



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Tesla

APPLICATION NOS.: Unclassified Conditional Use Permit Application No. 3821 & Initial Study No. 8708

DESCRIPTION: Amend the Panoche Rd. Major Interchange Master Plan to allow the installation of an EV Truck Charging Station and associated DC Fast Charging EV Stations on two parcels located in the AE-40 (Exclusive Agriculture, 40-acre minimum parcel size) Zone District. The EV Charging Station will include sixteen (16) SEMI truck charging stalls, eight (8) SEMI truck parking stalls, and restroom amenities.

LOCATION: The subject parcels are located on the northwest corner of W. Panoche Rd., and Interstate 5, approximately 15-miles southwest from the nearest city limits of the City of Mendota. (APNs: 027-190-32S and 027-190-42S) (Sup. Dist. 1).

I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or
- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes a freeway interchange commercial development

Policy LU-D.6 of the Fresno County General Plan requires that a commercial interchange development be designed to achieve aesthetic excellence and incorporate

considerations for noise contours abutting traffic ways, architectural cohesiveness, and signing restraints. Section 860.E.2 of the Fresno County Zoning Ordinance addresses development standards for Freeway Interchange Development, and requires that landscaping be provided and maintained, and that plants and related materials be arranged in a manner consistent with and complementary to the building design and materials.

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

No scenic vistas were identified however, Interstate 5 is designated as a Scenic Highway in the Fresno County General Plan as per Figure OS-2. General Plan Policy OS-L.3.d. requires that land uses adjacent to a scenic drive or scenic highway, provide for maintenance of a natural open space area that is 200 feet in depth parallel to the right-of-way of the scenic drive or roadway.

The existing open space buffer is consistent with General Plan Goal OS-I and General Plan Policy OS-L.3.d. Therefore, impacts to public views and the scenic quality of the landscape adjacent to Interstate 5, would be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

County General Plan Policy requires that new sources of light be evaluated for their potential to impact adjacent property and the public right of way. In this case, there aren't a substantial number of off-site receptors on adjacent properties, however, new outdoor lighting associated with the project does have the potential impact motorists on the adjacent highway, as the project site is adjacent to State Route 269 (Lassen Avenue).

Chapter 820.3.080 of the Fresno County Zoning Ordinance requires in part that all exterior lighting be directed downward and shielded so that all direct light and glare is confined within the boundaries of the subject parcel, which will minimize off-site glare. Additionally, exterior lights must be installed so that lights do not blink, flash or be of unusually high intensity or brightness, and must be of appropriate height, intensity and scale to the structures and uses they are serving.

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining

whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the California Natural Resources Agency 2022 Fresno County Important Farmlands Map, the subject parcels are designated as Prime Farmland, Farmland of Local Importance, and Urban and Built up land. The portion of the parcels designated as Prime Farmland is approximately 9.75-acres of fallow land and has not been utilized for agricultural production in the last ten years. The subject parcels are also located within a Freeway Commercial Interchange, which is an area of the County that while designated as Agriculture, is planned more intensive Commercial Uses. Therefore, the minimal amount of Prime Farmland converted for the use of the EV Truck Charging Stalls would not constitute a significant impact.

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

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

The parcels on which the proposed project is located are zoned for agriculture, and designated as Agriculture, in the Fresno County General Plan. The project is located in an area designated for commercial development, and limited agricultural uses, not the more intensive use typically associated with the Exclusive Agricultural Zoning. Additionally, the development as proposed is limited by Plan to an area within a one-mile radius of the center point of the interchange and as such land outside of this planned area would not be able to be converted to non-agricultural uses..

III. AIR QUALITY

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and did not note any conflicts with an applicable air quality plan resulting from construction of the project due to the limited timeframe needed for construction and the subsequent proposed operation relying on charging of electric vehicles that do not produce GHG emissions.. The project is subject to Air District Rule 9510 which requires construction and operation emissions reductions of NO_x and PM₁₀. Application of Rule 9510 would reduce project operational emissions of NO_x to a less than significant level, therefore with implementation of Rule 9510, a regulatory requirement, project operational emissions of NO_x would be below the Air District significance threshold and would not conflict with the applicable air quality plan.

B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Regarding this project the Air District provided comments that at the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards. Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI).

C. Expose sensitive receptors to substantial pollutant concentrations; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District reviewed the proposed project and as noted above indicated that the project is not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts and would not contribute to emission that would adversely affect a substantial number of people. Additionally, there are no identified sensitive receptors located in the vicinity of the project.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- B. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- C. 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 subject parcel is in an area that is previously disturbed. Parcels in the immediate surroundings (including the subject parcel) have been disturbed with farming operations and commercial operations, and do not provide habitat for State or federally listed species. Additionally, no riparian features, wetlands, or waters under State or Federal jurisdiction exist on the property.

The proposal was routed to the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) for review and comments. No concerns were expressed by either agency. Therefore, no impacts were identified in regard 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 CDFW or USFWS; 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4) the movement of any native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, or native wildlife nursery sites. The proposed project will neither conflict with any local policies or ordinances protecting biological resources, nor will it conflict with the provisions of any conservation plan.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED

The project was routed for comment to local Tribal governments under the provisions of AB 52. The Tribe expressed no concerns with the project or the project's location. Additionally, the area was previously disturbed with nearby construction activity from the development of the Freeway Commercial Interchange and with the construction of Interstate 5. However, in the unlikely event that cultural resources are unearthed during future construction activities on the site, the following action shall be required to ensure that impacts to such cultural resources remain less than significant.

* **Mitigation Measure(s)**

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

VI. ENERGY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes the construction of eight (8) new EV SEMI truck charging stations. The project was routed to PG&E for comment and no concerns regarding potentially inefficient consumption of energy or conflict with a state or local plan for renewable energy was expressed.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2. Strong seismic ground shaking?
 - 3. Seismic-related ground failure, including liquefaction?
 - 4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 9-5 (Probabilistic Seismic Hazards (10% Probability in 50 Years) of the Fresno County General Plan Background Report (FCGPBR); and the California Department of Conservation, Earthquake Hazard Zone Application (EQ Zapp), the project site is located near identified earthquake hazard zone area with a moderate probability of reaching 40-60% peak horizontal ground acceleration in a uniform soft-rock site condition, during a seismic event. The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Construction of the proposed project will be subject to seismic design standards.

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

FINDING: NO IMPACT:

No geologic unit or unstable soil was identified on the project site. The site comprises of vacant land, with most of the area planned to be a paved area. Therefore, the project will not result in substantial soil erosion or loss of topsoil.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

The project will utilize an existing community wastewater treatment facility. The project estimates that it would contribute approximately 160 gallons per day of wastewater to the existing offsite wastewater treatment facility which also serves surrounding commercial development. The project would not require the construction of new or the expansion of existing wastewater treatment facilities.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

No paleontological resources or site or unique geologic features were noted by reviewing agencies or County Departments and the project is located on land that was previously disturbed for surrounding construction activities.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project involves the installation of an electric vehicle (EV) truck charging station and associated DC fast charging facilities. The project's purpose is to facilitate the use of zero-emission electric semi-trucks and passenger vehicles, directly supporting the State's goals to reduce GHG emissions from the transportation sector.

Construction-related greenhouse gas (GHG) emissions would be generated temporarily. However, the project site is previously developed and paved, which limit grading, paving, and other emission-generating activities. Given the short-term and limited scope of construction, GHG emissions would be minor and would not result in a significant impact on the environment.

The project supports and is consistent with statewide and regional plans and regulations adopted to reduce GHG emissions. By promoting the transition to electric vehicles, the project would contribute to the reduction of transportation-related GHG emissions rather than generating new sources. Because construction-related GHG emissions would be minimal and temporary, and operational emissions would be limited to electricity consumption that aligns with the State's clean energy transition, the project would not generate greenhouse gas emissions that may have a significant impact on the environment or conflict with applicable GHG reduction plans or policies. Therefore, the project would result in a less than significant impact related to greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.

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

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

FINDING: NO IMPACT:

The project is not located within one-quarter mile of an existing or proposed school. The nearest school is Mendota High School, approximately 15.3-miles northeast of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport. The nearest airport is the Firebaugh Airport located approximately 16.9-miles northeast of the project site.

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

FINDING: NO IMPACT:

The project site is located at the intersection of W. Panoche Rd., and Interstate 5. The project site will be accessible from W. Panoche Rd., via existing paved private internal roads. All ingress and egress and internal circulation will be required to comply with the applicable Fire Code as it pertains to emergency access and turnaround area.

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

FINDING: NO IMPACT:

The project site is not located in a wildland fire area, precluding the site from impacts caused by wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not propose any on-site ground water use but rather will be supplied by I-5 Property Services, Inc. The project estimates that approximately 160 gallons per day would be utilized during project operation. The privately supplied water source may be a combination of both surface and groundwater conveyed from offsite; therefore, the project's water use would not anticipated to cause a substantial decrease in existing groundwater supplies, interfere with groundwater recharge, or impede groundwater management.

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

4. Impede or redirect flood flows?

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

XI. LAND USE AND PLANNING

Would the project:

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

FINDING: NO IMPACT:

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

XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

No mineral resource impacts were identified in the analysis. The site is not located in a mineral resource area identified in Policy OS-C.2 of the General Plan, or by Figures 7-7, 7-8, and 7-9 of the General Plan Background Report (FCGPBR), therefore there would be no impacts to mineral resources.

XIII. NOISE

Would the project result in:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project construction has the potential to expose nearby receptors to temporary increases in ground borne vibrations and ambient noise levels. The project itself would not be nearer to the airport than the existing commercial development. Project construction would be exempt from the daytime noise restrictions, of the Fresno County Ordinance Code, Noise Control Ordinance Chapter 8.40.060, provided no construction activities take place before 6:00 a.m. or after 9:00 p.m. on any day except Saturday or Sunday, or between the hours of 7:00 a.m. and 9:00 p.m. on Saturday or Sunday. Project operation is not anticipated to violate any County noise standards; however, the project is subject to the provisions of the County Noise Ordinance where applicable.

XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

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

XV. PUBLIC SERVICES

Would the project:

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

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

FINDING: NO IMPACT:

The proposal will not have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. The project was routed to CalFire and the California Highway Patrol for comment and no concerns were expressed relating to adverse physical impacts associated with the provision of services.

XVI. RECREATION

Would the project:

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

FINDING: NO IMPACT:

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

XVII. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT

It is anticipated that much of the generated traffic would originate from I-5. As the proposal is adding trips to the State Highway System, Caltrans required that a safety review be provided.

Caltrans has indicated that they are actively coordinating with the applicant regarding this review. At this time, Caltrans has not identified any significant or immediate safety or operational concerns that would preclude the project from proceeding through the local entitlement process. However, the Safety Review remains pending, and any recommendations identified through that process will be transmitted to the County and incorporated as Conditions of Approval prior to project implementation, as appropriate.

Based on current information and coordination with Caltrans, the project would not conflict with any adopted transportation plan, ordinance, or policy related to the circulation system. The final determination of compliance will be confirmed upon receipt of the Caltrans Safety Review and incorporation of any resulting conditions of approval.

In addition the Fresno County Roads and Maintenance Division provided comments noting that Panoche Road will be negatively impacted by the additional truck traffic generated by the project. To address these impacts, the applicant will be required to overlay Panoche Road to meet the anticipated traffic demand. Specifically, roadway improvements shall begin at and include the existing development's westernmost drive approach, extending approximately 1,300 feet east to the end of the County's maintenance limits of Panoche Road at Interstate 5. An engineered improvement plan must be submitted to the County for review and approval prior to permit issuance for any improvements to County-maintained roads. These engineered plans shall include calculations demonstrating the anticipated increase in Traffic Index (TI) and the pavement section thickness necessary to support the projected loading.

Implementation of these improvement requirements will ensure that local roadway infrastructure is adequate to accommodate the project's traffic and that the project remains consistent with applicable Fresno County transportation plans, policies, and standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

, based on the methodology in the Office of Planning and Research (OPR) 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located at the intersection of a state highway and Panoche Road. Because the project would generate additional traffic that accesses the State Highway System, Caltrans required a Safety Review to evaluate potential operational or geometric safety issues related to project access. Although this review remains pending, Caltrans has indicated that, based on current coordination with the applicant, they have not identified any significant safety or operational concerns that would prevent the project from moving forward. Any recommendations resulting from the final Safety Review will be incorporated as Conditions of Approval prior to issuance of permits.

Additionally, the Fresno County Roads and Maintenance Division has required the applicant to overlay Panoche Road for approximately 1,300 feet east of the existing development's westernmost driveway to the end of the County's maintenance limits at I-5. These improvements will ensure that Panoche Road remains in safe operating condition and can accommodate project-related vehicles without degrading roadway performance or creating hazardous conditions.

No other reviewing agencies identified any existing or proposed geometric design features, sight distance limitations, or circulation patterns that would create unsafe conditions. Review of the project plans and site layout indicates that access to and from the project site can be safely accommodated via Panoche Road, which connects directly to I-5 through an established interchange.

Based on the above, and with implementation of County-required roadway improvements and Caltrans-recommended safety conditions, the project would not substantially increase hazards due to a design feature or incompatible use.

- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED

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

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

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

* **Mitigation Measure(s)**

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

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project was reviewed by the Central Valley Regional Water Quality Control Board. A revised Report of Waste Discharge (RWD) was submitted for the wastewater treatment facility (WWTF) serving the I-5 and Panoche Road area to account for potential increases in flow associated with the project.

Central Valley Water Board staff evaluated the updated RWD and, based on discussions with the applicant and review of recent flow data, determined that the projected increase in wastewater flow from the Tesla charging station would not exceed existing permitted capacity or result in violations of the current Notice of Applicability governing the WWTF. Furthermore, the applicant has confirmed that all additional applicable permits will be obtained to address items identified in the Water Board's April 29, 2025, Project Review Request Letter. The Central Valley Water Board has indicated that its concerns regarding the Conditional Use Permit (CUP) have been addressed and that it has no objections to the project.

Because no concerns related to water supply adequacy were identified by reviewing agencies or the local water supplier, and the project will comply with all applicable state and local regulations, the project would have a less than significant impact on water supply availability.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located within an State Responsibility Area or in a designated high or very high fire hazard severity zone. According to the Fire Hazard Severity Map.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

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

* **Mitigation Measure(s)**

1. *See Mitigation Measures under Section IV Biological Resources.*

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified. A cumulative impacts analysis was prepared for the project, by RMK Design, Inc. dated September 20, 2023. The cumulative impacts analysis identified other similar projects which have been approved, at other freeway commercial interchange areas. The cumulative impacts analysis determined that the proposed project would not significantly contribute to any adverse environmental impacts, because development of this type, in designated commercial interchange areas is consistent with General Plan Policy, and such impacts have been considered in this context. The individual impacts of this project were identified under the appropriate resource section, and either determined to have no impact, a less than significant impact or be able to be avoided or minimized through the implementation of specific mitigation measures.

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

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3821, staff has concluded that the project will not have a significant effect on the environment.

It has been determined that there would be no impacts to Agriculture and Forestry Resources, Energy, Hydrology and Water Quality, Biological Resources, Mineral Resources, Geology and

Soils, Land Use and Planning, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

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

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

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

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