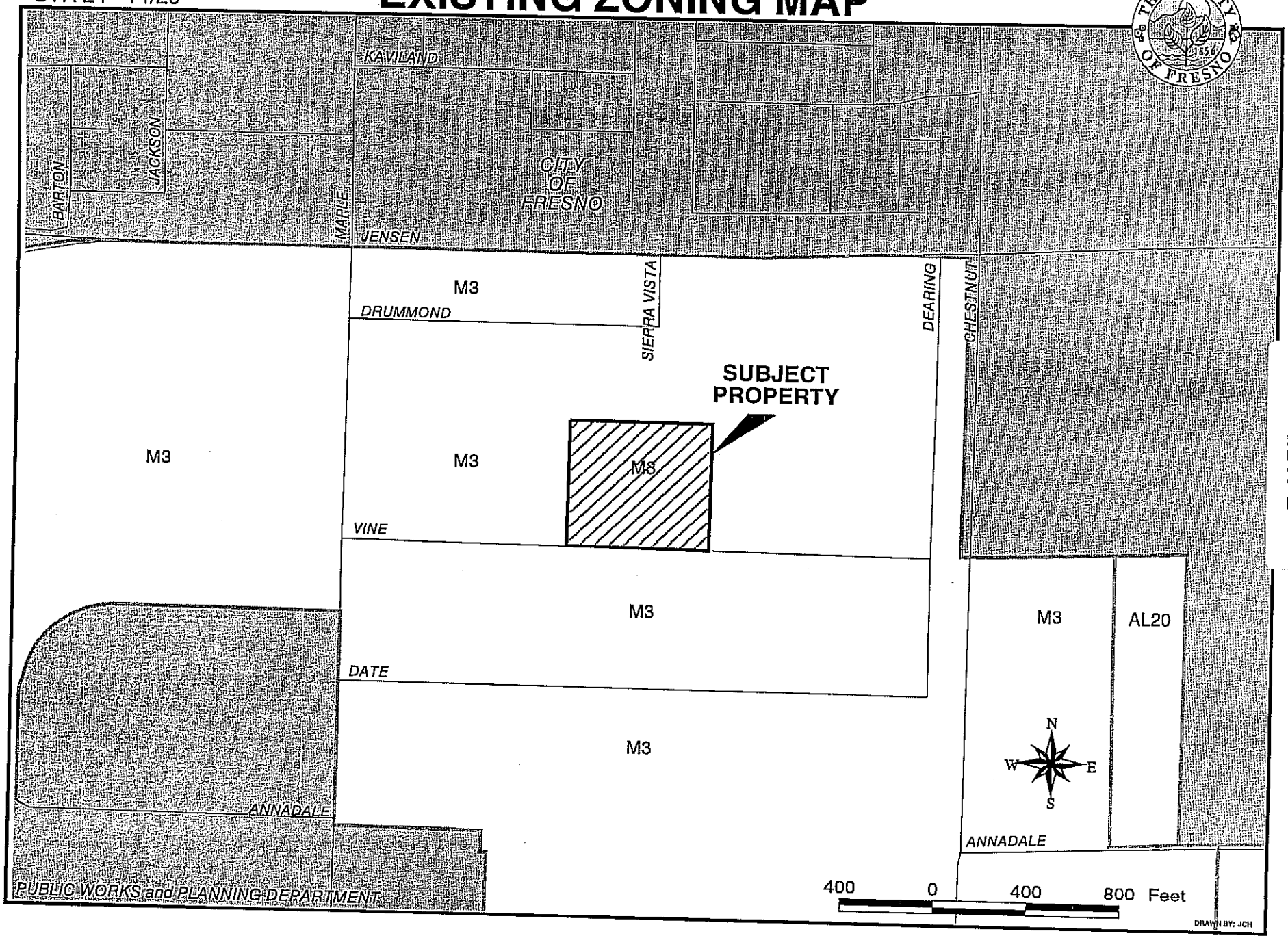
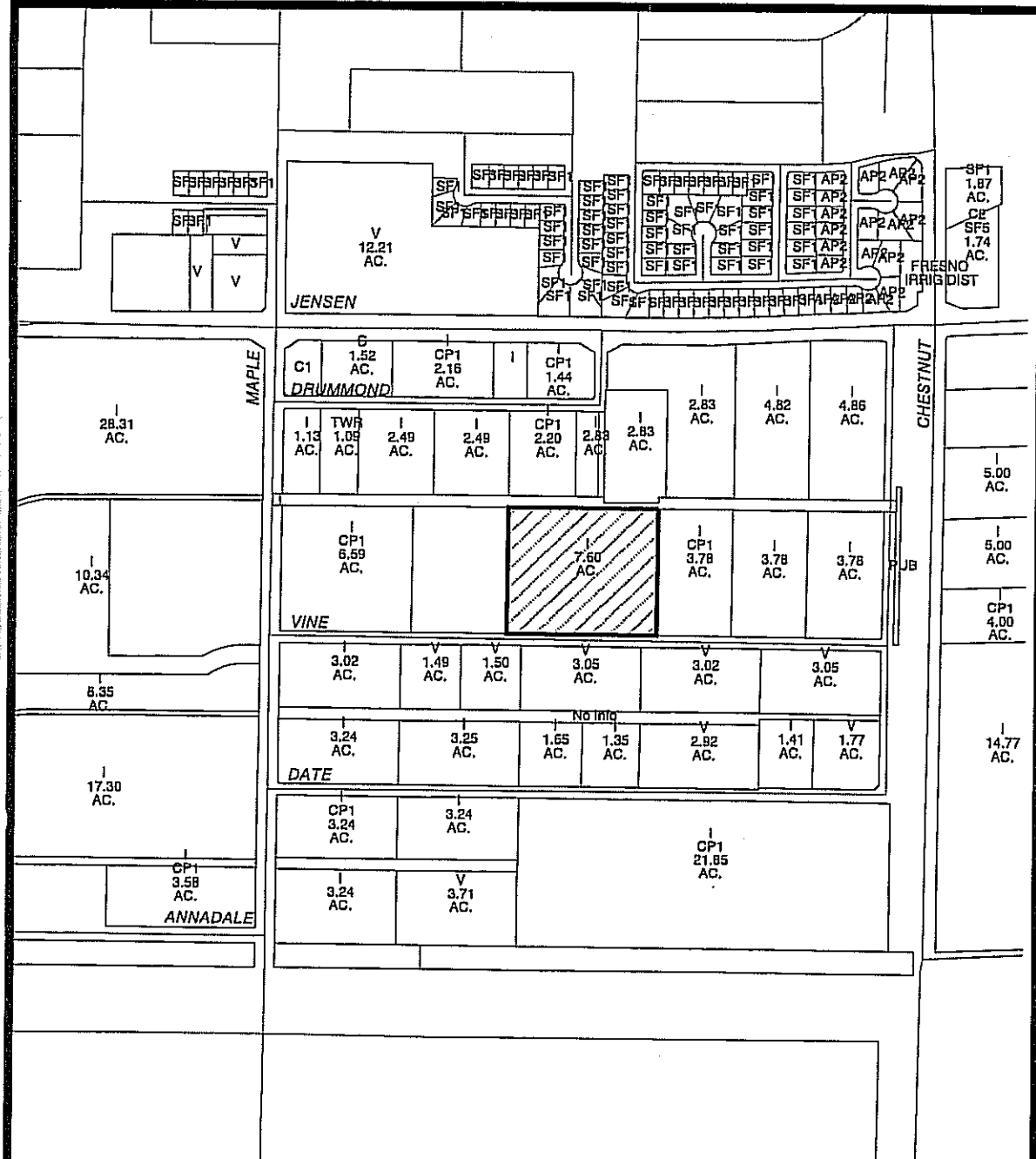


EXHIBIT 2

Exhibit 2 – Page 1

CUP 3262

EXISTING LAND USE MAP



Legend
AP1 - APARTMENT
C - COMMERCIAL
C# - COMMERCIAL
CP# - OFFICE COMM./PROF
I - INDUSTRIAL
PUB - PUBLICLY OWNED
SF#- SINGLE FAMILY RESIDENCE
V - VACANT

Subject Property

N
W E
S

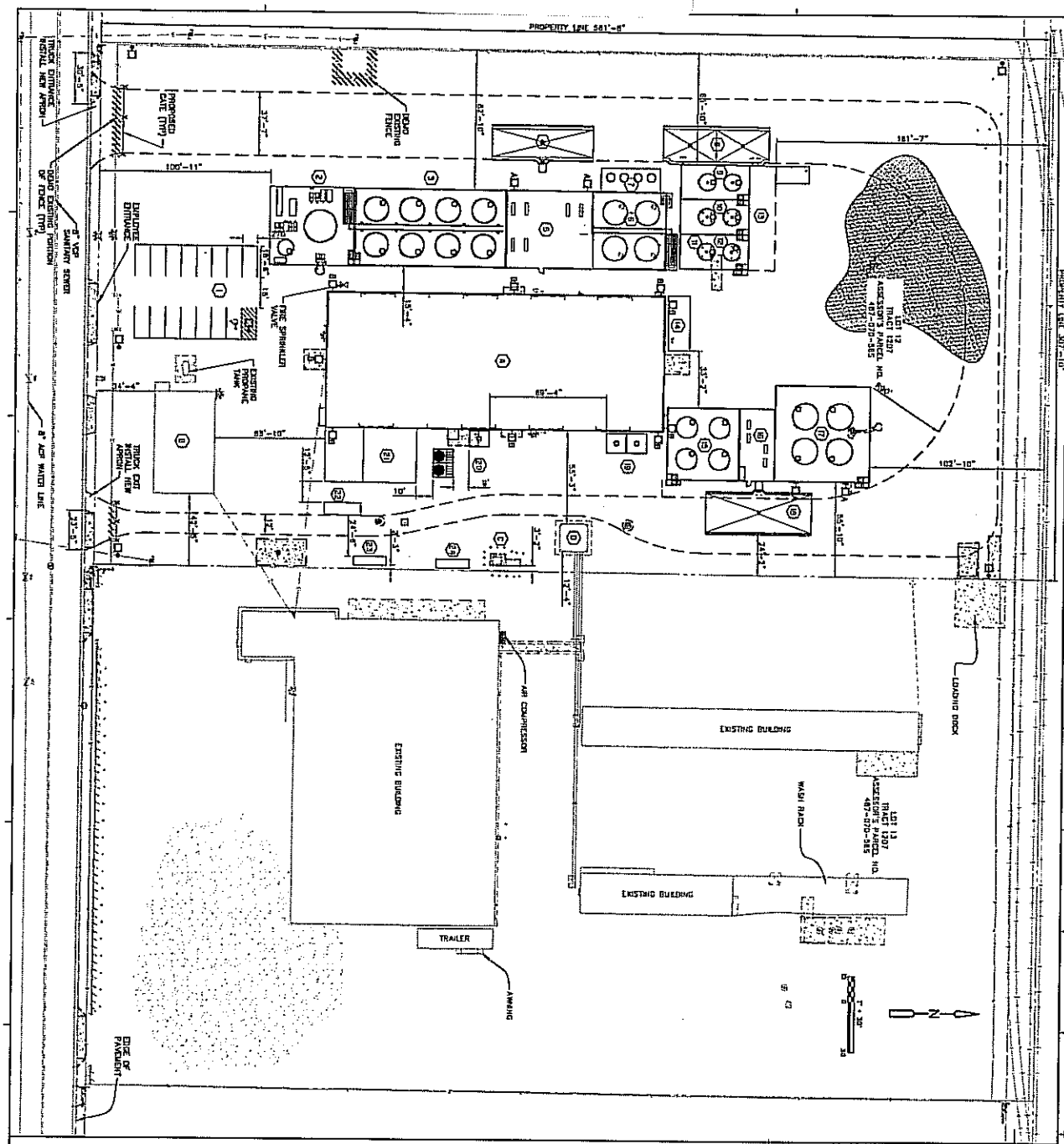
300 0 300 600 900 Feet

Prepared by: County of Fresno The Department of Public Works and Planning JCH1111

EXHIBIT 3

Exhibit 3 – Page 1

EXHIBIT 4



LEGEND

- SEWER MANHOLE
- POWER POLE
- HOT POLE MOUNTED LIGHTING FIXTURE, LIGHTING NOTE 4
- HYDRANT
- WHARF HYDRANT
- NEW WALL MOUNTED LIGHTING FIXTURE, LIGHTING NOTE 5
- WATER VALVE
- NEW WALL MOUNTED LIGHTING FIXTURE, LIGHTING NOTE 6
- GRATE INLET
- STORM DRAIN MANHOLE
- LOADING ZONE
- WATER METER
- ASPHALT
- UTILITY VAULT
- FENCE
- CONCRETE
- RAILROAD TRACKS
- EXISTING BUILDING / STRUCTURE
- LOT LINE
- EXISTING OVERHEAD ELECTRIC LINE
- BOLLARD POST
- PROPOSED STRUCTURE
- PROPOSED STRIPING FOR TRUCK CIRCULATION

NOTES:

PROPOSED STRUCTURES:

1. EMPLOYEE PARKING SPACE (14 SPACES AND 1 HANDICAP SPACE), 72' X 80'
2. WASTE WATER TREATMENT, 48' X 50' X 16' HIGH
3. RAW GREASE STORAGE, 8-11,000 GALLON TANKS, 48' X 80' X 31' HIGH
4. RAW GREASE UNLOADING ZONE, 60' X 23'
5. RAW GREASE UNLOADING & PRETREATMENT FACILITY, 48' X 31' X 13 HIGH
6. TREATED GREASE STORAGE, 48' X 44' X 31' HIGH
7. GREASE & PRETREATMENT AREA DOOR CONTROL FACILITY, 35' X 13.5' X 8' HIGH
8. CHEMICAL LOADING ZONE, 62.5' X 23'
9. GLYCERIN STORAGE 2-8,000 GALLON TANKS, 41.5' X 20.5' X 18' HIGH
10. METHANOL STORAGE 2-8,000 GALLON TANKS, 41.5' X 20.5' X 18' HIGH
11. SODIUM METHOXIDE STORAGE 1-8,000 GALLON TANKS, 41.5' X 20.5' X 18' HIGH
12. METHANOL SURGE TANK 1-8,000 GALLON TANK 41.5' X 20.5' X 18' HIGH
13. FUTURE EXPANSION OF GLYCERIN, METHANOL AND SODIUM METHOXIDE STORAGE, 81.5' X 15.5'
14. SULPHURIC AND PHOSPHORIC ACID TOTE STORAGE, 13' X 37' X 10' HIGH
15. METHYL ESTER REMOVAL 4-15,000 GALLON TANKS 43' X 43' X 20' HIGH
16. BIODIESEL LOADING FACILITY, 20' X 43' X 12' HIGH
17. BIODIESEL STORAGE 4-33,000 GALLON TANKS, 57' X 57' X 28' HIGH
18. BIODIESEL LOADING ZONE, 83' X 23' X 32' HIGH
19. METHYL ESTER DISTILLATION COLUMNS, 10' X 24' X 53' HIGH
20. METHANOL DISTILLATION COLUMN, 10' X 12' X 53' HIGH
21. BOILER AND CHILLER ROOM, 54' X 32' X 12' HIGH
22. SPENT BLEACHING MATERIAL DUMPSTER, 22' X 7' X 8' HIGH
23. TRANSFORMER, 19.5' X 5' X 6' HIGH
24. BACKUP GENERATOR, 19.5' X 5' X 7.5' HIGH

EXISTING STRUCTURES:

A. BIODIESEL PROCESS EQUIPMENT 200' X 80' X 35' HIGH.
B. OFFICE AND LAB SPACE 80' X 35.5' X 15' HIGH.
C. EXISTING TRANSFORMER.
D. EXISTING TRANSFER STRUCTURE 15' X 15' X 54' HIGH.

LIGHTING NOTES:

1. EXTERIOR LIGHTS WILL BE CONTROLLED BY PHOTOCELL AND TIMER, WITH MANUAL "OFF" OVERRIDE AVAILABLE.
2. NEW EXTERIOR LIGHTS WILL BE GLARE-FREE AND "DARK SKY" CERTIFIED.
3. EXISTING EXTERIOR LIGHTING (NOT SHOWN) WILL BE REMOVED.
4. WALL MOUNT FULL CUTOFF FIXTURE, 250W METAL HALIDE LAMP, FLAT LENS.
5. WALL MOUNT FULL CUTOFF FIXTURE, 70W METAL HALIDE LAMP MOUNTED APPROXIMATELY 10' HIGH.
6. WALL MOUNT FULL CUTOFF FIXTURE, 150W METAL HALIDE LAMP MOUNTED APPROXIMATELY 10' HIGH.

CDM

CALIFORNIA GREEN ENERGY BIODIESEL PROCESSING PLANT
SITE PLAN

PROJECT NO.
FILE NAME:

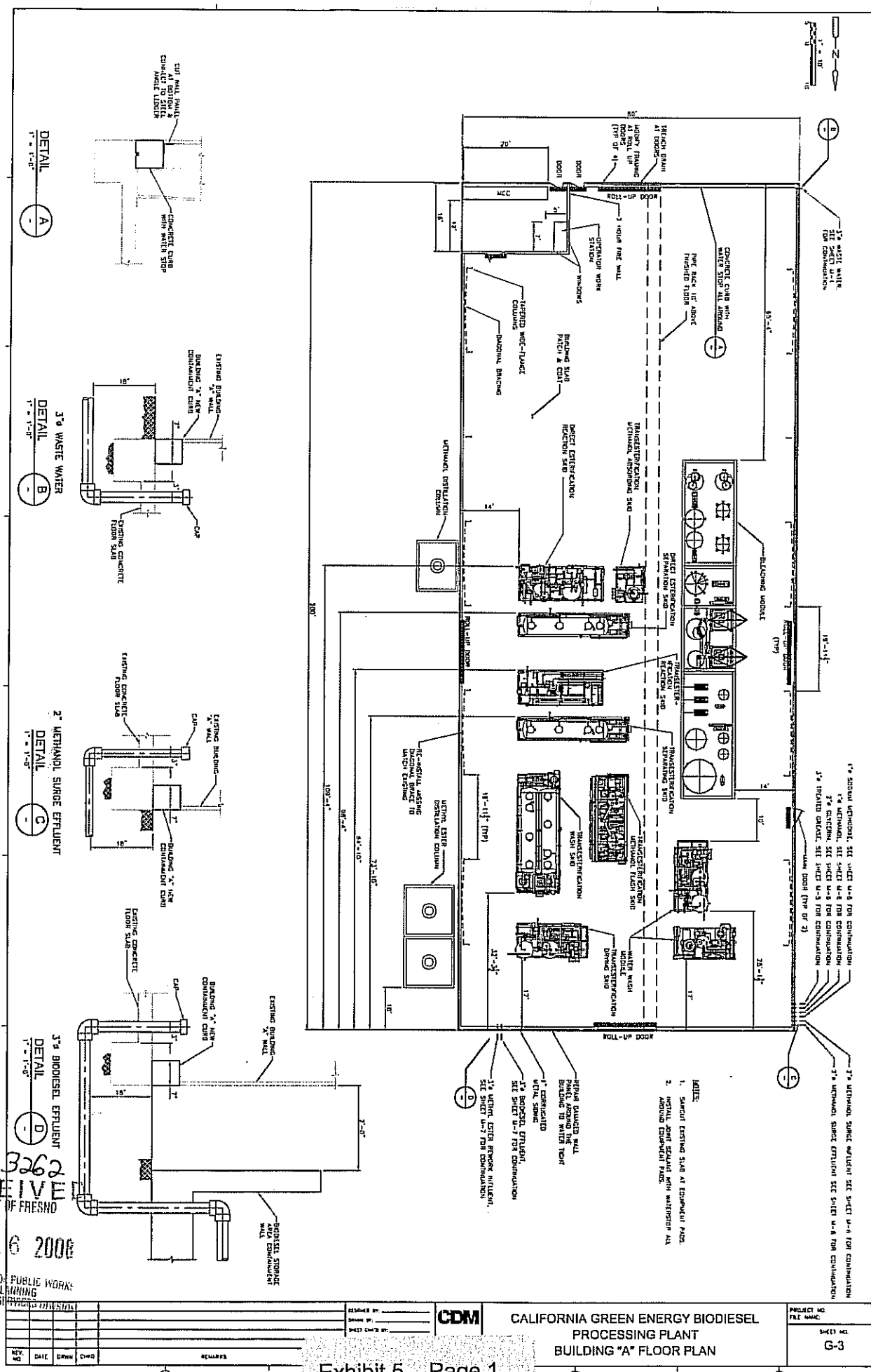
SHEET NO.
G-1

REV. NO.	DATE	DRWN	CHKD	REMARKS

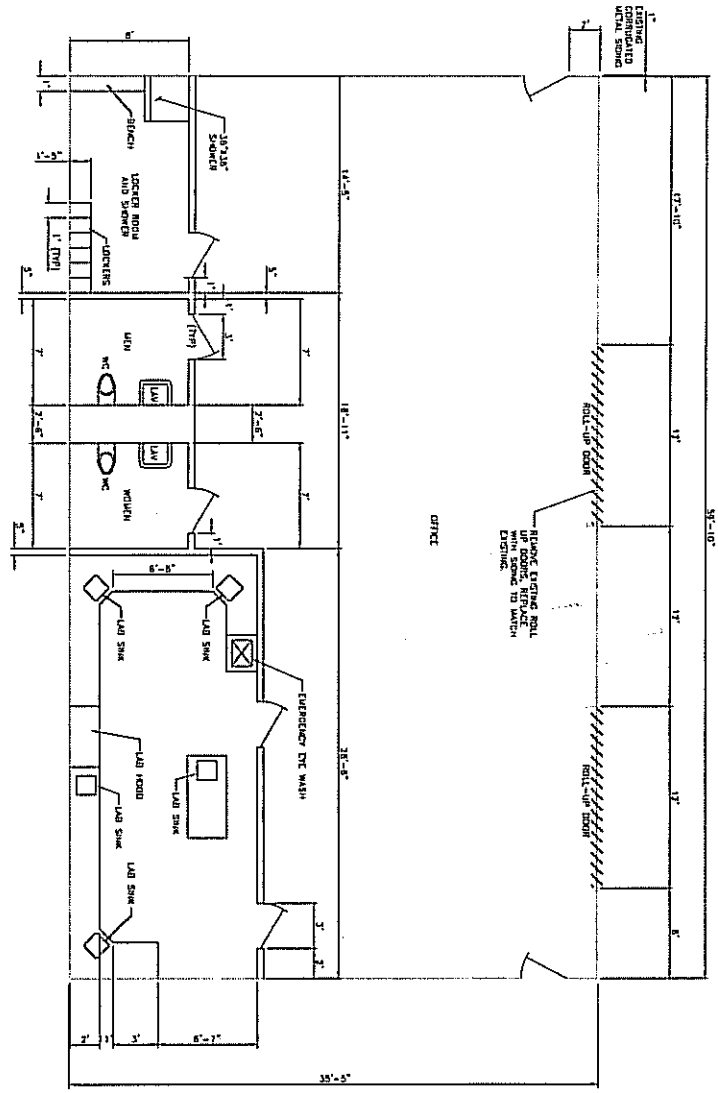
CHECKED BY:
DRAWN BY:
SHEET CHK'D BY:
CADD CHK'D BY:

CUP3262
RECEIVED
COUNTY OF FRESNO
DEC 16 2008
DEPARTMENT OF PUBLIC WORKS AND PLANNING
DEVELOPMENT SERVICES DIVISION

EXHIBIT 5



CUP 3262
RECEIVED
COUNTY OF FRESNO
DEC 16 2008
DEPARTMENT OF PUBLIC WORKS AND PLANNING
DEVELOPMENT SERVICES DIVISION



CUP 3262

RECEIVED
COUNTY OF FRESNO

DEC 16 2008

DEPARTMENT OF PUBLIC WORKS AND PLANNING
DEVELOPMENT SERVICES DIVISION

REV NO	DATE	DRWN	CHKD	REMARKS

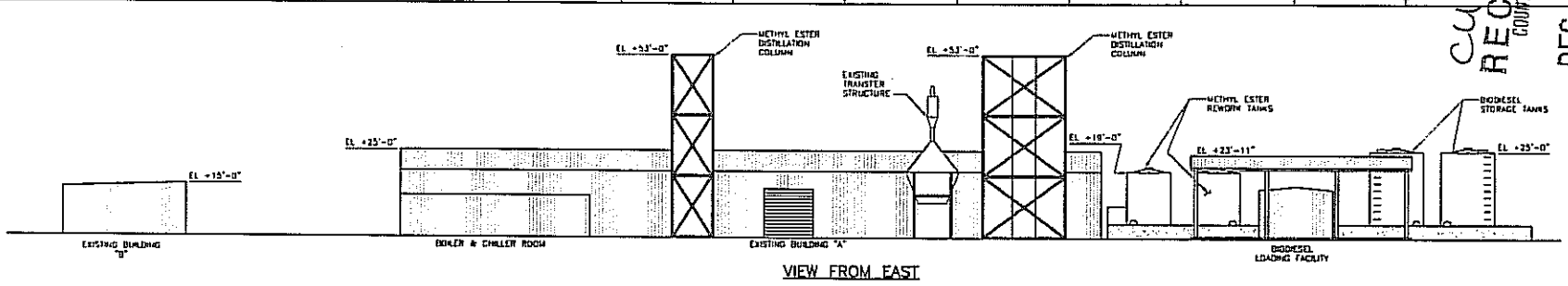
DESIGNED BY:
DRAWN BY:
SHEET CHK'D BY:

CDM

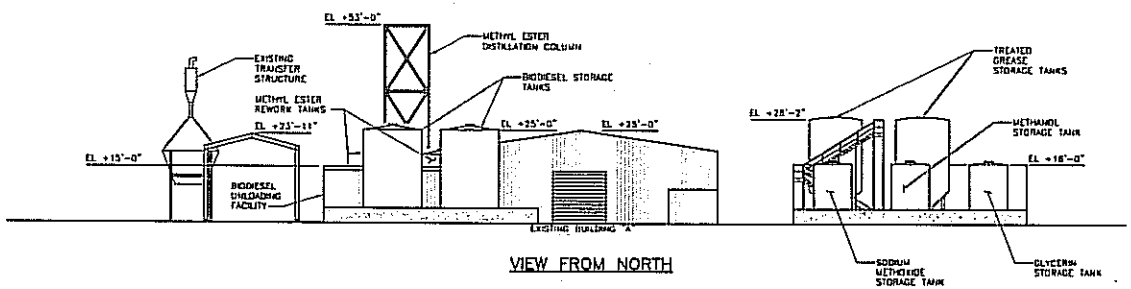
CALIFORNIA GREEN ENERGY BIODIESEL PROCESSING PLANT
BUILDING "B" FLOOR PLAN

PROJECT NO.
FILE NAME:

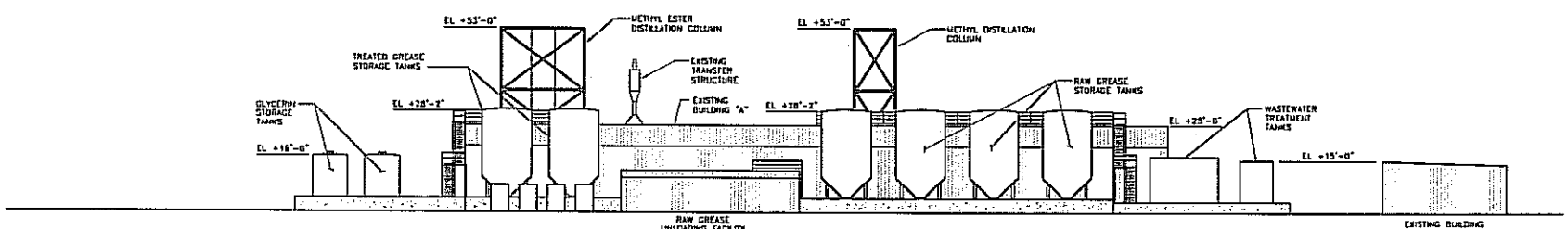
SHEET NO.
G-4



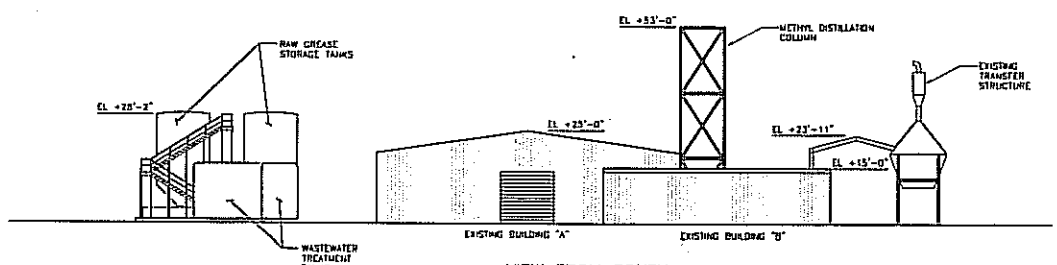
VIEW FROM EAST



VIEW FROM NORTH



VIEW FROM WEST



VIEW FROM SOUTH

NOTE:
ELEVATION DRAWINGS DO NOT REFLECT FUTURE LANDSCAPING

1/16" = 1'-0"

CALIFORNIA GREEN ENERGY BIODIESEL
PROCESSING PLANT
ELEVATIONS

CDM

PROJECT NO / FILE NAME

SHEET NO
G-2

REV. NO	DATE	DRAWN	CHKD	REMARKS

Exhibit 5 – Page 3

Project Operational Statement
California Green Energy Biodiesel Processing Plant

Request

The project applicant, California Green Energy, is requesting a Classified Conditional Use Permit from the County of Fresno to allow for the development and operation of a biodiesel processing plant within the M-3 (Heavy Industrial) Zone District. Project operation will include the receipt and pretreatment of waste grease collected from restaurants and the conversion of pretreated grease to biodiesel fuel. Waste grease, comprised of natural vegetable oils and fats, is described below. The finished biodiesel product will be transported off-site for sale to customers. Detailed descriptions of the pretreatment and refining processes to be developed on the site are outlined in this Operational Statement.

Representative

Ilana Cohen
Camp Dresser & McKee Inc.
2295 Gateway Oaks Dr. Suite 240
Sacramento, CA 95833
916-576-7491

Dirk Poeschel Land Development Services, Inc.
923 Van Ness Avenue, #200
Fresno, CA 93721
559-445-0374

Facility Location

The proposed project is located on an approximately 4 acre lot (308 feet by 562 feet) at 4681 East Vine Avenue. The proposed facility will be located on the western portion of APN 487-070-56S. This APN is made up of two legal parcels, Lots 12 and 13 of Tract Number 1207, Fresno Industrial Sites No. 1. The proposed development will take place on Lot 12 with no changes proposed on Lot 13.

The proposed site is on the north side of East Vine Avenue between S. Maple Avenue and South Dearing Avenue in Fresno County. The proposed project site is designated as Heavy Industrial in the Fresno County General Plan and is currently zoned M-3. Lot 12 is currently developed with two buildings; one covers 16,000 +/- square feet and the other covers 2,130 +/- square feet. The project site is flat and paved, with no existing landscaping or native vegetation. The site was previously used as part of a wood pallet production center, and is

currently used as a truck terminal for a grease hauling transport center. The surrounding land uses and zoning are listed below in Table 1.

Table 1
Existing Land Uses and Zoning

North:	Industrial Facility/M-3
South:	Vacant/M-3
East:	Industrial Facility/M-3
West:	Industrial Facility/M-3

Project Justification

Biodiesel is an important alternative to fossil fuels. The Energy Independence and Security Act of 2007 mandates by 2012 the use of 1 billion gallons of biodiesel per year nationwide. Biodiesel is approved by the Environmental Protection Agency (EPA) in any blend level (it can be used in the pure form or blended with petroleum oil) for both highway and non-road diesel vehicles. Compared to petro-diesel, biodiesel provides a 78% reduction in greenhouse gases; substantial, if not total, reduction in particulate emissions, energy independence and sustainability. The EPA, Department of Treasury and California have enacted a number of incentives and tax credits to promote the use of biodiesel and more are on the way.

California Green Energy's proposed Fresno biodiesel processing plant would have the capacity to produce 5 +/- million gallons a year of biomass-based biodiesel by turning waste restaurant grease into biodiesel, using grease which would otherwise be added to California's landfills. Local production and use of 5 +/- million gallons a year of biodiesel will be a major step in improving California and Fresno's air quality, as well as provide green-collar employment and a valuable fuel source for the Fresno region. At a time of record high and unpredictable petro-diesel prices, biodiesel will be a welcome alternative for Fresno's businesses and individuals in agriculture and industry that must rely on diesel as a fuel source.

Increased local availability of biodiesel will also reduce environmental and health risks. Biodiesel is non-toxic and biodegradable, thereby posing less significant health and environmental risks associated with potential spillage compared to petro-diesel. Additionally, biodiesel is less combustible than petro-diesel. These properties make biodiesel significantly safer for handling than petro-diesel and a far better alternative for use in parks, wetlands and other environmentally sensitive areas.

California Green Energy's biodiesel facility would help California and Fresno achieve reduced greenhouse gas emission targets, protect the local environment, provide and attract green-collar jobs, establish Fresno as a center for alternative energy and assist Fresno's agriculture and industry towards achieving energy independence and sustainability.

Required Permits and Approvals

- Fresno County Conditional Use Permit
- Approval of Hazardous Materials Business Plan (in compliance with Chapter 6.5 of the California health and Safety Code) by the County of Fresno Lead Enforcement Agency (County Department of Community Health)
- Authority to Construct permits for equipment operation from the San Joaquin Valley Unified Air Pollution Control District.

Project Operations

The proposed project will operate in concert with the existing grease collection business currently based adjacent to the project site on lot 13 of APN 487-070-56 S. AmeriGuard Maintenance Service currently collects waste grease from restaurants, and disposes of it at approved disposal facilities. The collaborative program being developed by California Green Energy will collect the brown grease that AmeriGuard and other approved grease haulers currently disposes of off site and, in a multiple treatment stage process, refine the grease into biodiesel. The refined biodiesel will be hauled off site by California Green Energy. The multiple treatment stages and associated infrastructure are described in this operational statement along with the expected hours of operation and staff required to support project operations.

Buildings

All refining processes will be housed in the existing 16,000 square foot building (Building A on site plan). Under the proposed design, the existing building will not need major structural improvements to adequately house the proposed equipment and the main function of the building will be to protect refining equipment from the weather. Small quantities of chemicals will be stored inside the building (mainly in process pipes) and bulk chemical storage tanks will be located outside the main building as described below. The types and quantities of chemicals to be stored indoors are listed in Table 2.

Table 2 Indoor Chemical Storage		
Chemical	**Concentration**	***Maximum* Quantity to be stored onsite indoors**
Sulfuric Acid	98 percent	330 gallons
Phosphoric Acid	85 percent	660 gallons
Methanol	100 percent	150 gallons
Sodium Methoxide	25 percent in methanol	50 gallons

Based on the chemical types and quantities listed in Table 2, the building will be classified as Occupancy Type H3 and Occupancy Category II, according to Table 307.1 and Table 1604.5 of the 2006 International Building Code. In accordance with this Occupancy Category only minor structural improvements will have to be made to the building, and a replacement of the building or major structural modification of the building is not necessary. Additional fire sprinklers will be installed in the building, but it is anticipated that these will not add a significant amount of load to the structure.

A 320 square foot control room will be constructed inside the existing 16,000 square foot building. The control room will be used by workers who are operating process equipment inside the building. The control room will be surrounded with a 2 hour fire wall and ceiling.

All business activities will take place in an administrative office on the site. The office would be developed within the existing 2,130 square foot building that is currently on the site (Building B on site plan). Activities will include sales, coordination of deliveries, pick-ups, and maintenance service, and escort of all visitors. All sales of biodiesel on site will be pre-arranged before the time of delivery.

This 2,130 square foot building would also house the laboratory for testing of the biodiesel. The processing operations described below would be completely separated from the administrative operations of the building.

Two new buildings will be constructed on site. A 900 square foot building will be constructed to house equipment that will pump biodiesel from storage tanks onto tanker trucks (Building 17 on the site plan). A 2,400 square foot building will be constructed to house equipment that will pre-treat brown grease before it enters the refining process (Building 5 on site plan). The pre-treatment of brown grease is discussed in detail in the next section.

Refinement Process

Source Material

The project will receive four to seven 6,500 gallon tanker trucks per day of source grease to the site. The predominant grease type to be delivered by AmeriGuard-and other suppliers for treatment is waste grease collected from restaurant kitchen grease traps. The traps intercept grease washed down drain lines at restaurants before it can reach the municipal sewer. This grease typically contains 70 percent water by weight, 3 percent suspended solids by weight, and other contaminants that have to be removed during pretreatment.

The facility may also refine yellow grease that is typically collected from restaurant deep fryers. Yellow grease has lower contaminant levels and water content resulting in higher amounts of pretreated refinable material per truckload. Production capacity at the plant is designed based on the assumption that the majority of grease delivered will be brown grease that yields less pretreated refinable materials per truckload.

Treatment Stages

This section describes the biodiesel refining process from the initial step of receiving grease to the final delivery of refined biodiesel. Table 3 at the end of the section outlines the specific infrastructure needed for each stage of the biodiesel refining process as well as the volumes of materials needed to support the process and expected waste volumes associated with each stage of the process. The proposed facilities are outlined on the site plan.

Raw Grease Unloading and Pretreatment: The raw grease feedstock will be pumped from tanker trucks through a grinder and rotating drum screen housed in the Raw Grease Unloading and Pretreatment Facility (Building 5 on the site plan).

The raw grease feedstock will then be pumped into steel Raw Grease Storage Tanks (structure 3 on site plan). The storage tanks will be heated with steam to separate the layers of grease, water, and solids. After heating and stratification is complete, the water and solids will be removed from the tank and pumped to the onsite Waste Water Treatment Facility (structure 2 on site plan). The grease remaining in the storage tanks will be pumped to the next pretreatment stage.

The heated and dewatered grease from the Raw Grease Storage Tanks will be pumped through a centrifuge and then a fine screen to further remove water and solids. This equipment will be housed in the Raw Grease Unloading and Pretreatment Facility (see Building 5 on the site plan). After passing through the fine screen, the treated grease will be pumped into steel Treated Grease Storage Tanks (structure 6 on the site plan).

Water Wash Module: Treated grease will be pumped from the Treated Grease Storage Tanks to the water wash module (see Building A floor plan). This process serves to further remove solids and water from the grease.

Bleaching Module: Following the water wash, the grease feedstock enters the bleaching module (see Building A floor plan) which removes impurities that can cause the final biodiesel product to have an undesirable odor or appear dark. In this process, the grease feedstock is pushed through a filter material composed of silica (bleaching media). The filter material physically removes meal fines and other solids and also adsorbs polar compounds such as sulfur, phosphorus, calcium, magnesium, sodium, and potassium metals. Used filter material (spent bleaching media) will be stored on site and periodically disposed of at a suitable facility. The filtered grease feedstock continues through the refining process.

Direct Esterification Process: The filtered grease feedstock exiting the bleaching module will contain several different compounds. These compounds will enter the direct esterification process skid (see Building A floor plan) where some of them will be converted into unrefined biodiesel (methyl esters). The remainder of the compounds will be converted to unrefined biodiesel in the next stage. See Table 3 for the chemical inputs and outputs used in this process.

Transesterification Process: The unrefined biodiesel and remaining compounds from the direct esterification process will be further refined by the transesterification process skid (see Building A floor plan). The transesterifcation process produces four output streams:

- Unrefined Biodiesel – This stream continues to the next refining stage.
- Glycerin with Base - This stream is stored onsite in the Glycerin Storage Tanks (see structure 9 on the site plan) and can be sold for use in other manufacturing processes.
- Recovered Methanol with Water - This stream is diverted to storage tanks where the methanol is separated from the water the Methanol Distillation Column (see Building A floor plan) and held for reuse.
- Waste Water – This stream will be discharged to the onsite Waste Water Treatment Facility (structure 2 on the site plan).

Post Treatment: Following the transesterification process, the unrefined biodiesel enters the methyl ester distillation column (see Building A floor plan). The methyl ester distillation process removes any remaining odor or color-changing impurities not treated by the coarser bleaching completed early in the refining process. This process produces two output streams:

- Liquid residual byproduct from distillation process – This stream is a low quality fuel product that is a byproduct from the distillation process. It will be stored onsite and periodically disposed of at a suitable facility.
- Refined Biodiesel – This stream will be pumped into steel Methyl Ester Rework Tanks (see structure 15 on the site plan). The biodiesel will be held in these tanks and tested for quality control. If the biodiesel is of an acceptable quality it will be pumped into steel

Biodiesel Storage Tanks (see site plan) and then periodically pumped onto tanker trucks. If the biodiesel is not of an acceptable quality it will be pumped back into the process for further refining.

Waste Water Treatment: Liquid waste from pretreatment of raw grease feedstock and the refining process will be discharged to the onsite Waste Water Treatment Facility. The waste stream will be treated to remove solids and fats, oils, and grease content (FOG) before being discharged to the sewer. Solids and grease removed during this process will be stored on site and periodically disposed of at a suitable facility. All material discharged to the sanitary sewer system will meet the requirements of the Fresno-Clovis Regional Wastewater Treatment Facility operated by the City of Fresno.

Table 3
Biodiesel Infrastructure, Chemical Inputs, and Waste Outputs

Treatment Stage	Infrastructure		Chemical Inputs	Waste Outputs
Raw Grease Unloading and Pretreatment	8	16,000 gallon heated tanks for raw grease	Raw Grease (45,500 gallons per day)	Waste Water (28,250 gallons per day)
	1	Grinder		Solids (3.5 cubic yards per day)
	1	Rotating Drum Screen		
	1	Centrifuge		
	1	Fine Screen		
	4	16,000 gallon heated tanks for treated grease		
Water Wash Module	1	Water wash module	Water (750 gallons per day)	Wastewater (4,200 gallons per day)
	1	Storage Unit for 330 gallon totes of Sulphuric and Phosphoric Acid	Concentrated Phosphoric Acid (10 gallons per day)	
Bleaching Module	1	Bleaching module	Bleaching media (500 lbs/day)	Spent bleaching media (0.4 cubic yards per day)
	1	Dumpster for spent bleaching material		
Direct Acid Esterification	1	Direct Esterification Skid	Methanol (1,600 gallons per day new + 1,600 gallons per day reused)	Glycerin (500 gallons per day)
	2	8,000 gallon tanks for Methanol (shared with the transesterification step)	Concentrated Sulfuric Acid (70 gallons per day)	
	2	8,000 gallon tanks for Glycerin (shared with the transesterification step)		
	1	Storage Unit for 330 gallon totes of Sulphuric and Phosphoric Acid (shared with water wash module and transesterification step)		
	1	Methanol Distillation Column (shared with transesterification step)		
Transesterification	1	Transesterification Skid	Water (2,800 gallons per day)	Glycerin (600 gallons per day)
	1	8,000 gallon tank for Sodium Methoxide	Concentrated Phosphoric Acid (10 gallons per day)	Wastewater (3,415 gallons per day)
	2	8,000 gallon tanks for Methanol (shared with the direct esterification step)	Sodium Methoxide (700 gallons per day)	
	2	8,000 gallon tanks for Glycerin (shared with the direct esterification step)		
	1	Storage Unit for 330 gallon totes of Sulphuric and Phosphoric Acid (shared with water wash module and direct esterification step)		
	1	Methanol Distillation Column (shared with direct esterification step)		
Post Treatment	4	16,000 gallon tanks for Methyl Ester Rework		Residual byproduct (560 gallons per day)
	4	35,000 gallon tanks for refined Biodiesel		
	1	Methyl Ester distillation column		
Waste Water Treatment	1	35,00 gallon Equalization Tank	Wastewater generated onsite (36,000 gallons per day)	Treated Wastewater (36,000 gallons per day)
	1	Dissolved Air Flotation (DAF) unit		Solid Waste (0.3 cubic yards per day)
	1	8,000 gallon Solids Holding Tank		
	1	Filter Press		
Odor Control	4	Activated Carbon Canisters	Activated Carbon (3.6 cubic yards per month)	Spent Activated Carbon (3.6 cubic yards per month)
Boiler and Chiller	1	Two boilers, one cooling tower, and chiller	Water (24,480 gallons per day)	Water recycled in processing

Facility Equipment

The equipment listed below includes the basic equipment that would be used in the process. It does not reflect all storage tanks and specific components of the chemical skids.

Boiler, Steam Generator, Chiller, and Cooling Tower (Used to adjust temperatures of process equipment)

Methanol Distillation Column (Used to recover used methanol)

Grinder, Drum Screen, Centrifuge, Fine Screen (Used for raw grease unloading and pretreatment)

Heated tanks for raw and treated grease (Used to keep grease from solidifying)

Water wash module (Used to remove water and some solids from grease)

Bleaching Module (Used to remove impurities from grease)

Direct Esterification Skid (Used to convert grease to biodiesel)

Transesterification Skid (Used to convert grease to biodiesel)

Methyl Ester Distillation Column (Used to remove impurities from biodiesel)

Biodiesel and Chemical Storage Tanks (Used to store biodiesel and chemicals)

Activated Carbon Canisters (Used to absorb odorous and combustible compounds)

Transformer and Backup Generator (Provides power to the process equipment)

Equipment Spacing

Adequate spacing will be provided between all pieces of equipment and storage tanks in accordance with National Fire Protection Agency (NFPA), and Occupational Safety and Health Administration (OSHA) requirements.

Onsite Laboratory

The proposed facility will include an onsite laboratory for the analytical testing of refinement products. Chemicals used in the laboratory will be properly used, stored, and disposed of in accordance with Fresno County Department of Public Health, local fire department, American National Standards Institute (ANSI), and OSHA standards. The laboratory will also be equipped with necessary safety clothing and equipment (e.g. fireproof blankets, eye protection, eye wash, emergency shower, etc).

The existing building on the south side of the site will be retrofitted to house the proposed laboratory. To retrofit the building, minor structural improvements will have to be made, but a replacement of the building or major modification of the building is not necessary under the current design.

Water Supply

Potable water is currently provided to the site by the City of Fresno. The main line serving the site is an existing 8" water line in East Vine Avenue that connects with 10" water lines on South Maple and South Chestnut Avenues. The property is served by a 6" waterline for fire sprinklers, a 2" line with 2" meter for domestic water services, and a 4" line with 3" meter for domestic water service. Based on a standard flow velocity of 5 feet per second in the existing water lines, the 2" lines can provide up to 50 gallons per minutes, and 3" lines can provide up to 120 gallons per minute.

The proposed facility would have a total water demand of 28,000 gallons of water per day for processing biodiesel. General water use by employees and the laboratory would require approximately 1,300 gallons of water per day based on a maximum water use of 100 gallons per day per full-time employee and a maximum of 13 employees. Therefore, water demand for the proposed process and general site operations would be 29,300 gallons per day. The average water usage on the site would be approximately 20 gallons per minute. No operations, such as batch flows would require higher peak flows. The existing 2" and 3" lines on site have the capacity to meet this demand.

Liquid and Solid Waste Disposal

Liquid Waste

Three streams of wastewater would be generated on site at a total rate of approximately 36,000 gallons per day (see Table 3). The pretreatment process will produce approximately 28,250 gallons per day of wastewater, the water wash module will produce approximately 4,200 gallons per day of wastewater, and the transesterification and direct esterification process will produce 3,415 gallons per day of wastewater. These three streams of wastewater will be discharged to the onsite Waste Water Treatment Facility. Characteristics of the influent to the Waste Water Treatment Facility have been estimated in Table 4. Estimates of the effluent from the Waste Water Treatment Facility are also provided in Table 4. The effluent from the Waste Water Treatment Facility will be discharged to the sewer and will meet the discharge limits set forth in Chapter 6-327, Article 3 of the City of Fresno's Municipal Code.

Table 4
Onsite Waste Water Influent and Effluent

	Influent	Effluent
Flow	25 gpm	25 gpm
BOD	6,200 mg/L	3,000 mg/L
COD	12,500 mg/L	9,500 mg/L

TSS	1,500 mg/L	25 mg/L
FOG	1,700 mg/L	25 mg/L

Sewage service is provided by the City of Fresno, which operates the Fresno-Clovis Regional Wastewater Treatment Facility with a capacity of 80 million gallons per day. There is an existing 8 inch vitrified clay pipe (VCP) with a slope of 0.002 feet per feet located in East Vine Avenue. This sanitary sewer line flows west and connects to a 27 inch reinforced clay pipe (RCP) sanitary sewer line located in South Maple Avenue which flows north and ultimately connects to a sanitary sewer line in East Jensen Avenue. The flow line of the sanitary sewer is approximately 7 feet below street elevation.

The total wastewater to be discharged to the sewer will be 36,000 gallons per day at a maximum rate of approximately 25 gallons per minute. The flow would be continuous, rather than in batches exceeding this rate. The existing 8 inch sanitary sewer along East Vine Avenue has a maximum capacity of 260 gallons per minute, based on the size and slope. Initial discussion with the Fresno-Clovis Regional Wastewater Treatment Facility indicates that there is capacity in this line to accommodate the projected wastewater flows.

The direct esterification and transesterification processes will produce 1,100 gallons per day of glycerin. The glycerin will be stored on site and sold as a product for other manufacturing processes. Details on the glycerin collection are provided in the following section.

The Methyl Ester Distillation Column (see site plan) will produce approximately 560 gallons per day of residual byproduct (low quality fuel product that is a byproduct from the distillation process). This stream will be stored onsite and periodically disposed of at a suitable facility.

Solid Waste

500 lbs per day (0.4 cubic yards per day) of spent bleaching media will be generated by the bleaching module. The spent bleaching media will consist of the bleaching media (silica and diamataceous earth filter material), meal fines, proteins, grease, and traces of sulfur, phosphorus, calcium, magnesium, sodium, potassium. This material will be collected in a 10 cubic yard dumpster located on the east side of the building and hauled away every two weeks by an approved, private hauler to a solid waste facility that accepts bio-solids.

Additionally, carbon from the carbon filter used to reduce odors (described below) would periodically be disposed of at an appropriate solid waste facility. It is anticipated that, 3,150 pounds (3.6 cubic yards) of carbon would have to be disposed of once a month. This material would require transport by an approved hauler to a solid waste facility authorized to accept this type of material.

Activities in the office and laboratory will also generate solid waste. This type of waste is considered municipal solid waste and can be accepted by the County of Fresno for disposal.

Solid waste materials from delivery of materials, and some of the waste generated on site can be recycled (e.g. cardboards, plastics, cans, etc.). Solid waste that cannot be recycled will be collected in trash receptacles on site and disposed of through a contract with a hauler approved by Frseno County.

Chemical Waste Recycling

Some of the treatment stages will result in the output of chemical waste streams that can be reused at the facility or sold to other manufacturers. From both the direct esterification and the transesterification process, 1,100 gallons of glycerin would be produced per day. This glycerin would be sold to a third party in its raw form without further refinement to manufacturers, and would be picked up approximately once to twice per week.

The direct esterification and transesterification processes would also yield 1,600 gallons per day of recovered methanol. This methanol would be refined onsite via distillation and reused for continuing cycles of biodiesel refinement. There would not be any direct disposal of methanol from the proposed project.

Fire Protection

The project applicant will prepare an Emergency Plan for the Lead Enforcement Agency (LEA, or Department of Community Health) and the Fire Department. This plan will include fire emergency response protocol and fire reporting protocol. All employees will be familiarized with the plan and the plan will be reviewed on a monthly basis. Appropriate fire extinguishers and fire suppression equipment will be available in multiple locations throughout the facility, and employees will be trained to use them properly.

Emergency fire response services are currently provided to the site by the Fresno County Fire Protection District (FCFPD). The nearest fire station is station 87, located at 4706 Drummond Ave, approximately 4/5 of a mile driving distance from the site. In addition, under the City of Fresno's "Mutual Aid Agreement" with FCFPD, the city will provide service if FCFPD trucks are not available or if additional trucks are required. The nearest City of Fresno fire station is Fire Station 7 located at 2571 S Cherry Avenue which is approximately 2.5 miles west of the project site.

Complete compliance with the standards and requirements set forth by the Fresno County Fire Protection District (as well as other building requirements) will be met through a Site Plan Review. The Site Plan Review will be required prior to the issuance of building permits.

Stormwater and Runoff Control Measures

The proposed project will be developed on a site that is currently paved and will not introduce any additional impervious surface area to the project site. The proposed project

would not generate any additional post-construction stormwater runoff. During project construction, appropriate storm water Best Management Practices (BMPs) will be established to prevent increases in sediment runoff during rainfall events.

As a part of project design, tank farms associated with the biodiesel refining process will be contained by three foot berms designed to contain any liquid spilled from the tank and prevent the material from running off site. If there is spilling of any materials, they will be pumped out of the containment basin and properly disposed of. The basin will have a closed drain that can be opened to allow the flushing of rainwater accumulation to the sewer. In addition, the processing building (building A) will be surrounded by an 8 inch high curb to help prevent any runoff.

Natural Gas and Electrical Service

There is an existing gas line located in East Vine Avenue. Natural gas is currently provided to the adjacent Lot (Lot 13) by PG &E. A gas connection would need to be established to Lot 12 for the proposed project. PG & E can provide gas pressure up to 5 lbs which is sufficient to meet the demands of the facility.

Electrical service is currently provided to the site by PG & E through a 12 KV overhead line and an existing pad-mount 500 KVA transformer on the eastern side of the site. The existing transformer is not adequate to supply power to all the existing electrical loads and the new equipment that is to be installed on the site. A new electrical service including new power feeders from the existing overhead line and a pad-mount transformer will be provided to provide power to all new equipment on the site.

A sound attenuated, Tier 2 standby generator sized to power the process critical/demand loads will be installed on the site to provide emergency power to key equipment in the event of utility power outage. A 300 gallon fuel tank will be installed under the standby generator to provide fuel for operation of the standby generator at full load for up to 8 hours. Both the generator and fuel tank will be permitted through the San Joaquin Valley Air Pollution Control District.

Proposed Hours of Operation

The proposed project will initially operate 5 days per week, 24 hours per day with plans to later expand to 7 days per week, 24 hours per day.

Table 5: Maximum Hours of Operation

Function	Proposed Days of Operation	Proposed Hours of Operation

Receiving of raw grease and chemical deliveries	Monday- Sunday	24 hours/day
Processing of Material & equipment operations	Monday- Sunday	24 hours/day
Office Operations	Monday- Saturday	8 AM- 5 PM

Noise

All processing equipment will be located within the primary building, which will serve to dampen operational noise from equipment such as boilers and combustion engines. The noise produced by the equipment would reach a maximum of 85 decibels (dBA) within the building. Appropriate noise protection will be provided for employees within the building. Immediately outside the building, the maximum noise level would be 70 dBA. The noise level from the process equipment outside the building is within allowable limits for an industrial use, as stipulated in Chapter 8.40, Noise Control, of the County Ordinance.

The other source of noise would be delivery vehicles, mobile, and external equipment; however, wherever possible on mobile equipment, mufflers would be used to reduce noise levels. For communication purposes, there would be an outdoor paging system that would be used from the main office to notify or locate employees.

The site is located among other processing and manufacturing facilities, and is at least 0.15 miles from the nearest noise-sensitive receptors (private residences, schools, places of worship, etc.). Project noise levels will comply with the County exterior noise standard at the nearest residence, school, hospital, church or public library, as stipulated in Chapter 8.40, Noise Control, of the County Ordinance and will comply with the maximum allowable noise exposure standard at the nearest noise-sensitive land uses in accordance with the City of Fresno General Plan Noise Element.

Dust

Due to existing and future proposed paving of the project site, the operation is not expected to result in significant amounts of dust.

Odor

There is the potential for odor generation from the Raw Grease Unloading & Pretreatment Facility, Raw Grease Storage Tanks, and the Treated Grease Storage Tanks (see structures 3, 5, and 6 on the site plan). To prevent the release of noxious odors to the atmosphere, the

headspace of these tanks and buildings will be ventilated into activated carbon filters using blowers. The carbon filters will consist of metal canisters filled with activated carbon. The odorous air will be forced through the canisters with blowers and the carbon in the canisters will absorb the odorous compounds.

In addition, an odor control program will ensure that best management practices are used throughout the operation, such as regular cleaning, and maintenance of odor control mechanisms. This program will be submitted to the LEA for approval.

Aesthetics

The project would include large storage tanks outside the building and two distillation columns (see site plans). These structures will be consistent with the industrial nature of the immediate area. Although landscaping plans are not shown on the current elevation drawings, a landscaping plan will be submitted to the Public works and Planning staff for review and approval prior to permits.

Staffing

The proposed project will initially be staffed by approximately 9 employees with plans to later expand to 13 as the plant transitions from a five day operating schedule to a seven day schedule. Employees would rotate shifts so there would be approximately seven employees on site per shift. Employee positions and the number of staff required to fill them are identified below.

- One supervisor on duty while equipment is running (up to 24 hours/per day); a maximum of 3 employees would rotate on 8 hour shifts to fulfill this role.
- Two operators on duty while equipment is running (up to 24 hours/day); maximum of six employees would rotate on 8 hour shifts to fulfill this role.
- Two maintenance personnel on duty during the day (8 hour shift)
- One to two administrative personnel on duty during the day (8 hour shift)

None of the employees will live on-site as a caretaker.

Visitors to the site

Potential visitors to the site include additional specialized maintenance staff, landscaping maintenance staff, inspectors, and customers, and would likely be visiting the site during business hours from 8:00 AM- 5:00 PM. (Chemical delivery is discussed below.) These visitors will be limited to the office and administrative areas, unless given clearance to enter the processing building. The maximum number of visitors including chemical deliveries would be three per day.

Health and Safety

The facility will include restrooms in the administration/laboratory building on the property. The restrooms will be served by an existing connection to the Fresno-Clovis Regional Wastewater Treatment Plant.

The laboratory will also be equipped with safety features dictated by OSHA/ANSI standards. This will include emergency eye-washes, showers, first-aid kits, and appropriate fire extinguishers. For laboratory work, employees will wear protective clothing and be trained in the use of emergency equipment.

Site Access

The project site will be accessed via existing driveways on East Vine Avenue. Trucks would enter the site at the driveway on the east side of the lot, and exit at the driveway on the west side, as depicted on the site plan. Although there are existing driveways at these locations, the curb-cut will be widened to accommodate trucks. Employees will enter and exit the site through the existing driveway near the center of the lot. It will be designated as the visitor and employee entrance.

On-Site Traffic

At the site, vehicles delivering or picking up material will be directed to an unloading/loading area and personal vehicles would be directed to a separate area. Trucks entering the site will proceed to the proper loading area on a loop driveway surrounding the plant. Trucks bringing raw grease to the site will unload in the Raw Grease Unloading Zone (see site plan) near the grease unloading facility on the northeast side of the biodiesel process equipment building. Trucks hauling chemicals to the site will unload in the chemical loading zone (see site plan) on the west side of the biodiesel process equipment building. Trucks hauling away process waste, including glycerin and solid waste will pick it up from the chemical loading zone also. Trucks picking up finished biodiesel will load from biodiesel Loading zone (see site plan) next to the biodiesel loading facility on the east side of the biodiesel process equipment building. The vehicles that would arrive at the site are identified in Table 6.

Table 6: Vehicle Trips

Type of vehicle	Number of vehicles	Frequency
6,500 gallon trucks with raw grease	4-7	daily
6,500 gallon trucks to haul away refined biodiesel	2-4	daily
Chemical delivery and waste removal trucks	Up to 3	daily
Glycerin pick-up trucks	Up to 3	weekly
Employee vehicles	Up to 13	daily
Additional Visitors	Up to 3	daily

On-Site Parking

On site parking for personal vehicles will be located on the south side of the site near the Office and Laboratory Building. This paved lot with fifteen spaces will serve employees and visitors, including small deliveries. One of these spaces will be handicap accessible in compliance with 28 CFR, part 36 (ADA standards for Accessible Design). The number of employees and visitors entering and exiting the site per day would total 9-15 total, throughout a 24 hour shift. Per §843.5-I.1 of the Fresno County Zoning Ordinance, a total of 7 parking stalls (1 stall for every 2 employees) is required. Therefore, the proposed 15 parking stalls exceed the requirements of the zoning ordinance.

Facility Signs

At the entrance to the site, appropriate directional signs will be posted directing personal vehicles and loading vehicles through the site. Signs will also provide facility information such as contact information and hours of operation. All facility signs will comply with the regulations for special sign types as identified in Section 855-K of the Fresno County zoning ordinance.

Lighting

All existing lighting at the site will be removed and replaced. New lighting for the facility is shown on the site plans. Lights on the building exterior or poles would provide the buildings, loading areas, site entrance, and site exit with sufficient lighting for operations at night. Lights will also be provided around the perimeter of the site for security. New exterior lights will be controlled by photocell and timer with a manual "OFF" override available. New exterior lights will be glare-free and dark-sky certified. All lights will be hooded and/or directed in such a manner that there will not be "spillage" onto adjoining properties.

Landscaping and Fencing

Currently the entire site is paved and there is an existing chain-link fence around the site. It is proposed to provide a landscape area adjacent to E. Vine Ave. The actual size of the landscape area will be determined through the planning approval process.

Vector and Pest Control

The facility and surrounding areas will be regularly monitored and kept clean to prevent attracting vectors and pests. A vector and pest control plan will be implemented prior to the operation of the facility. This plan will include contracting with an outside pest control firm to provide regular on-going pest and vector control of the premises.

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: California Green Energy, LLC

APPLICATION NOS: Initial Study Application No. 6060 and Classified Conditional Use Permit Application No. 3262

DESCRIPTION: Allow the construction and operation of a solid waste transfer and processing facility (conversion of waste grease to biodiesel) on a 3.96-acre portion of a developed 7.60-acre parcel in the M-3 (Heavy Industrial) District.

LOCATION: The site is located on the north side of E. Vine Avenue, between S. Maple Avenue and S. Chestnut Avenue, approximately 730 feet south of the nearest city limits of the City of Fresno (4681 E. Vine Avenue) (SUP. DIST.: 1) (APN No: 487-070-56S).

I. AESTHETICS

A. Would the project have a substantial adverse effect on a scenic vista;

B. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway;

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

FINDING: NO IMPACT:

The project site is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified near the proposal. The subject parcel is located in an area of mixed residential and industrial uses and has historically been developed as a wood pallet production facility. The nearest residence is located approximately 1,040 feet north of the subject parcel and view of the project site

from said residence is masked by existing industrial structures. Therefore, this proposal is not anticipated to have a negative aesthetic impact on the surrounding area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project will utilize outdoor lighting that has the potential of generating new sources of light and glare in the area. All lighting shall be required to be hooded and directed as to not shine towards adjacent property and public streets. This will be included in the following mitigation measure:

* **Mitigation Measure**

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

II. AGRICULTURAL RESOURCES

A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use;

B. Would the project conflict with existing agricultural zoning or Williamson Act contracts; or

C. Would the project involve other environmental changes which, due to their location or nature, could result in conversion of farmland to non-agricultural use?

FINDING: NO IMPACT:

The project is located within an industrial area on a portion of an existing, developed industrial site. The area has been historically developed with industrial uses, thus there is no potential for the conversion of farmland to non-agricultural land uses. The subject site is not agriculturally zoned and is not under a Williamson Act contract.

III. AIR QUALITY

A. Would the project conflict with or obstruct implementation of the applicable air quality plan?

B. Would the project isolate any air quality standard or contribute to an existing or projected air quality violation;

C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a federal or state ambient air quality standard; or

D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) has reviewed the project and has commented that the proposal is expected to have no significant adverse impact on air quality. However, the applicant may be subject to the following District rules: Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Additionally, Rule 2010 (Authority to Construct, Permit to Operate) requires the applicant to obtain permits from the Air District prior to construction, which eliminates the need for an Indirect Source Review. A note will be included advising the applicant to contact the District's Small Business Assistance Office. Compliance with Air District rules will reduce air quality impacts of the subject project to a less than significant level.

The applicant conducted additional air quality significance analysis via the retention of a sub-consultant (CDM). The analysis utilized the Air District's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) to further-analyze significance thresholds as it relates to project development. The analysis determined that emissions for PM10, asbestos, and hazardous air pollutants would all be less than significant based on established thresholds. URBEMIS analysis indicated that Ozone precursors would be less than significant with project development. CO impacts are anticipated to be less than significant based on the number of daily truck trips generated by the proposal (30 trips) as compared to an allowable daily maximum of 1,506 trips for industrial land uses based on Small Project Analysis Level review. Finally, total Greenhouse Gas Emissions (GHG) based on California Air Resources Board (CARB) preliminary thresholds of 7,000

metric tons of carbon dioxide equivalents (official thresholds have not yet been adopted by the State) are not anticipated to be exceeded. It is anticipated that the project will generate approximately 3,853 metric tons of carbon dioxide (CO_2) equivalents.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed use has the potential to produce objectionable odors. However, the applicant has integrated design features into the operation that will ventilate sources of objectionable odors through activated carbon filters which will absorb odorous compounds.

IV. BIOLOGICAL RESOURCES

A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species?

B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFG or USFWS?

C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?

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

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

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

FINDING: NO IMPACT:

The 3.96-acre project site has been previously improved with a paved parking and circulation area and a 16,000 square-foot warehouse. This proposal was routed to the United States Fish and Wildlife Service, who did not express any concerns related to the project. This proposal was also referred to the California Department of Fish and Game, who also did not express any concerns. Therefore, no impacts were identified in regards to 1.) Any candidate, sensitive, or special-status species, 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Dept. of Fish and Game or U.S Fish and Wildlife Service, 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act, and 4.) The movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5?

C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The site is within an area designated for General Industrial uses in the Roosevelt Community Plan and is located within an area that has been historically developed with industrial uses. The site is located in an area of low archeological sensitivity and has been extensively disturbed. Thus, no impacts to cultural resources were identified.

VI. GEOLOGY AND SOILS

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

1. **Rupture of a known earthquake?**

2. **Strong seismic ground shaking?**

3. **Seismic-related ground failure, including liquefaction?**

4. **Landslides?**

FINDING: NO IMPACT:

The project site is not located within a fault zone or area of known landslides.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The majority of the subject parcel has been previously graded, paved or developed. Additionally, potential erosion impacts from this proposal will be minor in that permanent improvements will not cause significant changes in absorption rates, drainage patterns and the rate and amount of surface run-off, with adherence to the Grading and Drainage Sections of the County Ordinance Code.

C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

D. Would the project be located on expansive soils creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, or collapse, or within an area of known expansive soils.

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

FINDING: NO IMPACT:

Liquid waste from pretreatment of raw grease feedstock and the refining process will be discharged to an on-site waste water treatment facility. The waste stream will be treated to remove solids, fats, oils, and grease content before being discharged to the community sewer system operated by the City of Fresno.

VII. HAZARDS AND HAZARDOUS MATERIALS

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

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

C. Would the project emit hazardous materials within one-quarter mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Pursuant to standards set by the Environmental Health Division of the Fresno County Department of Public Health, the applicant shall be required to submit either a Hazardous Materials Business Plan or a Business Plan Exemption Form to their office for review and approval. All hazardous materials shall be handled in compliance with the requirements of the California Health and Safety Code, Chapter 6.5. The applicant may also be required to file a statement regarding any proposed aboveground petroleum storage tank(s) with the Fresno County Department of Public Health, Environmental Health Division. These requirements will be included as project notes. Additionally, there are no schools within one-quarter mile of the project site.

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

FINDING: NO IMPACT:

No hazardous materials sites were identified in the project analysis.

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

F. **Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?**

FINDING: NO IMPACT:

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

G. **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted emergency response plan.

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

FINDING: NO IMPACT:

The project site is not located within a wildland area.

VIII. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was routed to the California Regional Water Quality Control Board (RWQCB), who did not express any concerns related to the project as long as all waste water discharged to the community sewer system is in compliance with City of Fresno pretreatment requirements. Additionally, if construction associated with the proposal disturbs more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required. Before construction begins, the applicant shall submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a site plan, and appropriate fees. The SWPPP shall contain all items listed in

Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States. These requirements will be included as project notes.

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

FINDING: NO IMPACT:

The subject property receives community water services from the City of Fresno. Additionally, the Water/Geology/and Natural Resources Section of the Department of Public Works and Planning, Development Services Division reviewed this proposal and expressed no concerns with its approval as it will make use of a community water system. Therefore, there were no negative impacts identified in regards to the local groundwater table.

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

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

FINDING: NO IMPACT:

No streams or rivers of significance are located near the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The majority of the subject parcel has been previously graded or developed. Additionally, permanent improvements will not cause significant changes in absorption rates, drainage patterns and the rate and amount of surface run-off, with

adherence to the Grading and Drainage Sections of the County Ordinance Code. Per the requirements of the Fresno Metropolitan Flood Control District (FMFCD), project development will require payment of a $4,380 fee and verification that runoff can be safely conveyed to the Master Plan inlet in Maple Avenue south of Vine Avenue. This will be made a project note.

FMFCD has requested that outdoor storage areas be constructed and maintained in such a manner that storm water runoff quality will not be impacted by onsite contaminates associated with the operation. Furthermore, industrial activities, product or merchandize that may come in contact with storm water could contaminate runoff. The following measures have been included to mitigate potential impacts from polluted runoff:

* ***Mitigation Measures***

1. *Outdoor storage areas shall be constructed and maintained in such a manner that material that may generate contaminants will be prevented from contact with rainfall and runoff, thereby preventing the conveyance of contaminants in runoff into the storm drain system.*

2. *Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed through a sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to Fresno Metropolitan Flood Control District storm drainage system shall not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements.*

F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No additional water quality impacts were identified in the analysis.

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

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

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

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

FINDING: NO IMPACT:

The project site is not located within a floodplain and, as such, the project will not expose persons to flood or inundation hazards.

IX. LAND USE AND PLANNING

A. **Will the project physically divide an established community?**

FINDING: NO IMPACT:

This proposal will not physically divide an established community. The project site is located within an area that has been historically developed.

B. **Will the project conflict with any land use plan, policy or regulation of an agency with jurisdiction over the project?**

FINDING: NO IMPACT:

The project site is within a large area designated General Industrial in the Roosevelt Community Plan, which provides for a full range of manufacturing, processing and storage facilities.

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

FINDING: NO IMPACT:

This proposal will not conflict with any habitat conservation plan or natural community conservation plan. No such plans were identified in the analysis.

X. MINERAL RESOURCES

A. **Would the project result in the loss of availability of a known mineral resource?**

B. **Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a general plan?**

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis.

XI. NOISE

A. **Would the project result in exposure of people to severe noise levels?**

B. **Would the project result in ground borne vibration?**

C. **Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity?**

D. **Would the project result in a substantial temporary or periodic increase in ambient noise levels?**

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal is not anticipated to create substantial increases in ambient noise levels. The proposed use would require mandatory adherence with standard construction practices contained in the Building and Grading Sections of the County Ordinance Code and County building permit requirements. These requirements will be included as project notes.

E. **Would the project expose people to excessive noise levels associated with a location near an airport, or a private airstrip?**

F. **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

FINDING: NO IMPACT:

The project site is not in the vicinity of an airport and is not impacted by airport noise.

XII. POPULATION AND HOUSING

A. **Would the project induce substantial population growth either directly or indirectly?**

B. Would the project displace substantial numbers of existing housing?

C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

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

XIII. PUBLIC SERVICES

A. Would the project result in physical impacts associated with the provision of new public services in the following areas:

1. Fire protection

FINDING: LESS THAN SIGNIFICANT IMPACT:

The preliminary review of this proposal by the Fresno County Fire Protection District (Cal Fire) did not identify any concerns with its approval. However, as indicated by the District, all resultant development shall comply with the 2007 California Code of Regulations Title 24 and that after County approval of the project, copies of approved site plans shall be submitted for the District's review and approval. This requirement will be included as a project note.

2. Police protection

3. Schools

4. Parks

5. Other public facilities?

FINDING: NO IMPACT:

The nature of the proposed use will not impact schools, parks or other public facilities, and should have no impacts on provision of police services.

XIV. RECREATION

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

B. Would the project require expansion of recreational facilities?

FINDING: NO IMPACT:

No such impacts were identified in the analysis.

XV. TRANSPORTATION/CIRCULATION

A. Would the project result in increased vehicle or traffic congestion?

B. Would the project exceed the established level of service standards?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, who indicated that the project would not result in significant impacts to County or State roadways and that no Traffic Impact Study would be required.

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

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes the installation of new truck entrances and the improvement of existing access and circulation areas. An encroachment permit will be required from the Road Maintenance and Operations Division of the Department of Public Works and Planning for any work proposed within the County right-of-way. This will be made a project note. Further, the mandatory Site Plan Review process for which this application is subject will provide for an additional level of review regarding on-site circulation areas and ingress and egress points.

E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

No emergency access issues were identified in the project analysis.

F. Would the project result in inadequate parking capacity?

FINDING: NO IMPACT:

The project does not include any changes that will affect emergency access or parking capacity. The site plan indicates sufficient space to accommodate on-site parking and circulation for the proposed use. Details of parking and circulation will also be addressed during the required Site Plan Review.

G. Would the project conflict with adopted plans, policies or programs supporting alternative transportation?

FINDING: NO IMPACT:

This proposal will not conflict with any adopted transportation plans.

XVI. UTILITIES AND SERVICE SYSTEMS

A. Would the project exceed wastewater treatment requirements?

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in **VIII.A Hydrology and Water Quality**

C. Would the project require construction of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICNAT IMPACT:

See discussion in **VIII.C,D,E Hydrology and Water Quality**

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in **VIII.B Hydrology and Water Quality**

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in **VIII.A Hydrology and Water Quality**

F. **Would the project be served by a landfill with sufficient permitted capacity?**

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the applicant's operational statement, 500 pounds of solid waste will be produced on a daily basis. This solid waste consists of silica, diamataceous earth, meal fines, proteins, grease, sulfur, phosphorus, calcium, magnesium, sodium, and potassium. These waste materials will be stored in an on-site dumpster and then removed by private hauler to a solid waste facility on a bi-weekly basis. Additionally, 3,150 pounds of carbon will be disposed of on a monthly basis as a result of the carbon filtration system utilized to eliminate odors resultant of the operation. This material will also be removed by a private hauler and deposited at a solid waste facility.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: NO IMPACT:

No such impacts on biological resources were identified in the analysis.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the analysis.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit Application No. 3262, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural resources, biological resources, cultural resources, and land use and planning, mineral resources, population and housing and recreation.

Potential impacts related to geology and soils, hazards and hazardous materials, noise, public services, transportation and circulation, and utilities and service systems have been determined to be less than significant. Potential impacts related to air quality have been determined to be less than significant with compliance with the rules and regulations set forth by the San Joaquin Valley Air Pollution Control District. Potential aesthetic impacts and impacts to hydrology and water quality 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.

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3262\CUP3262_is wu.doc

EXHIBIT 8

REQUIRED FINDINGS NECESSARY FOR GRANTING A CONDITIONAL USE PERMIT APPLICATION AS SPECIFIED IN ZONING ORDINANCE SECTION 873

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

2. That the site for 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.

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

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