



**Planning Commission Staff Report**  
**Item # 1, April 6, 2023**  
**General Plan Map Amendment No. PA-2200090 &**  
**Administrative Use Permit No. PA-2100295**  
**Prepared by: Giuseppe Sanfilippo**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** River Maid Land Company  
**Project Applicant:** Mike Smith Engineering, Inc.

**Project Site Information**

**Project Address:** 6550 East State Route 12, Lodi  
**Project Location:** The project site is located on the north side of East Pine Street, at the northern terminus of North Curry Avenue, 2,580 feet east of North Guild Avenue, east of Lodi.

<b>Parcel Numbers (APN):</b>	049-120-04, 049-120-67 (Portion)	<b>Water Supply:</b>	Private (Well)
<b>General Plan Designation:</b>	I/T	<b>Sewage Disposal:</b>	Private (On-Site)
<b>Zoning Designation:</b>	AG-40	<b>Storm Drainage:</b>	Private (On-Site)
<b>Project Size:</b>	17.3-ac	<b>100-Year Flood:</b>	No (X, 500)
<b>Parcel Size:</b>	17.3-ac	<b>Williamson Act:</b>	No
<b>Community:</b>	None	<b>Supervisorial District:</b>	4

**Environmental Review Information**

**CEQA Determination:** Mitigated Negative Declaration (Attachment D; Environmental Document)

The proposed project is comprised of two applications, as follows:

- General Plan Map Amendment No. PA-2200090 proposes to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture) for consistency with the existing AG-40 (General Agriculture, 40-acre minimum) zoning and to accommodate the underlying project for an agricultural processing facility.
- Administrative Use Permit No. PA-2100295 proposes to establish a new stand-alone agricultural processing facility including the construction of a 96,959 square foot two-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400 square foot roof overhang for outdoor storage. The second floor includes 4,559 square feet of storage space. The project also includes 192 overflow parking spaces for seasonal employees. (Use Type: Industry-Agricultural)

**Recommendation**

1. Forward the Mitigated Negative Declaration to the Board of Supervisors with a recommendation to adopt (Attachment D; Environmental Document);

2. Forward the Mitigation Monitoring and Reporting Program to the Board of Supervisors with a recommendation to adopt (Attachment E; Mitigation Monitoring and Reporting Program);
3. Forward General Plan Map Amendment No. PA-2200090 to the Board of Supervisors with a recommendation to approve based on the ability to make the required Basis for a General Plan Map Amendment (Attachment F; Findings); and
4. Forward Administrative Use Permit No. PA-2100295 to the Board of Supervisors with a recommendation to approve with the recommended Conditions of Approval based on the ability to make with the Findings for Administrative Use Permit (Attachment F; Findings) and the recommended Conditions of Approval contained in the Staff Report (Attachment G; Conditions of Approval).

## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: March 6, 2023.

Number of Public Hearing notices: 302

Date of Public Hearing notice mailing: March 3, 2023.

### Referrals and Responses

- **PA-2100295 Agency Referral Date:** January 13, 2022
- **PA-2200090 Agency Referral Date:** May 16, 2022
- **PA-2200090, PA-2100295 – 1<sup>st</sup> Neighborhood Referral with Environmental Determination Date:** November 22, 2022
- **PA-2200090, PA-2100295 – 2<sup>nd</sup> Neighborhood Referral with Environmental Determination Date:** January 31, 2023

Agency Referrals	PA-2100295 – Agency Referral Response	PA-2200090 Agency Referral Response	PA-2200090, PA-2100295 – 1 <sup>st</sup> Neighborhood Referral Response	PA-2200090, PA-2100295 – 2 <sup>nd</sup> Neighborhood Referral Response
<b>County Departments</b>				
SJC Supervisor District 4				
Assessor				
Agricultural Commissioner				
Community Development				
Building Division	2/8/2022			
Fire Prevention Bureau	3/8/2022			2/8/2023
Public Works	3/7/2022			2/1/2023
Environmental Health	2/1/2022		12/1/2022	
General Services/Parks and Recreation				
Sheriff Office				
Surveyor				
<b>State Agencies</b>				
A.B.C.				
Department of Transportation				
District 10				
Division of Aeronautics				
C.H.P.				
C.R.W.Q.C.B.			12/21/2022	
C.V.F.P.B.				
Fish & Wildlife, Division: 2				
<b>Federal Agencies</b>				
F.A.A.				
Army Corps of Engineers				

Agency Referrals	PA-2100295 – Agency Referral Response	PA-2200090 Referral Response	PA-2200090, PA-2100295 – 1 <sup>st</sup> Neighborhood Referral Response	PA-2200090, PA-2100295 – 2 <sup>nd</sup> Neighborhood Referral Response
<b>Local Agencies</b>				
A.L.U.C.				
Lodi Unified School District				
Mokelumne Fire District				
Cal Water				
Mosquito & Vector Control				
S.J.C.O.G.	2/2/2022	5/16/2022	11/22/2022	
San Joaquin Farm Bureau				
San Joaquin Air Pollution Control District	2/10/2022, 8/30/2022			
City of Lodi				
North San Joaquin Water Conservation District				
<b>Miscellaneous</b>				
A.T.&T.				
Carpenters Union				
U.S. Post Office				
North Valley Yokuts Tribe				
Haley Flying Service				
Buena Vista Rancheria				
P.G.&E.	2/16/2022		11/23/2022, 12/13/2022	
Precissi Flying Service				
Sierra Club				
United Auburn Indian Community				

# ANALYSIS

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## Background

The subject parcel is zoned AG-40 (General Agriculture with a 40-acre minimum). In 2016, the Board of Supervisors approved a landowner request to amend the General Plan designation from A/G (General Agriculture) to I/T (Truck Terminal) along with the adoption of the 2035 General Plan. The property owner decided not to pursue a zone reclassification to the compatible IT (Truck Terminals) zone because the IT zone would not permit the proposed underlying use. As a result, because the zoning is currently inconsistent with the General Plan designation, the applicant has submitted General Plan Map Amendment No. PA-2200090 to change the General Plan designation back to A/G for consistency with the AG-40 zoning.

## General Plan Map Amendment

In order to approve a General Plan Map Amendment, the Planning Commission and Board of Supervisors shall determine that the internal consistency of the General Plan is maintained with adoption of the proposed General Plan Amendment. (Development Title Section 9-807) The proposed change must be consistent with all of the various General Plan goals, policies, objectives, and implementation measures.

### General Agriculture (A/G) (General Plan 2035 Policy Document, page 3.1-57)

This designation provides for large-scale agricultural production and associated processing, sales, and support uses. The General Agriculture designation generally applies to areas outside areas planned for urban development where soils are capable of producing a wide variety of crops and/or support grazing. Typical building types include low-intensity structures associated with farming and agricultural processing and sales.

- **The project site is not located within a community, as defined by the 2035 General Plan. The project site previously had a General Plan designation of A/G but was changed to I/T at the landowner's request with the 2035 General Plan update. The underlying project is an agricultural processing facility, which will promote and facilitate agricultural activity in the region. This use may be conditionally permitted in the AG-40 zone, which in turn is compatible with the proposed A/G General Plan designation.**

### General Agriculture (A/G) Land Use Goals (General Plan 2035 Policy Document, page 3.1-60)

LU-7.2 The County shall require new agricultural support development and non-farm activities to be compatible with surrounding agricultural operations. New developments shall be required to demonstrate that they are locating in an agricultural area because of unique site area requirements, operational characteristics, resource orientation, or because it is providing a service to the surrounding agricultural area. The operational characteristics of the use may not have a detrimental impact on the operation or use of surrounding agricultural properties. Developments must be sited to avoid any disruption to the surrounding agricultural operations.

- **The proposed project is consistent with this land use goal. The Industry-Agricultural use type is an agricultural support use, and compatible with adjacent agricultural activity. The project is not expected to be have a detrimental impact on agricultural uses in the area.**

## Infrastructure Requirements

The project site is in an Agricultural Area and not within an Urban or Rural Community, as defined by the General Plan. The General Plan contains the following infrastructure requirements for Agricultural Areas.

### Water System (Table IS-1)

Private individual wells may be permitted if there are no groundwater quality issues.

### Wastewater Treatment (Table IS-2)

Onsite wastewater treatment system may be permitted in agricultural areas, if General Plan policies and Development Title regulations are met.

### Stormwater Drainage Supply (Table IS-3)

On-site drainage may be permitted in Agricultural Areas.

- **The underlying project proposes on-site water, wastewater treatment, and storm drainage. The Department of Public Works and the Environmental Health Department have determined that the project area is suitable for on-site services, and the proposed project can meet the infrastructure requirements of the General Plan.**

### Findings

Development Title Section 9-807.060 states that the Board of Supervisors shall make several findings prior to approving a General Plan Map Amendment. (See Attachment F; Findings.) These findings include that the proposed changes must be consistent with the General Plan and other applicable documents, as well as be reviewed in compliance with the California Environmental Quality Act. Proposed changes must also contribute to the public health, safety, and general welfare or benefit the public.

These findings can be made because the proposed General Plan Map Amendment is consistent with the goals and criteria outlined in the General Plan, and an Initial Study prepared for the project found that no significant impacts are anticipated that would not be reduced to a less than significant level with attached mitigation measures as a result of the Administrative Use Permit proposed for the site.

### Facility Operations

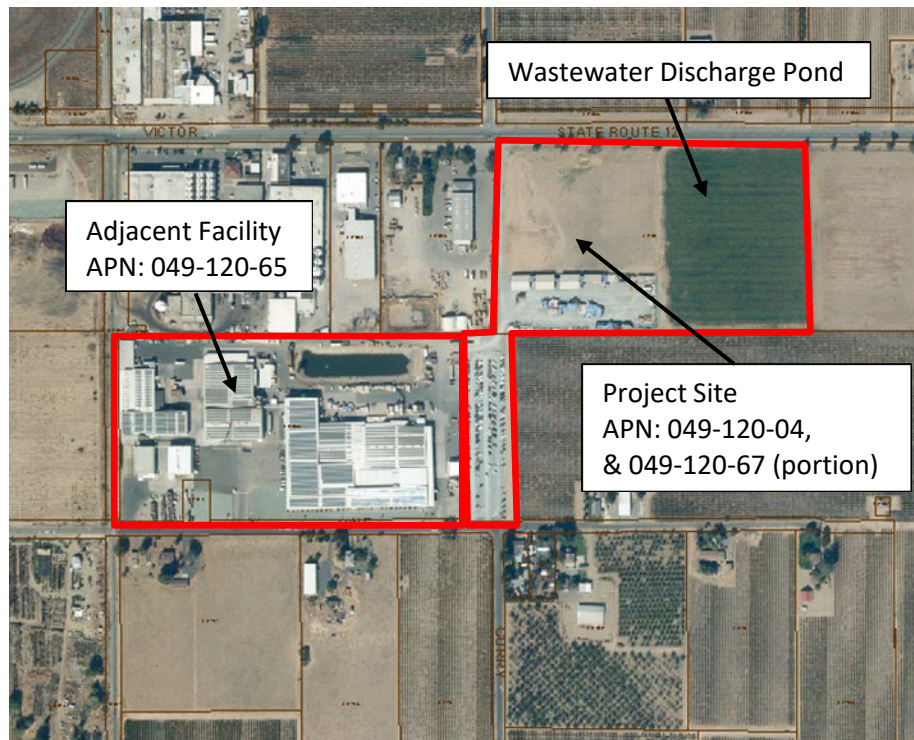
The project is proposing two work schedules. The first schedule is year-round, and will include an 8-hour shift, 5 days a week, with approximately 3 employees per day and 1 truck trip per week. The second schedule is seasonal for 12 weeks out of the year and will employ approximately 75 additional employees. The applicant anticipates most of the seasonal employees will carpool to work, resulting in approximately 30 additional employee vehicles accessing the site during this time. Approximately 5 truck trips are anticipated on a weekly basis during the processing and packaging season. Additionally, the project includes 192 parking spaces for seasonal parking along East Pine Street.

The project proposes access from a driveway entrance along East Pine Street. The applicant states that approximately 75% of the proposed building will be utilized for fruit processing, while 25% will be rented to a third party for storage of produce containers. There is an existing agricultural processing facility on an adjacent parcel to the west (APN: 049-120-65) that will likely rent this space; however, the proposed project will operate as an independent facility.

### Central Valley Regional Water Quality Control Board

Central Valley Regional Water Quality Control Board (CVRWQCB) Waste Discharge Requirements Order R5-2021-0063 permits the fruit processing plant on the adjacent parcel to the west (APN: 049-120-65, noted above) to discharge process wastewater onto an 8-acre portion of the project parcel (APN: 049-120-04), as depicted below:

## Project Area with Wastewater Discharge Pond



The proposed agricultural processing facility will also utilize this process wastewater discharge area. The CVRWQCB Order will remain in effect once this agricultural processing project is established. The CVRWQCB Order states that approximately 7 million gallons of wastewater will be directed to the wastewater discharge pond annually. No changes to the discharge area or process water amount are proposed with this application. Any changes to the discharge area and process wastewater discharged will be subject to the rules and regulations of the CVRWQCB.

### **Air Pollution Control District**

On February 10, 2022, the SJVAPCD provided written notice that an Air Impact Assessment (AIA) would be required to review project emissions because the proposed agricultural processing facility exceeds 9,000 square feet of space. On July 13, 2022, the applicant submitted the completed AIA application to the SJVAPCD for processing. On August 30, 2022, the SJVAPCD issued the final AIA approval for the project, which determined that the construction and operation of the project will comply with the emission reduction requirements of District Rule 9510 and provided mitigation measures included in the proposed Conditions of Approval (Attachment G) and the Mitigation Monitoring and Reporting Program (Attachment E).

In addition to these measures, the project will be required to file a Dust Control Plan prior to commencing any earth moving activities and obtain an Authority to Construct and Permit to Operate prior to the installation of equipment. These items are also included in the Mitigation Monitoring and Reporting Program and incorporated into the project's recommended Conditions of Approval.

### **Enforcement**

On February 24, 2023, Enforcement Case No. EN-2300050 was opened for grading without a permit, building without a permit, and operating without a land use permit on the project site. The Code Enforcement Division is currently in the process initiating a Compliance Agreement with the applicant to expedite the compliance process, and the applicant has indicated that they will enter into a Compliance Agreement. A compliance agreement will be required prior to the public hearing at the Board of Supervisors.

## **Opposition**

The Community Development Department received six letters of opposition citing concerns regarding the project. These concerns included air quality, water quality and hydrology, traffic, noise, hazardous materials and chemicals, litter, light pollution, utilization of private services, and land use compatibility.

**Air Quality:** As discussed previously, the project completed the AIA process, which resulted in mitigation measures related to project emissions. These measures are included in the project's Mitigation Monitoring and Reporting Program (Attachment E), and are also included in the project's recommended Conditions of Approval (Attachment G). With the inclusion of these mitigation measures, project impacts to air quality are anticipated to be less than significant.

**Water Quality and Hydrology:** Concerns were raised regarding the process water discharge area potentially affecting ground water quality and ground water supply. The discharge area is planted in alfalfa, and the alfalfa acts as a natural filter for the process water. The applicant states that the discharge water is tested and must meet specific levels before the water can be dispersed into the discharge area as outlined in the previously discussed CVRWQCB Order. As a result, project impacts to water quality are anticipated to be less than significant.

Regarding water usage, the project will be served by an existing on-site well. The proposed agricultural processing facility anticipates using approximately 15,000 gallons of water per day for 6 weeks for processing pears from July to September and 200 gallons of water per day for 6 weeks during holiday fruit packaging. The remaining 40 weeks of the year, the water usage is anticipated to be approximately 30 gallons per day. Any improvements to the well must be done under permit from the Environmental Health Department. Based on this information, project impacts related to hydrology are anticipated to be less than significant.

**Traffic:** Traffic concerns included objections to the project using the East Pine Street access point and the use of Surface Transportation Assistance Act (STAA) trucks. The proposed driveway from Pine Street will require an encroachment permit and will be subject to the rules and regulations of the Department of Public Works. No access is proposed from State Route 12, nor is access from State Route 12 required.

The project applicant states that STAA trucks will make deliveries to the site. As a result, the Department of Public Works will require the applicant to obtain approval from Public Works and CalTrans for new or extended STAA routes. Approved routes may include additional improvements at the discretion of these agencies.

California Environmental Quality Act (CEQA) Guidelines section 15064.3 requires Vehicle Miles Traveled (VMT) be evaluated as a part of the environmental review. The Community Development Department, in conjunction with the Department of Public Works, reviewed the VMT for the proposed project and has determined the project will generate less than 110 vehicle trips per day. Therefore, the project is considered a small project according to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018. As a result, traffic impacts are anticipated to be less than significant with this application.

**Noise:** Regarding noise, Development Title Section 9-404 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-404.050 states that the maximum sound level for stationary noise sources of 65dB is normally acceptable and does not require additional study. The nearest single-family residence is located approximately 600 feet southwest of the project site and packaging activities will occur indoors. Agricultural activities like fruit processing are covered under the Right-to-Farm ordinance, which states agricultural activities shall not be considered a nuisance.

Additionally, noises from construction activities are exempt from noise standards provided the construction occurs no earlier than 6:00 A.M. and no later than 9:00 P.M. The proposed project would be subject to Development Title standards pertaining to maximum sound levels for stationary noise sources and construction activities. As a result noise impacts are anticipated to be less than significant with this application.



**Hazardous Materials and Chemicals:** Regarding hazardous materials, the project proposes to have a diesel tank to fuel an on-site pump for fire suppression for the proposed facility. The applicant states that the tank includes double wall construction and a leak detection system. This tank will be subject to statutory regulations facilitated by the Environmental Health Department for above and underground storage tanks. Additionally, the applicant states that a conventional refrigeration system will be utilized at the facility, the installation of which is subject to the 2022 California Building Code. With this oversight, impacts from hazardous materials related to the diesel tank and conventional refrigeration system are anticipated to be less than significant.

**Utilization of Private Services:** Parcels zoned AG-40 (General Agriculture, 40-acre minimum) may use a well for water, a septic tank for wastewater disposal, and permits all drainage to be retained on-site, and do not require a connection to public services. The Environmental Health Department has approved a Soil Suitability Nitrate Loading Study (SR0085176) and determined that the site is suitable for an on-site wastewater disposal system. Water will be provided by an existing on-site agricultural well. Additionally, any improvements to the existing agricultural well shall be done under permit from the Environmental Health Department. Storm water drainage will be subject to the rules and regulations of the Department of Public Works and remain on-site. Additionally, the project includes a Condition of Approval from the Mosquito and Vector Control District which requires the implementation of Mosquito Prevention Best Management Practices in the design and maintenance of the stormwater pond. As a result, this project is not anticipated to result in significant impacts to utility and service systems.

**Litter:** The opposition raised concerns about hairnets and general trash from the existing agricultural processing facility southwest of the project site. The existing facility is a separate operation and located on a different parcel (APN: 049-120-65) The applicant for the subject project has stated that they will ensure that litter from the proposed project site does not migrate onto adjacent parcels.

**Light Pollution:** Any lighting installed for the site shall comply with Development Title Section 9-403.050(d), which states that all nonexempt outdoor lighting fixtures shall have shielding so as not to be directly visible from a public street or an adjacent lots. As a result, lighting impacts from the project are expected to be less than significant.

**Land Use Compatibility:** The Industry – Agricultural use type is conditionally permitted in the AG-40 zone with an approved Administrative Use Permit application. The proposed project is an agricultural use and will have a less than significant impact to surrounding parcels.

**Property Values:** Property values are not a land use consideration and are not regulated by the Development Title or reviewed by the Community Development Department.

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## **RECOMMENDATION**

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It is recommended that the Planning Commission:

1. Forward the Mitigated Negative Declaration to the Board of Supervisors with a recommendation to adopt (Attachment D; Environmental Document);
2. Forward the Mitigation Monitoring and Reporting Program to the Board of Supervisors with a recommendation to adopt (Attachment E; Mitigation Monitoring and Reporting Program);
3. Forward General Plan Map Amendment No. PA-2200090 to the Board of Supervisors with a recommendation to approve based on the ability to make the required Basis for a General Plan Map Amendment (Attachment F; Findings); and
4. Forward Administrative Use Permit No. PA-2100295 to the Board of Supervisors with a recommendation to approve with the recommended Conditions of Approval based on the ability to make with the Findings for Administrative Use Permit (Attachment F; Findings) and the recommended Conditions of Approval contained in the Staff Report (Attachment G; Conditions of Approval).

**Attachments:**

Attachment A- Visual Exhibits (General Plan Designation, Site Plan)

Attachment B- Response Letters

Attachment C- Opposition Letters

Attachment D- Environmental Document (Initial Study/Mitigated Negative Declaration)

Attachment E- Mitigation Monitoring and Reporting Program

Attachment F- Findings (General Plan Findings and Administrative Use Permit Findings)

Attachment G- Conditions of Approval

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## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

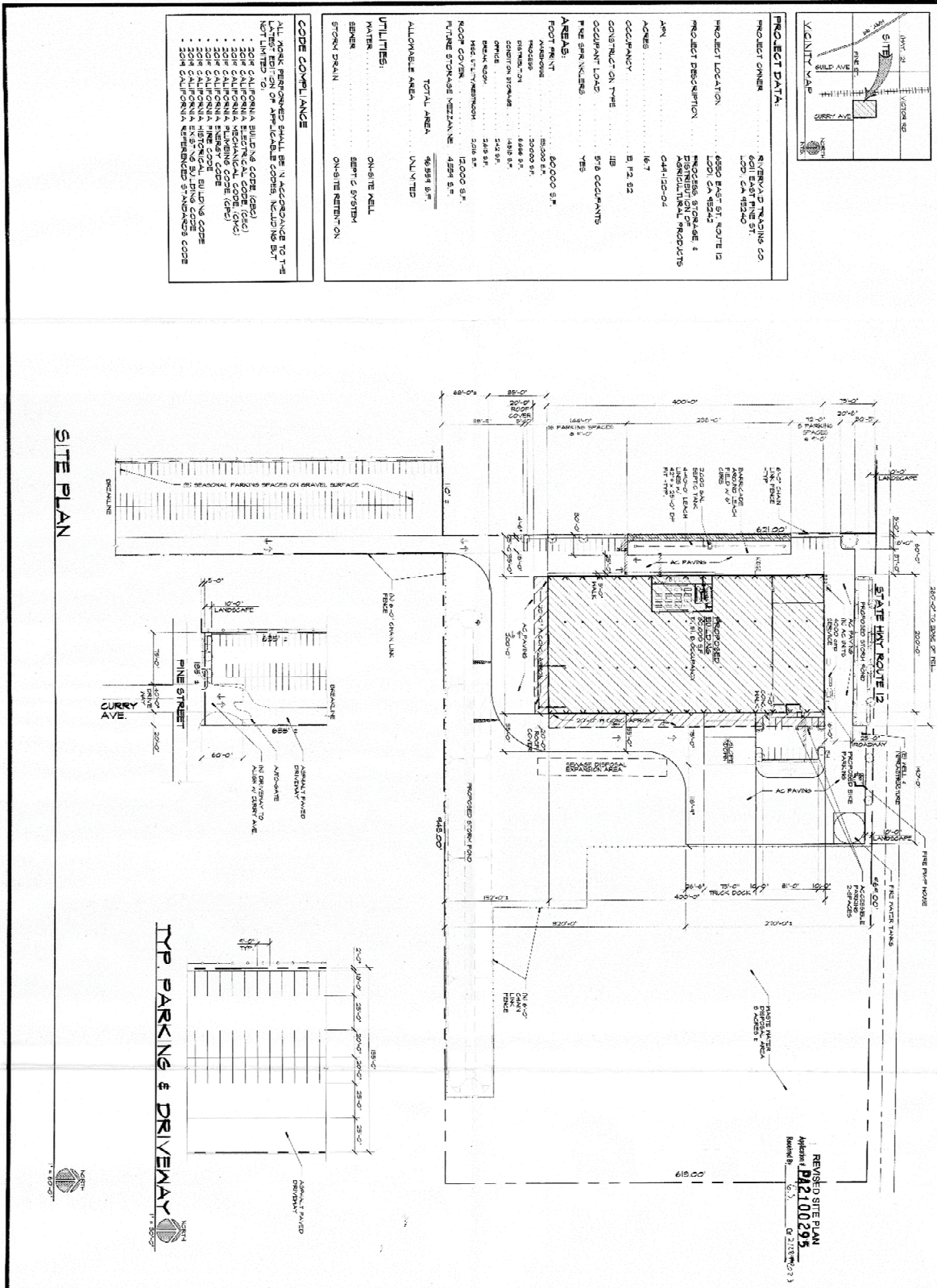
# Attachment A

## Visual Exhibits

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# SITE PLAN



	<p><b>PROJECT:</b> AG PROCESSING &amp; STORAGE FACILITY FOR <b>RIVERMAID TRADING COMPANY</b> PROJECT LOCATION 6550 EAST ST. ROUTE 12 LODI, CA 95240</p>	<p><b>TITLE:</b> SITE PLAN PROJECT DATA VICINITY MAP</p>	<p><b>MIKE SMITH ENGINEERING, INC.</b> 4 NORTH MAIN STREET LODI, CALIFORNIA 95240 PHONE (209) 334-2332</p>
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## Community Development Department

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## **Attachment B** **Response Letters**

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**DATE: 02/08/2022**

**PA-2100295**

**Property owner: River Maid Land Company**

**Applicant: Mike Smith Engineering**

**APN / Address: 049-120-04 6550 E. State Route 12, Lodi, Ca. 95241**

**Planner: Giuseppe Sanfilippo**

**Project Description: A Use Permit Application to construct a 92,400 square foot building: 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400 square foot roof overhang. 8 acres will be used as an on-site retention pond for the adjacent packing facility. The project will utilize a new on-site septic system, an existing well, and a new on-site retention pond. This project is not under a Williamson Act Contract.**

**Building Conditions By: Jay Clayton**

**(Building Official) (209) 468-9362**

**BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) requirements will be applicable to the proposed project. The following items, along with a building permit application will be required when applying for a building permit through the Building Inspection Division:

1. A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with the applicable California Building Standards Code in effect on the application date for the building permit(s). Plans for the different buildings or structures may be combined into a single set of construction documents. (Please visit <https://www.sjgov.org/commdev> for building permit check list(s) and application forms.
2. A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.
3. A soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report shall be incorporated into the construction drawings.
4. Projects that include the use of an existing structure or building that was approved with a different occupancy classification than the proposed use, will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by a Registered Design Professional (architect or engineer) in accordance with the California Building Code and Existing Building Code in effect on the application date for the building permit(s). The report and plans shall identify existing conditions, propose alterations necessary to bring each building into compliance with the code.
5. The applicable accessibility requirements as outlined in Chapter 11B of the California Building code shall be included with the building permit plan set for each new or altered structure or building including the project site plan.
6. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the

California Plumbing Code.

7. If the project includes landscaping, it will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2, Chapter 2.7

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## Community Development Department

Planning · Building · Neighborhood Preservation

To: Development Services: Giuseppe Sanfilippo Date: 2/8/23  
(Contact person)

From: Fire Prevention: Steve Butler  
(Contact person)

209-468-3166

Subject: PA-2100295 (UP) PA-2200090 (GP)  
(Planning application referral number)

**PROJECT DESCRIPTION:** This project is comprised of 2 components: General Plan Map Amendment Application No. PA-2200090 proposes to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture) for consistency with the existing AG-40 zoning and to accommodate the underlying project for an agricultural processing facility. Conditional Use Permit Application No. PA-2100295 proposes to establish a new stand-alone agricultural processing facility by constructing a 96,959-square-foot 2-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang. The second floor includes 4,559 square feet of storage space. Eight acres of the project site will be used as a process wastewater pond under permit from the Central Valley Regional Water Quality Control Board (CVRWQCB) for this facility and the adjacent fruit processing facility. The project proposes access from E. Pine Street. The project will utilize a new on-site septic system for wastewater, an existing well for water, and a new on-site retention pond for storm drainage. The project proposes a parking modification for 40 parking spaces. This project is not under a Williamson Act Contract

**PROJECT LOCATION:** The project site is located on the north side of E. Pine St., 2,580 feet east of N. Guild Ave., east of Lodi. (APN/Address: 049-120-04, -67 (Portion) / 6550 E. State Route 12, Lodi) (Supervisory District: 4)

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The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division.

1. The Fire Prevention Division has reviewed this application and there does not appear to be any major problems associated with the proposed project as submitted.
2. CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.
3. If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
4. CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A

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secondary access may be required.

5. CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.
6. CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
7. CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
8. A complete review, at building permit submittal, will require compliance with applicable codes and ordinances.
9. CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.
10. CFC, Section 510 Emergency Responder Radio Coverage-New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the Jurisdiction.



To: Development Services:

Giuseppe Sanfilippo

(Contact person)

Date: 3/8/2022

From: Fire Prevention:

Steve Butler

(Contact person)

**209-468-3166**

Subject:

PA-2100295

(Planning application referral number)

Project Summary:

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The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division.

1. The Fire Prevention Division has reviewed this application and there does not appear to be any major problems associated with the proposed project as submitted.
2. CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.
3. If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
4. CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A secondary access may be required.
5. CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.
6. CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
7. CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
8. A complete review, at building permit submittal, will require compliance with applicable codes and ordinances.
9. CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.

10. CFC, Section 510  
Emergency Responder  
Radio Coverage-New  
buildings shall have  
approved radio coverage for  
emergency responders within  
the building based on the  
existing coverage levels of  
the public safety  
communication systems  
utilized by the Jurisdiction.





February 1, 2023

M E M O R A N D U M

TO: Community Development Department  
CONTACT PERSON: Giuseppe Sanfilippo

FROM: Christopher Heylin, Development Services Engineer *CH*  
Development Services Division

SUBJECT: PA-2100295 (UP) & PA-2200090 (GP); A General Plan Map Amendment Application, No. PA-2200090, proposes to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture) for consistency with the existing AG-40 zoning and to accommodate the underlying project for an agricultural processing facility.

A Conditional Use Permit Application, No. PA-2100295, proposes to establish a new stand-alone agricultural processing facility by constructing a 96,959-square-foot 2-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang. The second floor includes 4,559 square feet of storage space; located on the south side of State Route 12 at the south terminus of N. Kennison Lane, Lodi. (Supervisory District 4)

OWNER: River Maid Land Company                      APPLICANT: Mike Smith Engineering, Inc.

ADDRESS: 6550 E. SR 12, Lodi                              APN: 049-120-04 & -67

INFORMATION:

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area.

State Route 12 has an existing and planned right-of-way per Caltrans.

Pine Street has an existing right-of-way of 40 feet and a planned right-of-way of 50 feet.

RECOMMENDATIONS:

- 1) An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but

PA-2100295 (UP) & PA-2200090 (GP)

not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)

- 2) The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
- 3) The proposed driveway shall align with Curry Avenue to the south.
- 4) Applicant shall obtain approval from the Department of Public Works and Caltrans for STAA terminal and STAA route designations of proposed facility. Contact the Traffic Engineering Division of the Department of Public Works (209-468-3707) for designation process.
- 5) Prior to the issuance of the occupancy permit the "Commercial Vehicles Over 7 Tons Prohibited" signage shall be relocated to the western property line.
- 6) Prior to issuance of the occupancy permit signage shall be installed directing all traffic exiting the facility west on Pine Street. No truck or vehicular traffic shall be directed east on Pine Street to Curry Avenue.
- 7) The owner shall execute an Irrevocable Offer to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of Pine Street to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-1150.5)
- 8) The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
- 9) The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- 10) The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
- 11) A copy of the Final Site Plan shall be submitted prior to release of building permit.
- 12) Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification Number (WDID), issued by SWRCB, shall be submitted to Public Works prior to release of the building permit. Contact the SWRCB at (916) 341-5537 for further information.

PA-2100295 (UP) & PA-2200090 (GP)

- 13) Prior to release of the building permit the applicant shall submit the Storm Water Pollution Prevention Plan (SWPPP) to Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request.

CH:DS



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**Department of Public Works**

**Kris Balaji, Director of Public Works**

**Fritz Buchman, Deputy Director/Development**

**David Tolliver, Deputy Director/Operations**

**Najee Zarif, Deputy Director/Engineering**

**Kristi Rhea, Business Administrator**

March 7, 2022

MEMORANDUM

**TO:** Community Development Department  
 CONTACT PERSON: Giuseppe Sanfilippo

**FROM:** Alex Chetley, Engineering Services Manager *AC*  
 Development Services Division

**SUBJECT:** PA-2100295; A Use Permit application to construct a 92,400-square-foot building: 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang; located on the south side of State Route 12 at the south terminus of N. Kennison Lane, Lodi. (Supervisorial District 4)

**OWNER:** River Maid Land Company

**APPLICANT:** Mike Smith Engineering, Inc.

**ADDRESS:** 6550 E. SR 12, Lodi

**APN:** 049-120-04

**INFORMATION:**

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area.

State Route 12 has an existing and planned right-of-way per Caltrans.

Pine Street has an existing right-of-way of 40 feet and a planned right-of-way of 50 feet.

**RECOMMENDATIONS:**

- 1) An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
- 2) The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
- 3) The proposed driveway shall align with Curry Avenue to the south.

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PA-2100295 (UP)

- 4) Applicant shall obtain approval from the Department of Public Works and Caltrans for STAA terminal and STAA route designations of proposed facility. Contact the Traffic Engineering Division of the Department of Public Works (209-468-3707) for designation process.
- 5) Prior to the issuance of the occupancy permit the "Commercial Vehicles Over 7 Tons Prohibited" signage shall be relocated to the western property line.
- 6) Prior to issuance of the occupancy permit signage shall be installed directing all traffic exiting the facility west on Pine Street. No truck or vehicular traffic shall be directed east on Pine Street to Curry Avenue.
- 7) The owner shall execute an Irrevocable Offer to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of Pine Street to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-1150.5)
- 8) The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
- 9) The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- 10) The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
- 11) A copy of the Final Site Plan shall be submitted prior to release of building permit.
- 12) Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification Number (WDID), issued by SWRCB, shall be submitted to Public Works prior to release of the building permit. Contact the SWRCB at (916) 341-5537 for further information.
- 13) Prior to release of the building permit the applicant shall submit the Storm Water Pollution Prevention Plan (SWPPP) to Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request.

AC:CH



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**Environmental Health Department**

**Jasjit Kang, REHS, Director**

*Muniappa Naidu, REHS, Assistant Director*

**PROGRAM COORDINATORS**

Jeff Carruesco, REHS, RDI  
Willy Ng, REHS  
Steven Shih, REHS  
Michelle Henry, REHS  
Elena Manzo, REHS

*Emailed + RP. 12/12/22*

December 1, 2022

To: San Joaquin County Community Development Department  
Attention: Giuseppe Sanfilippo

From: Frank Girardi; 209-616-3044  
Senior Registered Environmental Health Specialist

RE: **PA-2100295 (UP), PA-2200090 (GP), Referral, SU00125278, SU0015279**  
**6550 E. State Route 12, Lodi**

*CR*

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

**Note:** The Environmental Health Department received a Soil Suitability Nitrate Loading Study report dated April 18, 2022 (Service Request #SR0085176) and it has been approved.

2. Prior to issuance of building permit, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve.

In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).

3. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).

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4. An application for Waste Discharge Requirements must be submitted to the Central Valley Regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).
5. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
6. Submit Water Provision Declaration form to the Environmental Health Department for review.
7. Should the existing private water well's number of non-resident individuals exceed 24 for at least 60 days per year, or the number of service connections exceed four, a yearly permit to operate a public water system will be required by the Environmental Health Department (San Joaquin County Development Title, Section 9-1120.2 and 9-1115.9).

The supplier must possess adequate financial, managerial, and technical capability to assure delivery of pure, wholesome, and potable drinking water in accordance with San Joaquin County Development Title, Sections 9-1120.2 and 9-1115.9 and C.C.R., Title 22, and Health and Safety Code, Section 116525 through 116570.

8. The existing well must be repaired under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.4(e)) as follows:
  - a. Install sanitary seal.
  - b. Install cement surface seal around the well casing to protect the well casing sufficiently and the integrity of well grout.
  - c. Raise well casing 12 inches above ground level.
  - d. Provide sample tap between the well head and the pressure tank.
9. Install an approved back-flow prevention device on the water supply system(s) (California Code of Regulation, Title 17, Section 7603).
10. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).
11. If floor drains are required, they must be plumbed through a sand/oil separator and discharged to an above ground system approved by the Environmental Health Department. A registered engineer must design this system. The material collected in the above ground holding system must be analyzed for hazardous constituents prior to disposal. Specific test requirements may be obtained from the Environmental Health Department. The fee will be based on the current schedule at the time of payment.



**Environmental Health Department**

**Jasjit Kang, REHS, Director**

*Muniappa Naidu, REHS, Assistant Director*

**PROGRAM COORDINATORS**

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Melissa Nissim, REHS

Steven Shih, REHS

Michelle Henry, REHS

February 1, 2022

To: San Joaquin County Community Development Department  
Attention: Giuseppe Sanfilippo

From: Frank Girardi; 209-616-3044  
Senior Registered Environmental Health Specialist 

RE: **PA-2100295 (UP), Referral, SU0014698**  
**6550 E. State Route 12, Lodi**

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The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

2. Prior to issuance of building permit, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve.

In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).

3. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
4. An application for Waste Discharge Requirements must be submitted to the Central Valley Regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).

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5. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
6. Submit Water Provision Declaration form to the Environmental Health Department for review.
7. The existing well must be repaired under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.4(e)) as follows:
  - a. Install sanitary seal.
  - b. Install cement surface seal around the well casing to protect the well casing sufficiently and the integrity of well grout.
  - c. Raise well casing 12 inches above ground level.
  - d. Provide sample tap between the well head and the pressure tank.
8. Install an approved back-flow prevention device on the water supply system(s) (California Code of Regulation, Title 17, Section 7603).
9. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).



**S J C O G, Inc.**

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*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

**SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL)  
ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

**To:** Giuseppe Sanfilippo, San Joaquin County, Community Development Department  
**From:** Laurel Boyd, SJCOG, Inc.  
**Date:** November 22, 2022  
**Local Jurisdiction Project Title:** PA-2100295 (UP), PA-2200090 (GP)  
**Assessor Parcel Number(s):** 049-120-04  
**Local Jurisdiction Project Number:** PA-2100295 (UP), PA-2200090 (GP)  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Multi-Purpose Open Space Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Mr. Sanfilippo:

SJCOG, Inc. has reviewed the application referral for PA-2100295 (UP), PA-2200090 (GP). This project consists of 2 applications: General Plan Map Amendment No. PA-2200090 to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture).

Use Permit No. PA-2100295 for the expansion of an existing agricultural processing facility by constructing a 96,959 square foot, two-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400 square foot roof overhang. The second floor includes 4,559 square feet of storage space. 8 acres of the project site will be used as a wastewater pond under a permit from the Central Valley Regional Water Quality Control Board (CVRWQCB) for the adjacent fruit processing facility. The project will utilize an on-site septic system, well, and storm pond. The project site is on the south side of State Route 12, at the south terminus of N. Kennison Lane, Lodi (APN/Address: 049-120-04/ 6550 E. State Route 12, Lodi).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***At this time, the applicant is requesting a General Plan Amendment with no ground disturbance. Any future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP before ANY ground disturbance occurs and should be resubmitted to this agency. Current or future owners of this-or subdivided properties should be made aware of the conditions that are placed by the SJMSCP on future development on the created parcels.***

***This project is subject to the SJMSCP*** and is located within the unmapped land use area. Per requirements of the SJMSCP, unmapped projects are subject to case-by-case review. This can be a 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjco.org>

If this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.
- Receive your Certificate of Payment and release the required permit

*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0600.



**S J C O G, Inc.**

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

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**SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: \_\_\_\_\_

**FROM:** Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE  
DO NOT ISSUE A BUILDING PERMIT  
DO NOT ISSUE \_\_\_\_\_ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2100295 (UP), PA-2200090 (GP)

Landowner: River Maid Land Company

Applicant: Mike Smith Engineering, Inc.

Assessor Parcel #: 049-120-04

T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_

Local Jurisdiction Contact: Giuseppe Sanfilippo

**The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.**



## S J C O G, Inc.

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San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

### SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

**To:** Giuseppe Sanfilippo, San Joaquin County, Community Development Department  
**From:** Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org  
**Date:** May 16, 2022  
**Local Jurisdiction Project Title:** PA-2200090 (GP)  
**Assessor Parcel Number(s):** 049-120-04  
**Local Jurisdiction Project Number:** PA-2200090 (GP)  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Multi-Purpose Open Space Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Mr. Sanfilippo:

SJCOG, Inc. has reviewed the application referral for PA-2200090 (GP). This project consists of a General Plan Map Amendment application to amend the designation of a 16.7-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture). The underlying project is a Use Permit (PA-2100295) to develop a 92,400-square-foot building; 80,000 square-feet for agricultural processing, packing, storage, and distribution with a 12,400 square-foot roof overhang.

The parcel was a part of the General Plan Update landowner requests for changes to GP map designations. This resulting in the GP map designation being amended from A/G to I/T in 2016. The project site is located on the south side of E. State Route 12, one mile west of State Route 99, Lodi (APN/Address: 049-120-04/6550 E. State Route 12, Lodi).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***This project is subject to the SJMSCP*** and is located within the unmapped land use area. Per requirements of the SJMSCP, unmapped projects are subject to case-by-case review. This can be a 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcog.org>

If this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or

- d. Purchase approved mitigation bank credits.
- 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
  - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
  - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0600.



## S J C O G , I n c .

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

### **SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: \_\_\_\_\_

**FROM:** Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE  
DO NOT ISSUE A BUILDING PERMIT  
DO NOT ISSUE \_\_\_\_\_ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
    1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
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      - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
      - c. Purchase approved mitigation bank credits.
- Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2200090 (GP)

Landowner/Applicant: River Maid Land Company

Assessor Parcel #s: 049-120-04

T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_

Local Jurisdiction Contact: Giuseppe Sanfilippo

**The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.**



## SJCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

### SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

**To:** Giuseppe Sanfilippo, San Joaquin County, Community Development Department  
**From:** Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: [boyd@sjcog.org](mailto:boyd@sjcog.org)  
**Date:** February 2, 2023

**Local Jurisdiction Project Title:** PA-2100295 (UP), PA-2200090 (GP)

**Local Jurisdiction Project Number:** PA-2100295 (UP), PA-2200090 (GP)

**Total Acres to be converted from Open Space Use:** Unknown

**Habitat Types to be Disturbed:** Multi-Purpose Open Space Habitat Land

**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Mr. Sanfilippo:

SJCOG, Inc. has reviewed the application referral for PA-2100295 (UP), PA-2200090 (GP). This project consists of 2 components:

General Plan Map Amendment Application No. PA-2200090 proposes to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture) for consistency with the existing AG-40 zoning and to accommodate the underlying project for an agricultural processing facility.

Conditional Use Permit Application No. PA-2100295 proposes to establish a new stand-alone agricultural processing facility by constructing a 96,959-square-foot 2-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang. The second floor includes 4,559 square feet of storage space. Eight acres of the project site will be used as a process wastewater pond under permit from the Central Valley Regional Water Quality Control Board (CVRWQCB) for this facility and the adjacent fruit processing facility. The project proposes access from E. Pine Street. The project will utilize a new on-site septic system for wastewater, an existing well for water, and a new on-site retention pond for storm drainage. The project proposes a parking modification for 40 parking spaces. The project site is located on the north side of E. Pine Street, 2,580 feet east of N. Guild Avenue, east of Lodi (APN/Address: 049-120-04, -67 / 6550 E. State Route 12, Lodi).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). [The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.](#) Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***This Project is subject to the SJMSCP.*** This can be up to a 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcog.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***



- SJMSCP Incidental take Minimization Measures and mitigation requirement:
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Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.
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*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0600.



**S J C O G, Inc.**

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

**SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department,  
Other: \_\_\_\_\_

**FROM:** Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE  
DO NOT ISSUE A BUILDING PERMIT  
DO NOT ISSUE \_\_\_\_\_ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
    - 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
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- Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2100295 (UP), PA-2200090 (GP)

Landowner: River Maid Land Company      Applicant: Mike Smith Engineering, Inc.

Assessor Parcel #s: 049-120-04, -67

T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_

Local Jurisdiction Contact: Giuseppe Sanfilippo

**The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.**





February 10, 2022

Giuseppe Sanfilippo  
San Joaquin County  
Community Development Department  
1810 E Hazelton Avenue  
Stockton, CA 95205

**Project: Early Consultation – PA-2100295**

**District CEQA Reference No: 20220037**

Dear Mr. Sanfilippo:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the San Joaquin County (County). The project consists of constructing an 80,000 square foot building for agricultural processing, packing, storage, and distribution that will include a 12,400 square foot roof overhang (Project). The Project is located at 6550 E. St Route 12, in Lodi, CA (APN 049-120-04).

**Project Scope**

Based on information provided to the District, Project specific annual emissions from construction and operation emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

Other potential significant air quality impacts related to Toxic Air Contaminants (see information below under Health Risk Assessment), Ambient Air Quality Standards, Hazards and Odors, may require assessments and mitigation. More information can be found in the District’s Guidance for Assessing and Mitigating Air Quality Impacts at: <https://www.valleyair.org/transportation/GAMAQI.pdf>

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (661) 392-5500 FAX: (661) 392-5585

[www.valleyair.org](http://www.valleyair.org)      [www.healthyairliving.com](http://www.healthyairliving.com)

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The District offers the following comments:

**1) Project Related Criteria Pollutant Emissions**

**1a) Construction Emissions**

Although the construction-related emissions are expected to have a less than significant impact, the District suggests that the County advise project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality to utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling) to further reduce impacts from construction-related exhaust emissions and activities.

**1b) Project Related Operational Emissions – Cleanest Available Truck**

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from heavy-heavy duty (HHD) Trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District recently adopted the 2018 PM2.5 Plan which includes significant new reductions from HHD Trucks, including emissions reductions by 2023 through the implementation of the California Air Resources Board (CARB) Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 0.2 g/bhp-hr NOx standard by 2023. Additionally, to meet the federal air quality standards by the 2020 to 2024 attainment deadlines, the District's Plan relies on a significant and immediate transition of heavy duty truck fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by the California Air Resources Board.

Based on the information provided, this Project consists of an agricultural processing, packing, storage, and distribution building that is anticipated to generate HHD truck trips. To reduce impacts from operational mobile source emissions, the District recommends that the following clean air measures be considered for inclusion in the environmental assessment.

- Advise fleets associated with Project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible.
- Advise all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible.

- Advise fleets associated with future development projects to be subject to the best practices (i.e. eliminating unnecessary idling).

In addition, the District recommends that the County include clean air measures to reduce project related operational impacts through incorporation of design elements, for example, increased energy efficiency, reducing vehicle miles traveled, etc. More information on mitigation measures can be found at: [http://www.valleyair.org/transportation/ceqa\\_idx.htm](http://www.valleyair.org/transportation/ceqa_idx.htm).

**1c) Project Related Operational Emissions– Truck Routing**

Truck routing involves the path/roads heavy-duty trucks take to and from their destination. The air emissions from heavy-duty trucks can impact residential communities and sensitive receptors.

The District recommends the environmental assessment evaluate heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. More specifically, this measure would assess current truck routes, in consideration of the number and type of each vehicle, destination/origin of each vehicular trip, time of day/week analysis, vehicle miles traveled and emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT, GHG emissions, and air quality.

**1d) Project Related Operational Emissions– Reduce Idling of Heavy Duty Trucks**

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air quality impacts associated with failure to comply with the state's Heavy Duty anti-idling regulation (e.g limiting vehicle idling to specific time limits). The diesel exhaust from excessive idling has the potential to impose significant adverse health and environmental impacts. Therefore, efforts to ensure compliance of the anti-idling regulation, especially near sensitive receptors, is important to limit the amount of idling within the community, which will result in community air quality benefits.

**1e) Electric On-Site Off-Road and On-Road Equipment**

Since the Project consists of an agricultural processing, packing, storage, and distribution building, it may have the potential to result in increased use of off-road equipment (i.e. forklifts) and/or on-road equipment (i.e. mobile yard trucks with the ability to move materials). The District recommends the County advise the project proponent to utilize electric or zero emission off-road and on-road equipment used on-site for this Project.

**1f) Health Risk Screening/Assessment**

The Health Risk Assessment should evaluate the risk associated with sensitive receptors in the area and mitigate any potentially significant risk to help limit emission exposure to sensitive receptors.

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TACs) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TACs are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of TACs identified by OEHHA/CARB can be found at: <https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants>

The District recommends the development project(s) be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

For your convenience, the District's prioritization calculator can be found at: [http://www.valleyair.org/busind/pto/emission\\_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS](http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS).

- ii) The District recommends a refined HRA for development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that development project applicants contact the District to review the proposed modeling protocol. A development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that development projects which result in a significant health risk not be approved.

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org); or
- Contacting the District by phone for assistance at (559) 230-6000; or
- Visiting the Districts website (Modeling Guidance) at:  
[http://www.valleyair.org/busind/pto/Tox\\_Resources/AirQualityMonitoring.htm](http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm).

## **2) Vegetative Barriers and Urban Greening**

The District suggests the County consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (i.e. residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought resistant low maintenance greenery.

## **3) Solar Deployment in the Community**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the County consider the feasibility of incorporating solar power systems, as an emission reduction strategy for this Project.

#### **4) Clean Lawn and Garden Equipment in the Community**

Since the Project consists of commercial development, gas-powered commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://www.valleyair.org/grants/cgym.htm> and <http://valleyair.org/grants/cgym-commercial.htm>.

#### **5) Charge Up! Electric Vehicle Charger**

To support further installation of electric vehicle charging equipment and development of such infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of this incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District suggests that the County and Project proponent consider the feasibility of installing electric vehicle chargers for this Project.

Please visit [www.valleyair.org/grants/chargeup.htm](http://www.valleyair.org/grants/chargeup.htm) for more information.

#### **6) District Rules and Regulation**

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. For example, *Regulation II - Permits* encompasses multiple rules associated with the permitting of emission sources such as Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), and others.

##### **6a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT).



This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits.

Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct (ATC) must be issued to the Project proponent by the District. For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

**6b) District Rule 9510 (Indirect Source Review)**

The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NO<sub>x</sub> and PM<sub>10</sub> emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

The proposed Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 25,000 square feet of light industrial space. When subject to the rule, an Air Impact Assessment (AIA) application is required no later than applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

An AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at:  
<http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at:  
<http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>

**6c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

**6d) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

The application for both the Construction Notification and Dust Control Plan can be found online at:  
<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:  
[http://www.valleyair.org/busind/comply/pm10/compliance\\_pm10.htm](http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm)

**6e) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

The list of rules above is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

**7) District Comment Letter**

The District recommends that a copy of the District's comments be provided to the Project proponent.

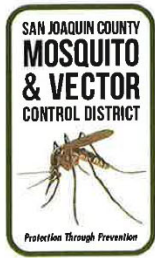
If you have any questions or require further information, please contact Patrick Chimienti by e-mail at [Patrick.Chimienti@valleyair.org](mailto:Patrick.Chimienti@valleyair.org) or by phone at (559) 230-6139.

Sincerely,

Brian Clements  
Director of Permit Services

A handwritten signature in blue ink, appearing to read "Mark Montelongo".

For: Mark Montelongo  
Program Manager



OMAR KHWEISS  
MANAGER

BOARD OF TRUSTEES

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CITY OF MANTECA

LEGAL ADVISOR  
CHRISTOPHER K. ELEY

January 27, 2022

San Joaquin County  
Community Development Department  
Development Services Division  
Attn: Giuseppe Sanfilippo  
1810 East Hazelton Avenue  
Stockton, CA 95205

**Re: PA-2100295**

San Joaquin County Mosquito and Vector Control District has reviewed the listed application referral(s) and provides the following comment(s):

1. PA-2100295:

- Applicant must incorporate mosquito prevention best management practices for the design, construction, operations and maintenance of the proposed stormwater pond (copy of mosquito prevention/stormwater management guidelines attached).

Do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

John Fritz  
Assistant Manager

7759 S. AIRPORT WAY, STOCKTON, CALIFORNIA 95206-3918  
(209) 982-4675 · FAX (209) 982-0120 · www.sjmosquito.org

### **General Stormwater Management Mosquito Control BMPs**

- Ensure Mosquito Control Agencies have access to infrastructure to inspect or make appropriate treatments when necessary.
- Manage sprinkler and irrigation systems to minimize runoff entering stormwater infrastructure.
- Avoid intentionally running water into stormwater systems by not washing sidewalks and driveways, washing cars on streets or driveways, etc.
- Inspect facilities weekly during warm weather for the presence of standing water or immature mosquitoes.
- Remove emergent vegetation and debris from gutters and channels that accumulate water.
- Consider mosquito production during the design, construction, and maintenance of stormwater infrastructure.
- Design and maintain systems to fully discharge captured water in 96 hours or less.
- Include access for maintenance in system design.
- Design systems with permanent water sources such as wetlands, ponds, sumps, and basins to minimize mosquito habitat and plan for routine larval mosquito inspection and control activities with the assistance of a local mosquito control program.

### **Stormwater Treatment Ponds and Constructed Treatment Wetlands**

- Whenever possible, stock stormwater ponds and constructed wetlands with mosquito-eating fish available from local mosquito control programs.
- Design and maintain accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes. Emergent plant density should be routinely managed so mosquito predators can move throughout the vegetated areas and are not excluded from pond edges.
- Whenever possible, design and maintain deep zones in excess of four feet (1.2 m) to limit the spread of invasive emergent vegetation such as cattails. The edges below the water surface should be as steep as practicable and uniform to discourage dense plant growth that may provide immature mosquitoes with refuge from predators and increased nutrient availability.
- Use concrete or liners in shallow areas to discourage plant growth where vegetation is not necessary.
- Whenever possible, provide a means for easy dewatering if needed.
- Manage the spread and density of floating and submerged vegetation that encourages mosquito production (i.e., water hyacinth, water primrose, parrot's feather, duckweed, and filamentous algal mats).
- If possible, compartmentalize managed treatment wetlands so the maximum width of ponds does not exceed two times the effective distance (40 feet [12 m]) of land-based application technologies for mosquito control agents

#### **Reference:**

Best Management Practices for Mosquito Control in California (July 2012)  
Vector-Borne Disease Section  
California Department of Public Health  
<http://www.westnile.ca.gov/resources.php>



## Central Valley Regional Water Quality Control Board

21 December 2022

Giuseppe Sanfilippo  
San Joaquin County  
Community Development Department  
1810 East Hazelton Avenue  
Stockton, CA 95205  
[gsanfilippo@sjgov.org](mailto:gsanfilippo@sjgov.org)



### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, PA-2100295 AND PA-2200090 PROJECT, SCH#2022110546, SAN JOAQUIN COUNTY**

Pursuant to the State Clearinghouse's 22 November 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the PA-2100295 and PA-2200090 Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:



[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

PA-2100295 and PA-2200090 Project - 5 -  
San Joaquin County

21 December 2022

If you have questions regarding these comments, please contact me at (916) 464-4684  
or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento



December 13, 2022

Giuseppe Sanfilippo  
County of San Joaquin  
1810 E Hazelton Ave  
Stockton, CA 95205

Re: PA-2100295 & PA-2200090  
6550 E State Route 12

Dear Giuseppe Sanfilippo,

Thank you for providing PG&E the opportunity to review the proposed plans for 6550 E State Route 12 dated 11/22/2022. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com).

Sincerely,

PG&E Plan Review Team  
Land Management

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Public



February 16, 2022

Giuseppe Sanfilippo  
San Joaquin County  
1810 E Hazelton Avenue  
Stockton, California 95205

Re: PA-2100295  
6550 E Victor Road, Lodi, CA 95240

Dear Giuseppe:

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2100295 dated 1-13-2022. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com).

Sincerely,

PG&E Plan Review Team  
Land Management

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November 23, 2022

Giuseppe Sanfilippo  
County of San Joaquin  
1810 E Hazelton Ave  
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Giuseppe Sanfilippo,

Thank you for submitting the PA-2200090 & PA-2100295 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: [https://www.pge.com/en\\_US/business/services/building-and-renovation/overview/overview.page](https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page).
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team  
Land Management

### Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [ $24/2 + 24 + 36/2 = 54$ ] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ( $90^\circ \pm 15^\circ$ ). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



## Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA – NO BUILDING."
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



## Thank you for consulting with the UAIC Please complete one form for each notification.

### How to submit a consultation notification or project update:

1. One form must be completed for each project.
2. Forms cannot be saved and completed at a later time.
3. Include all relevant project information.
4. Upload file attachments. Multiple files can be attached.
5. Submit form.
6. You will receive a submission receipt via email when submission is complete. UAIC prefers our online submission form over certified or hard copy letters.

Contact the Tribal Office at (530) 883-2390 for questions or concerns. Ask for Tribal Historic Preservation or use the [contact form located on our website](#).

### Contact Information

<b>Consulting on Behalf of *</b>	San Joaquin County Community Development Department Lead Agency, Consulting Firm, Tribe
<b>Mailing Address</b>	Street Address 1810 East Hazelton Avenue Address Line 2 City Stockton Postal / Zip Code 95205
<b>Point of Contact for Consultation *</b>	Giuseppe Sanfilippo Primary Contact Name
<b>Point of Contact Email *</b>	gsanfilippo@sjgov.org
<b>Second Point of Contact</b>	<input type="checkbox"/> Yes Is there more than one point of contact for this project?

### Regulatory

<b>Consulting Under *</b>	This project fall under the following regulatory requirements: <input type="radio"/> Federal <input type="radio"/> State of California <input type="radio"/> Federal and State <input checked="" type="radio"/> Other County <input style="width: 80px;" type="text"/>
---------------------------	---

### Project Notification Information

<b>Project Name *</b>	PA-2100295 - Use Permit application to construct a building for agricultural processing, packing, storage, and distribution, Please include Name and Reference Number (if applicable)
-----------------------	--

This is a \*

- New Project
- Public Hearing
- Notice of Availability (NOA)
- Other
- Notice of Preparation (NOP)
- Existing Project
- Request for Information

**Project Description** Use Permit application to construct a 92,400-square-foot building: 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang. Eight acres will be used as an on-site retention pond for the adjacent packing facility. The project will utilize a new on-site septic system, an existing well, and a new on-site retention pond. This project is not under a Williamson Act Contract.

Please include a brief project description

**Location** The project site is on the south side of State Route 12, at the south terminus of N. Kennison Ln., Lodi. (APN/Address: 049-120-04 / 6550 E. State Route 12, Lodi) (Supervisory District: 4)

Please include county, city, and address (if available)

### Project Documents

Documents uploaded to this form are secure and only accessible by the Tribal Historic Preservation team

**Notification** Attach notification letters or announcement  
PA-2100295 (UP) Public Hearing - Agency.pdf 277.68KB  
50mb maximum upload size (per file)

**Reports** Attach project reports, project descriptions, or supporting documents  
50mb maximum upload size (per file)

**Location Map** Attach maps and location files. Shape files are preferred  
PA-2100295 (UP) Site Plan.PDF 4.21MB  
File extensions allowed: pdf, jpg, png, kmz, lpk, dbf, prj, shp, abn, sbx, xml, shx, cpg.  
NOTE: 50mb maximum upload size (per file).

### Send Submission Receipt To

Primary Contact  Secondary Contact  Different Email

**New Email \*** dmartorella@sjgov.org

\*\*\*This form submission page is offered for the convenience of consulting agencies, developers, and their respective consultants. UAIC reviews all submissions received, but makes no guarantee that submission via this online form satisfies any particular consultation or notice requirement that exists under state or federal law.



## Thank you for consulting with the UAIC Please complete one form for each notification.

### How to submit a consultation notification or project update:

1. One form must be completed for each project.
2. Forms cannot be saved and completed at a later time.
3. Include all relevant project information.
4. Upload file attachments. Multiple files can be attached.
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Contact the Tribal Office at (530) 883-2390 for questions or concerns. Ask for Tribal Historic Preservation or use the [contact form located on our website](#).

### Contact Information

<b>Consulting on Behalf of *</b>	San Joaquin County Community Development Department Lead Agency, Consulting Firm, Tribe		
<b>Mailing Address</b>	Street Address		
	1810 East Hazelton Avenue		
	Address Line 2		
	City	State / Province / Region	
	Stockton	CA	
	Postal / Zip Code		
	95205		
<b>Point of Contact for Consultation *</b>	Giuseppe Sanfilippo Primary Contact Name		
<b>Point of Contact Email *</b>	gsanfilippo@sjgov.org		
<b>Second Point of Contact</b>	<input type="checkbox"/> Yes	Is there more than one point of contact for this project?	

### Regulatory

<b>Consulting Under *</b>	This project fall under the following regulatory requirements:		
	<input type="radio"/> Federal	<input type="radio"/> State of California	<input type="radio"/> Federal and State
	<input checked="" type="radio"/> Other		
	County <input type="text"/>		

### Project Notification Information

<b>Project Name *</b>	PA-2100295 & PA-2200090 - Use Permit and General Plan Map Amendment for the expansion of an existing agricultural processing facility. Please include Name and Reference Number (if applicable)
-----------------------	--

**This is a \***

New Project
  Notice of Preparation (NOP)

Public Hearing
  Notice of Availability (NOA)

Request for Information
  Other

Neighborhood Referral

**Project Description** This project consists of 2 applications: General Plan Map Amendment No. PA-2200090 to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture).

Use Permit No. PA-2100295 for the expansion of an existing agricultural processing facility by constructing a 96,959-square-foot, two-story agricultural processing building. The first floor includes 80,000 square-feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang. The second floor includes 4,559 square-feet of storage space. 8 acres of the project site will be used as a wastewater pond under permit from the Central Valley Regional Water Quality Control Board (CVRWQCB) for the adjacent fruit processing facility. The project will utilize an on-site septic system, well, and storm pond. This parcel is not under a Williamson Act Contract.

Please include a brief project description

**Project/Construction** Unknown

**Year \*** Please select the year your project will initiate

**Project/Construction Season** Please select the season your project will initiate (if applicable)

**Environmental Document Timeline** Currently posted for review, as of 11/22/2022.  
Please share when your final environmental document is planned for public review

**Location** The project site is located on the south side of E. State Route 12, one mile east of State Route 99, Lodi. (APN/Address: 049-120-04 / 6550 E. State Route 12, Lodi) (Supervisorial District: 4)  
Please include county, city, and address (if available)

**Project Documents**

Documents uploaded to this form are secure and only accessible by the Tribal Historic Preservation team

**Notification \*** Attach notification letters or announcement

PA-2100295 (UP) & PA-2200090 (GP) Public Hearing - Neighborhood.pdf 318.45KB

50mb maximum upload size (per file)

**Reports** Attach project reports, project descriptions, or supporting documents. Please add the following if available: Cultural, Biology, Arborist

PA-2100295 (UP) & PA-2200090 (GP) Mitigated Negative Declaration.pdf 192.79KB

PA-2100295 (UP) & PA-2200090 (GP) Signed IS.pdf 853.97KB

50mb maximum upload size (per file)

**Location Map** Attach maps and location files. Shape files are preferred

PA-2100295 (UP) & PA-2200090 (GP) Site Plan.PDF 4.45MB

File extensions allowed: pdf, jpg, png, kmz, lpk, dbf, prj, shp, abn, sbx, xml, shx, cpq, .zip.  
NOTE: 50mb maximum upload size (per file).

**Send Submission Receipt To**

Primary Contact  Secondary Contact  Different Email

New Email\*

dmartorella@sjgov.org

---

\*\*\*This form submission page is offered for the convenience of consulting agencies, developers, and their respective consultants. UAIC reviews all submissions received, but makes no guarantee that submission via this online form satisfies any particular consultation or notice requirement that exists under state or federal law.

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## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

# **Attachment C**

## **Opposition Responses**

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**Sanfilippo, Giuseppe [CDD]**

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**From:** Audie Andrews <audieandrews@sbcglobal.net>  
**Sent:** Monday, February 27, 2023 4:05 PM  
**To:** Sanfilippo, Giuseppe [CDD]  
**Cc:** Audie Andrews  
**Subject:** River Maid Planning Application

February 27, 2023

Planning Application **River Maid Land Company**  
Planning Reference # **PA-2100295(UP) PA-2200090(GP)**

Audie and Michelle Andrews  
16607 N Tecklenburg Rd  
Lodi, CA 95240

Hello,

This is in regards to the above notice received.

We OBJECT to this application for the following reasons:

Traffic coming in and out on Tecklenburg Road while the access road is being put in. Tecklenburg Rd is not a truck route. There are also trucks using Curry Rd., which is not a truck route. Proper signage should be installed.

Why can't this be drained into a sewer? The "pond" will attract flies and mosquitos. It could also potentially affect nearby residents well water. The current sprinklers have sprayed cars on windy days as they travel east down Victor Rd.

Increased noise and light all hours of the night directly outside of established homes. This decreases home values as well.

Recent floods have affected my neighbor located at 16701 N Tecklenburg Rd. The gray water from the pond could potentially flood into their property and affect their well water.  
Also, Reports of burning plastic which was all over this same neighbor's vehicles.


Thank you for your time.

Looking forward to being at the hearing.

Sincerely,  
Audie and Michelle Andrews

**Sanfilippo, Giuseppe [CDD]**

---

**From:** Andrea Lorente <andreinalorente@icloud.com>  
**Sent:** Monday, February 27, 2023 3:18 PM  
**To:** Sanfilippo, Giuseppe [CDD]  
**Cc:** Michael Lorente   
**Subject:** Re: Rivermaid Proposed Project, Highway 12- PA-2100295, PA-2200090

Dear Mr. San Filippo:

My husband and I reside down the street from the proposed Rivermaid project on Highway 12 and are opposed to this project.

Our concerns are as follows:

1. Ground water overdraw as well as ground water pollution in regards to proposed pond 2. What proposed measures would in place to prevent water table depletion, pollution, odor and mosquitoes if any?
3. For the building construction, we are concerned about PM2.5 Pollution and ammonia storage and release which as you may know, has happened already in town and led to a fatality.
4. Light pollution due to 24 hour a day harvest hours
5. Increased traffic, road kill and damage on roads
6. Increased noise
7. Increased litter i.e. hairnets and general trash already an issue due to the close proximity of the packing house
8. This will decrease our property values
9. Negatively impact of quality of life
10. Limited information provided

It also appears construction has already started. Looks like irrigation of some sort for proposed pond. Was this done without a permit? Very concerning the total disregard for regulations and proper permitting. Who is responsible for the lack of oversight here?

This is our home. We plan to live here a very long time and strongly opposed this purpose project.

We look forward to hearing from you and hope you can address these issues/concerns.

Andrea Lorente

**Sanfilippo, Giuseppe [CDD]**

---

**From:** Zeke Shearer <zeke.shearer@gmail.com>  
**Sent:** Monday, February 27, 2023 12:22 PM  
**To:** Sanfilippo, Giuseppe [CDD]  
**Cc:** Meghan Shearer  
**Subject:** Rivermade Proposed project Highway 12 PA-2100295, PA-2200090

Dear Mr. San Filippo:

My wife and I reside near the proposed Rivermaid project on Highway 12 and have the following concerns:

It appears that construction of a very large irrigation system in the area of the settling pond has already been completed. Was this done without a permit? If so, this shows their total disregard of regulations and your office's oversight.

With respect to the pond, we are concerned with groundwater overdraw and groundwater pollution. What will be done to prevent our water table from being depleted? What steps will be taken to abate pollution, odor and mosquitos?

With respect to the building, we are very opposed to PM2.5 pollution and ammonia storage/release. There has already been a fatality at a nearby packing facility from an ammonia leak. What constraints will be in place to ensure that our air supply and environment remain safe? What will the county do to combat the 24 hour a day light pollution during harvest?

We are also concerned with increased traffic from seasonal workers and trucks. Hair net litter and vehicle noise already occurs as a result of other nearby packing facilities. What is the county's plans for tackling these issues? How will the county prevent increased noise and road damage as a result of increased traffic?

Given the limited information provided, we are strongly opposed to this project. It appears this project will have a negative impact on our water - both by depleting and polluting our water supply. We are also concerned about its impact on our property value and quality of life.

We appreciate your consideration and look forward to hearing from you.

Best,  
Zeke Shearer

**Sanfilippo, Giuseppe [CDD]**

---

**From:** Meghan Shearer <meghan.j.shearer@gmail.com>  
**Sent:** Tuesday, December 13, 2022 8:53 PM  
**To:** Sanfilippo, Giuseppe [CDD]  
**Cc:** Zeke Shearer  
**Subject:** Proposed Rivermaid project - Highway 12

Dear Mr. San Filippo:

My husband and I reside near the proposed Rivermaid project on Highway 12 and have the following concerns:

With respect to the pond, we are concerned with groundwater overdraw and groundwater pollution. What will be done to prevent our water table from being depleted? What steps will be taken to abate pollution, odor and mosquitos?

With respect to the building, we are very opposed to PM2.5 pollution ammonia storage/release. What constraints will be in place to ensure that our water supply and environment remain safe? What will the county do to combat the 24 hour a day light pollution during harvest?

We are also concerned with increased traffic from seasonal workers and trucks. Hair net litter and noise already occurs as a result of other nearby packing facilities. What is the county's plans for tackling these issues? How will the county prevent increased noise and road damage as a result of increased traffic?

Given the limited information provided, we are strongly opposed to this project. It appears this project will have a negative impact on our water - both by depleting and polluting our water supply. We are also concerned about its impact on our property value and quality of life.

We appreciate your consideration and look forward to hearing from you.

Best,  
Meghan Shearer

**Richard Prima**

6613 E. Sargent Rd.  
Lodi, CA 95240

December 12, 2022

Giuseppe Sanfilippo  
San Joaquin County Community Development Department  
1810 E. Hazelton Ave.  
Stockton, CA 95205

Subject: River Maid Land Company Applications PA-2100295 and PA-2200090 (Revised letter)

Thank you for taking the time to discuss the subject application with me when I called last week. You clarified several questions I had about the project and I am providing written comments for consideration by the Community Development Department and the Planning Commission. Since we spoke and I sent my letter dated Dec. 7, I have done some additional research and am sending this revised letter in place of the earlier one.

As I mentioned, I am generally supportive of the project as it supports a vital part of our local economy - agriculture. However, the project needs to be well designed and operated to avoid placing an undue burden on the environment and nearby residents.

While the project is an expansion of the existing River Maid operation, it is being done on a separate parcel and I am concerned that the project is not being evaluated in it's entirety, rather the expansion is being looked at as a stand alone project. I think this is inappropriate for at least three reasons:

- 1) The expansion area includes a process wastewater disposal area that serves both the existing operation on APN 049-120-65 and the proposed expansion project.
- 2) River Maid's Waste Discharge Order R5-2021-0063 includes both parcels and the information clearly describes shared wastewater facilities between the two parcels.
- 3) River Maid has already provided an employee parking lot for the existing operation on APN 049-120-04, thus they are relying on that parcel for their existing seasonal employees.

With these thoughts in mind, I offer the comments below:

A) Traffic & Parking

1. The proposed site plan shows the sole access to the expansion area consisting of a new driveway that creates a 4-way intersection at Pine Street and Curry Avenue. Given that Pine Street to the east is a dead-end, one-lane road with only a half-dozen or so homes and the visibility eastward from Curry Avenue is poor, this new intersection should be evaluated for a multi-way stop control and the intersection fully improved by the applicant. This is preferable to offsetting the new driveway which would be a safety hazard.
2. Given that the expansion fronts Victor Road (Hwy 12), consideration should be given to provide access from the highway. - At a minimum emergency vehicle access since fire vehicles would come from the East on Victor Road and alternate routes are circuitous.
3. The site plan does not show enough of the existing project to evaluate on-site circulation, but there would likely be internal traffic between the existing facility and the expansion. Thus, should be a requirement that internal circulation be provided on-site - Pine Street should not be used for that internal traffic.
4. The initial study indicates the the expansion will generate less than 110 trips per day. This seems unreasonably low given that the study mentions a total of 81 employees during the season. No other data is provided to support this result.

5. The recently created gravel parking lot for seasonal employees was a great help in reducing the frequent congestion on Pine Street due to employees parking on-street, along with the lack of improved shoulders which led to dirt and debris tracking onto the street. However, the proposed site plan substantially reduces the available parking in this lot. Again, no data is provided to evaluate this impact. The Regional Board Order mentioned above notes 800 seasonal employees and 40 off-season employees (pre-expansion). Sufficient employee parking should be provided such that Pine Street does not again become part of their parking lot.
6. There is no mention of truck traffic which is understandably considerable. (And this presumably includes STAA trucks and the turn-around already provided should be retained since the only STAA access is via Pine Street from the West.

B) Wastewater

1. There are inconsistencies between the current Regional Board Order and the proposed project. After speaking with the staff person at the Regional Board who wrote their Permit, I am much less concerned over their process water discharge. It is River Maid's responsibility to adhere to the loading rates contained in the permit.
2. Wastewater service (for domestic and/or process water) could be provided by the City of Lodi as facilities are available in Guild Avenue at Pine Street. While there would be additional fees, they would be offset by reduced need for land devoted to wastewater needs on-site. This should be evaluated as part of the project review as an alternative as it would reduce potential impacts to groundwater. This is of particular interest for their domestic wastewater as it appears they have had to replace their septic system at least twice in recent history. The replacement in 2017 showed a design for 300 persons, which appears to be well below the current employee count. And, septic system design needs to account for peak loading. I strongly recommend that San Joaquin County Environmental Health review their current and proposed septic systems and confirm whether a State Permit is needed for a large system.
3. The process water includes a variety of chemicals as noted in the Regional Board Order, but there is no groundwater monitoring that confirms for potential impacts from these chemicals. Requiring at least a round of groundwater sampling should be considered and could be accomplished by use of existing downgradient shallow wells.

C) Water

1. The existing site receives water from the City of Lodi. An alternative extending the on-site system and eliminating the need for wells should be evaluated as the City's supply includes a significant portion of surface water from the Mokelumne River and the groundwater basin is in overdraft.
2. Again, the initial study contains little information about water demands for the project from which to make an informed decision on the project.

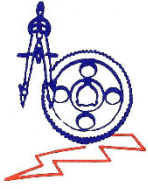
Given the above information, I believe the initial study is inadequate and request that more analysis be done in support of appropriate project requirements.

Sincerely yours,

s/ Richard Prima

Via email





## **BCM Service & Engineering**

Specializing in Process Controls, Repairs & Installation of Industrial Equipment  
GENERAL ENGINEERING CONTRACTOR  
LICENSE #524722

To: The San Joaquin County Community Development Department

Attention: Giuseppe Sanfilippo

I have the following questions and comments on the River Maid Project, Application Numbers PA-2100295 (UP) & PA-2200090 (GP):

1. Will existing truck center and abandoned home be removed?
2. Where is the existing septic system located, when was it installed, and what was its design use for, residential or commercial industrial?
3. Where is the existing storm pond located?
4. Where is existing well located and what was its previous use?
5. There is currently irrigation installed and running on the proposed location for the wastewater project. This irrigation is connected to piping which I assume was a well located East of the current trucking center, approximately 30 feet South of Highway 12. Why is this being irrigated especially in the rain?
6. What hazardous materials and chemicals will be stored and used at this location?
7. What is the water being used for in the process that will be discharged?
8. What is expected daily volume of water to be discharged?
9. What systems will be used to mitigate the smell of standing wastewater?
10. What systems will be used to ensure that no hazardous materials are discharged into the ground water? What level of training do the employees have that will be operating the systems?
11. Will there be any additional ammonia systems added to the new building?
12. What is the current safety record regarding ammonia refrigeration systems and chemical waste systems at existing plants?
13. What is the expected noise level at the property line for this project?
14. What is the expected daily truck traffic to the terminal, and which routes will they use entering the plant?
15. What effect is this expansion going to have on my property value, located less than 1/4 mile from the site?

Respectfully submitted,

Robert R McMahan  
President of BCM Service & Engineering  
Resident of 16701 N. Tecklenburg Rd. Lodi, CA 95240  
(209) 985-2227

1418 Mariani Ct. Ste 160 Tracy, CA 95376 (209) 830-7033

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## Community Development Department

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# **Attachment D**

## **Environmental Review**

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Jennifer Jolley, Director

Eric Merlo, Assistant Director  
Corinne King, Deputy Director of Planning  
Tim Burns, Code Enforcement Chief  
Jay Clayton, Senior Building Inspector

**MITIGATED NEGATIVE DECLARATION**

TO:  Office of Planning & Research FROM: San Joaquin County  
P. O. Box 3044 Community Development Department  
Sacramento, California 95812-3044 1810 East Hazelton Avenue  
Stockton, California 95205

County Clerk, County of San Joaquin

**PROJECT TITLE:** Use Permit No. PA-2100295 and General Plan Map Amendment No. PA-2200090

**PROJECT LOCATION:** The project site is located on the north side of E. Pine St., 2,580 feet east of N. Guild Ave., east of Lodi, San Joaquin County. (APN/Address: 049-120-04 / 6550 E. State Route 12, Lodi) (Supervisorial District: 4)

**PROJECT DESCRIPTION:** This project is comprised of 2 components:

General Plan Map Amendment Application No. PA-2200090 proposes to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture) for consistency with the existing AG-40 zoning and to accommodate the underlying project for an agricultural processing facility.

Conditional Use Permit Application No. PA-2100295 proposes to establish a new stand-alone agricultural processing facility by constructing a 96,959-square-foot 2-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400-square-foot roof overhang. The second floor includes 4,559 square feet of storage space. Eight acres of the project site will be used as a process wastewater pond under permit from the Central Valley Regional Water Quality Control Board (CVRWQCB) for this facility and the adjacent fruit processing facility. The project proposes access from E. Pine Street. The project will utilize a new on-site septic system for wastewater, an existing well for water, and a new on-site retention pond for storm drainage. The project proposes a parking modification for 40 parking spaces. This project is not under a Williamson Act Contract.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is I/T (Truck Terminals).

**PROPONENT:** River Maid Land Company / Mike Smith Engineering, Inc.

This is a Notice of Intent to adopt a Mitigated Negative Declaration for this project as described. San Joaquin County has determined that through the Initial Study that contains proposed mitigation measures all potentially significant effects on the environment can be reduced to a less than significant level. The Mitigated Negative Declaration and Initial Study can be viewed on the Community Development Department website at [www.sjgov.org/commdev](http://www.sjgov.org/commdev) under Active Planning Applications.

Date: January 31, 2023

Contact Person:  
Giuseppe Sanfilippo Phone: (209) 468-0227 Fax: (209) 468-3163 Email: [gsanfilippo@sjgov.org](mailto:gsanfilippo@sjgov.org)

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**  
[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

**LEAD AGENCY:** San Joaquin County Community Development Department

**PROJECT APPLICANT:** River Maid Land Company/ Mike Smith Engineering

**PROJECT TITLE/FILE NUMBER(S):** PA-2200090 (GP)/PA-2100295 (UP)

**PROJECT DESCRIPTION:** This project is comprised of two components:

General Plan Map Amendment Application No. PA-2200090 proposes to change the land use designation of a 17.3-acre parcel from I/T (Truck Terminal) to A/G (General Agriculture) for consistency with the existing AG-40 zoning and to accommodate the underlying project for an agricultural processing facility.

Conditional Use Permit Application No. PA-2100295 proposes to establish a new stand-alone agricultural processing facility by constructing a 96,959 square foot two-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400 square foot roof overhang. The second floor includes 4,559 square feet of storage space. 8-acres of the project site will be used as a process wastewater pond under permit from the Central Valley Regional Water Quality Control Board (CVRWQCB) for this facility and the adjacent fruit processing facility. The project proposes access from East Pine Street. The project will utilize a new on-site septic system for wastewater, an existing well for water, and a new on-site retention pond for storm drainage. The project proposes a parking modification for 40 parking spaces. This project is not under a Williamson Act Contract. (Use Type: Industry-Agricultural)

The project site is located north side of East Pine Street, 2,580 feet east of North Guild Avenue, east of Lodi.

**ASSESSOR PARCEL NO.:** 049-120-04, 049-120-67 (Portion)

**ACRES:** 17.3-ac

**GENERAL PLAN:** I/T

**ZONING:** AG-40

**POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):**  
An agricultural processing facility with one building containing a total of 96,959 square feet at full buildout.

**SURROUNDING LAND USES:**

**NORTH:** Agricultural with Scattered Residences  
**SOUTH:** Agricultural with Scattered Residences  
**EAST:** Agricultural with scattered residences  
**WEST:** Industrial/City of Lodi

**REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:**

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (San Joaquin Valley Air Pollution Control District Air Impact Assessment approval dated August 30, 2022); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (. Copies of these reports can be found by contacting the Community Development Department.

**TRIBAL CULTURAL RESOURCES:**

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No

**GENERAL CONSIDERATIONS:**

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?  
 Yes  No

Nature of concern(s): Enter concern(s).

2. Will the project require approval or permits by agencies other than the County?  
 Yes  No

Agency: Air Pollution Control District

Agency name(s): Enter agency name(s).

3. Is the project within the Sphere of Influence, or within two miles, of any city?  
 Yes  No

City: Lodi

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology / Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology / Water Quality   | <input type="checkbox"/> Land Use / Planning                | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Population / Housing               | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Giuseppe Sanfilippo  
Associate Planner

Date



#### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>I. AESTHETICS.</b>					
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-d) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility to include the construction of a 96,959 square foot two-story building. The project site proposes access from East Pine Street. The proposed project will utilize an onsite well for water, new septic system for wastewater, and storm water drainage for stormwater. The project site is not located along a designated scenic route pursuant to 2035 General Plan Figure 12-2, and the surrounding area is a mixture of industrial, and agricultural with scattered residences. The project will be subject to all Development Title requirements regarding building heights, setbacks, site lighting, and signs. As a result, the proposed project is not anticipated to have an impact on aesthetics.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**II. AGRICULTURE AND FORESTRY RESOURCES.**

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

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-e) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The current zoning for the property is AG-40 (General Agriculture, 40-acre minimum). The proposed project is for an agricultural use that may be conditionally permitted in the AG-40 zone with a Conditional Use Permit. There is only one adjacent project under a Williamson Act contract, and as an agricultural use, the proposed facility will not affect the nearby Williamson Act contracted property or displace any existing agricultural uses. No forest or timberland exists in the area. Therefore, the proposed application will have no impact on agriculture and forestry resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>III. AIR QUALITY.</u>					
Where available, the significance criteria established by the applicable air quality management 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-d) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. On February 10, 2022, the SJVAPCD provided written notice that an Air Impact Assessment (AIA) would be required for the project. On July 13, 2022, the applicant submitted the completed AIA application to the SJVAPCD for processing. On August 30, 2022, the SJVAPCD issued the final AIA approval for the project. The SJVAPCD determined that the construction and operation for the project will be less than two-tons of NOx per year, and two tons PM10 per year. The SJVAPCD provided the following mitigation measures:

- For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30 days of the end of each phase of construction.
- For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.
- For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.

In addition to these measures, the project will be required to file a Dust Control Plan prior to commencing any earth moving activities and obtain an Authority to Construct and Permit to Operate prior to the installation of equipment that controls or may emit air contaminants, including but not limited to emergency internal combustion engines, boilers, and bag houses. As a result, air impacts are anticipated to be less than significant. These items are included in the Mitigation Monitoring and Reporting Program as items 2-4.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>IV. BIOLOGICAL RESOURCES:</b>					
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-f) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The Natural Diversity Database lists the vernal pool tadpole shrimp (*Lepidurus packardii*) and the midvalley fairy shrimp (*Branchinecta mesoamericana*) as endangered, or threatened species located on or near the project area. Referrals have been sent to the San Joaquin Council of Governments (SJCOG) for review. SJCOG has determined that the applicant is subject to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and the applicant has confirmed participation. The applicant will be required to provide proof of participation prior to issuance of a grading permit. As a result, the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the *Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)*, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>V. CULTURAL RESOURCES.</u>					
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-c) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. No impact on cultural resources is anticipated. Should human remains be discovered during any ground disturbing activities, all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds until they can be verified. The County coroner shall be immediately contacted in accordance with Health and Safety Code section 7050.5(b). Protocol and requirements outlined in Health and Safety Code Sections 7050.5(b) and 7050.5(c), as well as Public Resources Code Section 5097.98, shall be followed.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>VI. ENERGY.</u>					
Would the project:					
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

(a,b) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two story building. The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applied to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and prevent any conflict with state or local plans for energy efficiency and renewable energy.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>VII. GEOLOGY AND SOILS.</b>					
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-f) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The proposed project is not anticipated to cause seismic effects, erosion, safety effects, or impact water and geologic features. The proposed project will not cause the risk of injury or death as a result of a rupture of a known earthquake fault, seismic activity, or landslides because there are no fault lines in the project vicinity. The proposed project will not result in substantial soil erosion or the loss of topsoil. The proposed project will not destroy a unique paleontological resource or site or unique geological feature. The proposed project is not 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. As a result, the impact to geology and soils is anticipated to be less than significant.



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>VIII. GREENHOUSE GAS EMISSIONS.</u>					
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-b) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. Greenhouse Gas Emissions (GHG) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG, are inherently considered cumulative impacts.

Implementation of the underlying project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO<sub>2</sub>) and, to a lesser extent, other GHG pollutants, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>e/yr).

As noted previously, the underlying project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.<sup>1</sup> The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific GHG, on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG, emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As a result, impacts related to GHG emissions are anticipated to be less than significant and not in conflict with any plans, policies, or regulations.

<sup>1</sup> San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u>					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-g) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The project site is not 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, the site is not a significant hazard to the public or the environment.

The project proposes to have a diesel tank to fuel an on-site pump for fire suppression for the proposed facility. The applicant states that the tank includes double wall construction and a leak detection system. This tank will be subject to statutory regulations facilitated by the Environmental Health Department for above and underground storage tanks. Additionally, the applicant states that a conventional refrigeration system will be utilized at the facility, the installation of which is subject to the 2021 California Building Code. As a result, impacts from hazardous materials related to the diesel tank are anticipated to be less than significant.

Construction activities for the project typically involve the use of toxic or hazardous materials such as paint, fuels, and solvents. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. The proposed application would not result in, create, or induce hazards and associated risks to the public as no significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities. Additionally, the site is not located within an Airport Land Use Plan (ALUP) or within 2-miles of an existing airport.

The project site does not physically interfere with an emergency evacuation plan or affect wildlands. Therefore, the project's impacts are less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>X. HYDROLOGY AND WATER QUALITY.</b>					
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-e) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The majority of the project site is located in the Flood Zone X, 0.2 percent annual chance of flood designations, while a small area is in the Flood Zone X. A referral has been sent to the Department of Public Works, Flood Control Division for comments. If approved, any new developments will have to comply with Development Title Section 9-703 regarding flood hazards.

In regard to process water discharge, the Central Valley Regional Water Quality Control Board (CVRWQCB) Waste Discharge Requirements Order R5-2021-0063 permits the fruit processing plant on the adjacent parcel to the west (APN: 049-120-65) to discharge process wastewater onto project parcel (APN: 049-120-04). The proposed project will also utilize this process wastewater discharge area. This CVRWQCB Order will remain in effect once the agricultural processing project is established, and the proposed project includes an 8-acre wastewater discharge pond to accommodate the process wastewater. The CVRWQCB Order states that approximately 7 million gallons of wastewater will be directed to the wastewater discharge pond annually. No changes to the discharge area or process water amount are proposed with this application. Any changes to the discharge area and process wastewater discharged will be subject to the rules and regulations of the CVRWQCB. The discharge area is planted in alfalfa, and the alfalfa acts as a natural filter for the process water. The applicant states that the discharge water

is tested and must meet specific levels before the water can be dispersed the discharge area. This area is existing and currently being utilized.

Regarding water usage, the project anticipates using approximately 15,000 gallons of water per day for 6 weeks for processing pears from July to September and 200 gallons of water per day for 6 weeks during holiday fruit packaging. The remaining 40 weeks, the water usage is anticipated to be approximately 30 gallons per day. The project will be served by an existing on-site well. Any improvement to the well must be done under permit from the Environmental Health Department.

As a result of these standards, the proposed project will not impact or otherwise substantially degrade surface or ground water quality, conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan because well and septic system development for the project will be required to be constructed under a permit from the Environmental Health Department. Therefore, all hydrology and water quality impacts will be reduced to less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XI. LAND USE AND PLANNING.</u>					
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a,b) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The project proposes two 8-hour shifts, with one shift being seasonal. The applicant states the first shift will employ 3 people, year-round. The applicant states the second shift will be a seasonal shift during harvest and employ 75 people. The applicant states that approximately 75% of the proposed building will be utilized for the fruit processing, while 25% will be rented to a third party for storage of produce containers. There is an existing agricultural processing facility on an adjacent parcel to the west that will likely rent this space; however, that use is separate to this new proposed use. The project site is surrounded by industrial and agricultural with scattered residences. The project will not physically divide an established community and is consistent with surrounding land uses.

The current General Plan designation is I/T, and the Industry-Agricultural use type is not consistent with the parcel's current General Plan designation. If the General Plan designation is changed to A/G as proposed, then the development project will be consistent with the County's General Plan. The proposed project is an agricultural use and will have a less than significant impact to surrounding parcels. The project will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses because it is surrounded by various types of urban development including industrial and residential. Therefore, this project is not growth-inducing.

The proposed project will not conflict with any existing or planned uses or set a significant land use precedent. The proposed project is not in conflict with any Master Plans, Specific Plans, or Special Purpose Plans, or any other applicable plan adopted by the County. As a result, the project's impacts to land use and planning considerations are anticipated to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XII. MINERAL RESOURCES.</u>					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a, b) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. The project site is not located in a Mineral Resource Zone, there is currently no mining activity in the area, and the surrounding area is developed with industrial, agricultural and residential uses. Therefore, the proposed project will not result in the loss of availability of a known mineral resources because the site does not contain minerals of significance or known mineral resources. Therefore, the proposed project applications will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within San Joaquin County.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XIII. NOISE</u>					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-c) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The nearest single-family residence is located approximately 600 feet southwest of the project site.

Development Title Section 9-404 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-404.050 states that the maximum sound level for stationary noise sources of 65dB is normally acceptable and do not require additional study. This applies to outdoor activity areas of the receiving use or applies at the lot line if no activity area is known. Additionally, noises from construction activities are exempt from noise standards provided the construction occurs no earlier than 6:00 A.M. and no later than 9:00 P.M. The proposed project would be subject to these Development Title standards. No excessive sound or vibration are anticipated and the project is not near an airport. Therefore, noise impacts from the proposed project are expected to be less than significant.



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XIV. POPULATION AND HOUSING.</u>					
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-b) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The project does not involve displacing any housing and will not induce substantial unplanned population growth in the area. Therefore, the project's impact on population and housing will be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XV. PUBLIC SERVICES.</u>					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The Mokelumne Fire District provides the fire protection in the vicinity, law enforcement protection is provided by the San Joaquin County Sheriff's Department, and Lodi Unified School District serves the area for schools. No parks are impacted as a result of this project. Therefore, impacts to public services are also anticipated to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVI. RECREATION.</u>					
a) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-b) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The proposed project will not substantially increase the use of existing neighborhood and regional parks because no increase in housing or people is associated with this application. Additionally, the project does not include recreation facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. No impacts to recreation opportunities are anticipated.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVII. TRANSPORTATION.</u>					
Would the project:					
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-d) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building.

For 12 weeks out of the year, the facility will have approximately 75 employees. The applicant anticipates most of the employees will carpool to work, resulting in approximately 30 cars. Additionally, approximately 5 truck trips are anticipated during the processing and packaging season. The applicant states that in the off-season, the facility will have approximately 3 employees per day and 1 truck trip per week. The project proposes access off East Pine Street. No access is proposed from State Route 12, nor is access from State Route 12 required. The proposed driveway will require an encroachment permit and will be subject to the rules and regulations of the Department of Public Works. Emergency access is not anticipated to be altered by the project traffic or access. Therefore, the project is expected to have a less than significant impact on transportation.

The project applicant states that Surface Transportation Assistance Act (STAA) Trucks make deliveries to the site. As a result, the Department of Public Works will require the applicant to obtain approval from Public Works and CalTrans for new or extended STAA routes.

California Environmental Quality Act (CEQA) Guidelines section 15064.3 requires Vehicle Miles Traveled be evaluated as a part of the environmental review. The Department of Public Works has reviewed the VMT for the proposed project and has determined the project will generate less than 110 vehicle trips per day. Therefore, the project is considered a small project according to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018. According to this OPR guidance, a small project that generates or attracts "fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact" with regards to Vehicle Miles Traveled (VMT). Thus, the proposed project is presumed to have a less than significant impact on VMT. As a result, the project will have a less than significant impact on transportation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVIII. TRIBAL CULTURAL RESOURCES.</u>					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. A referral was sent to the United Auburn Indian Community (UAIC), North Valley Yokuts Tribe, and the Buena Vista Rancheria for review related to potential Tribal Cultural Resources (TCR).

If any suspected TCR are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A tribal representative from culturally affiliated tribes shall be immediately notified and shall determine if the find is a TCR pursuant to Public Resources Code Section 21074. The tribal representative will make recommendations regarding the treatment of the discovery. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 52, has been satisfied. The contractor shall implement any measures deemed by the lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. This has been incorporated into the project's Conditions of Approval.

Additionally, if human remains are discovered during any ground disturbing activities, all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds until they can be verified. The County Coroner shall be immediately contacted in accordance with Health and Safety Code section 7050.5(b). Protocol and requirements outlined in Health and Safety Code sections 7050.5(b) and 7050.5(c) as well as Public Resources Code section 5097.98 shall be followed.

As a result of the Conditions of Approval for the discovery of TCRs and meeting the existing Health and Safety Code regulations, the impact to tribal cultural resources is anticipated to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XIX. UTILITIES AND SERVICE SYSTEMS.</u>					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-e) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. Parcels zoned AG-40 (General Agriculture, 40-acre minimum) may use a well for water, a septic tank for sewer, and retain all drainage on-site, and do not require a connection to City services. The Environmental Health Department has approved a Soil Suitability Nitrate Loading Study (SR0085176) and determined that the site is suitable for an on-site wastewater disposal system. Water will be provided by an existing on-site agricultural well. Additionally, any improvements to the existing agricultural well shall be done under permit from the Environmental Health Department. Storm water drainage will be subject to the rules and regulations of the Department of Public Works. Therefore, the impact to utility and service systems is anticipated to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XX. WILDFIRE</u>					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-d) This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. Pursuant to the San Joaquin Fire Severity Zone map, the project site is located in an area with a non-wildland/non-urban fire zone designation and is not located in a wildfire hazard zone.

The project has access directly from East Pine Street and all access driveways will be required to meet any applicable San Joaquin County and California Fire Code standards. As a result, the proposed project will have a less than significant impact related to potential wildfire hazards and emergency response plans.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE</b>					
a) Does the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a-c). This project has two components. The first is a General Plan designation change from I/T (Truck Terminal) to A/G (General Agriculture). The second is a Conditional Use Permit Application for an agricultural processing facility (Use Type: Industry-Agricultural) to include the construction of a 96,959 square foot two-story building. The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community, or eliminate important examples of major periods of California history or prehistory. The project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.





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# **Attachment E**

## **Mitigation Monitoring and Reporting Program**

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Mitigation Monitoring Reporting Plan-PA-2200090(GP), PA-2100295 (UP) November 18, 2022

Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions	
		Monitoring	Reporting			By	Date
III. Air Quality	Construction and Operation - Exempt from Off-site Fee		X	San Joaquin Valley Air Pollution Control District	For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.		
III. Air Quality	Construction and Operation - Recordkeeping		X	San Joaquin Valley Air Pollution Control District	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.		
III. Air Quality	Construction and Operational Dates		X	San Joaquin Valley Air Pollution Control District	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable		
IV. Biological Resources	Participation in the SJMSCP	X		San Joaquin Council of Governments	The developer shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site shall be inspected by the SJMSCP biologist, who will recommend which Incidental Take Minimization Measures set forth in the SJMSCP should be applied to the project and implemented. The project applicant shall pay the required SJMSCP fee, if any, and be responsible for the implementation of the specified Incidental Take Minimization Measures.		

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# Attachment F Findings

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## FINDINGS FOR GENERAL PLAN MAP AMENDMENT

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1. The proposed amendment will contribute to the public health, safety, and general welfare or will be of benefit to the public.

**The proposed General Plan Map Amendment will be a benefit to the public because approval of the General Plan Amendment will allow the underlying project for an agricultural processing facility to move forward. If approved, the proposed agricultural processing facility would benefit the public by supporting local agricultural activities in the area.**

2. The proposed amendment is consistent with the General Plan goals unless the goals themselves are proposed to be amended.

**The proposed General Plan Map Amendment from I/T (Truck Terminals) to A/G (General Agriculture) is consistent with the General Plan, which states that the A/G designation is generally applied to areas outside of areas planned for urban development. The A/G designation also permits uses that support agriculture, such as the proposed agricultural processing facility. Land Use Goal 7.2 requires that new agricultural support development be compatible with surrounding agricultural operations. The proposed site is adjacent to an existing agricultural processing facility and is located outside of areas planned for urban development. Additionally, the underlying project will meet all General Plan infrastructure requirements for the A/G General Plan designation, which permits a well for water, a septic system for wastewater, and on-site drainage for stormwater. If the General Plan Map Amendment is approved, it will result in consistency between the General Plan designation and the zoning designation because the AG-40 (General Agriculture, 40-acre minimum) implements the A/G (General Agriculture). AG-40 is not an implementing zone for the current I/T General Plan designation.**

3. The proposed amendment retains the internal consistency of the General Plan and is consistent with other adopted plans, unless a concurrent amendment to those plans is also proposed and will result in consistency.

**This finding can be made because the proposed General Plan Map Amendment to change the General Plan designation from I/T (Truck Terminal) to A/G is consistent with the General Plan policies for the A/G General Plan designation and Goal 7.2, as noted above. The proposed General Plan Map Amendment is consistent with the locational criteria for the A/G (General Agriculture) General Plan designation because the parcel is located outside the path of urban development and the proposed underlying use is a support service for agricultural uses. Besides the General Plan, there are no other applicable plans in the area.**

4. The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act.

**This finding can be made because an Initial Study prepared for the project found that no significant impacts are anticipated as a result of the proposed General Plan Map Amendment or the underlying project for an agricultural processing facility with the incorporation of mitigation measures listed in the Mitigation Monitoring and Reporting Program and the proposed Conditions of Approval. Environmental analysis included review of air quality, traffic, noise, hazardous materials, and land use, as noted below.**

**Regarding air quality, an Air Impact Assessment (AIA) performed for the site resulted in mitigation measures related to project emissions, which have been incorporated into the underlying project's proposed Conditions of Approval. With the inclusion of these mitigation measures, project impacts to air quality are anticipated to be less than significant.**

**In regards to traffic, it was determined that the proposed agricultural processing facility would not result in an excess of Vehicle Miles Travelled based on the Technical Advisory on Evaluating Transportation Impacts in CEQA published by the Office of Planning and Research in December 2018, which categorizes this as a small project. The underlying project will include**

truck trips to the facility by STAA trucks, which will require the applicant to obtain approval from the Department of Public Works and CalTrans for a new or extended STAA route, as a recommended Condition of Approval. Approved routes may include additional improvements at the discretion of these agencies. Additionally, the proposed driveway from East Pine Street will require an encroachment permit and will be subject to the rules and regulations of the Department of Public Works. No access is proposed from State Route 12, nor is access from State Route 12 required.

In relation to water quality and utilities/service systems, parcels zoned AG-40 (General Agriculture, 40-acre minimum) with an underlying General Plan designation of A/G may use a well for water, a septic tank for wastewater disposal, and retain storm drainage on-site. Connection to public services is not required. Water is proposed to be provided by an existing on-site agricultural well for the underlying project. Any improvements to the existing agricultural well shall be done under permit from the Environmental Health Department. Additionally, the Environmental Health Department has approved a Soil Suitability Nitrate Loading Study (SR0085176) and determined that the site is suitable for an on-site wastewater disposal system for the underlying project, which must be done under permit with the Environmental Health Department. Storm water drainage must be retained on-site for the underlying project and will be subject to the rules and regulations of the Department of Public Works and the Mosquito and Vector Control District's Mosquito Prevention Best Management Practices for the design and maintenance of the stormwater pond. With the recommended Conditions of Approval, the underlying project is not anticipated to result in significant impacts to utility and service systems.

Regarding noise, Development Title Section 9-404 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-404.050 states that the maximum sound level for stationary noise sources of 65dB is normally acceptable and does not require additional study. The nearest single-family residence is located approximately 600 feet southwest of the project site and packaging activities will occur indoors. Agricultural activities like fruit processing are covered under the Right-to-Farm ordinance, which states agricultural activities shall not be considered a nuisance. Additionally, noise from construction activities are exempt from noise standards provided the construction occurs no earlier than 6:00 A.M. and no later than 9:00 P.M. The proposed underlying project would be subject to Development Title standards pertaining to maximum sound levels for stationary noise sources and construction activities. As a result, noise impacts from the proposed agricultural processing facility are anticipated to be less than significant with this application.

In regards to hazardous materials, the underlying project proposes to have a diesel tank to fuel an on-site pump for fire suppression for the proposed facility and a conventional refrigeration system. The applicant states that the diesel tank includes double wall construction and a leak detection system. This tank will be subject to statutory regulations facilitated by the Environmental Health Department for above and underground storage tanks. Additionally, installation of the conventional refrigeration system will be subject to the 2022 California Building Code. With this oversight, impacts from hazardous materials related to the diesel tank and conventional refrigeration system are anticipated to be less than significant.

Regarding land use, the Industry - Agricultural use type is conditionally permitted in the AG-40 zone with an approved Administrative Use Permit application. The proposed underlying project is an agricultural support use and will have a less than significant impact to surrounding agricultural and industrial parcels with incorporation of the recommended Conditions of Approval and Mitigation Monitoring and Reporting Program. Therefore, the proposed General Plan Map Amendment to change the General Plan designation from I/T to A/G, which would facilitate the underlying project, has been reviewed in compliance with the requirements of the California Environmental Quality Act and all potential impacts are anticipated to be less than significant.

## FINDINGS FOR ADMINISTRATIVE USE PERMIT

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1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan; any applicable Master Plan, Special Purpose Plan, Specific Plan, and Planned Development zone; and any other applicable plan adopted by the County.
  - **This finding can be made because an agricultural processing facility may be conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Administrative Use Permit application. The proposed project is also consistent with the goals, policies, standards and maps of the General Plan related to the proposed A/G General Plan designation, as the site is located outside of a planned area for urban development and the proposed agricultural processing facility is considered a compatible agricultural support use. There are no applicable Master Plans, Specific Plans, and/or Special Purpose Plans in the project vicinity.**
2. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways.
  - **This finding can be made because adequate utilities, access roads, sanitation, drainage, and other necessary facilities have been provided and the proposed improvements are properly related to existing and proposed streets and highways. The project will be served by an on-site well for water, septic system for wastewater disposal, and stormwater pond for storm drainage. The well and septic system improvements will be subject to the rules and regulations of the Environmental Health Department and the stormwater pond will be subject to the rules and regulations of the Department of Public Works. Additionally, the entrance to the proposed project access from East Pine Street will require an encroachment permit from the Department of Public works, ensuring that access to the site will meet all County requirements.**
3. The site is physically suitable for the type of development and for the intensity of development.
  - **This finding can be made because the parcel is of adequate size and shape to accommodate the proposed facility including all yards, parking areas, and other requirements of the Development Title. The Site Plan depicts sufficient area for parking and circulation in compliance with Standards of the Development Title. Additionally, the proposed site has a process wastewater discharge area approved under R5-2021-0063 that the Central Valley Regional Water Quality Control Board has determined is sufficient to serve the proposed site.**
4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
  - **This finding can be made because an Initial Study prepared for the project found that no significant impacts as a result of the project are anticipated in regards to the location, size, design, and operating characteristics. The proposed agricultural processing facility is surrounded primarily by agriculturally zoned parcels with scattered residences and is also located directly northeast of an existing similar processing facility. The surrounding area also includes industrially zoned parcels to the west. The proposed agricultural processing facility provides a support service to the surrounding agricultural areas and is compatible with the area. Additionally, with the proposed Conditions of Approval and mitigation measures contained in the Mitigation Monitoring and Reporting Program, the proposed agricultural processing facility will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.**
5. The proposed use will not create any nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding ambient conditions.

- **The proposed project is not anticipated to create any nuisances related to the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding ambient conditions with the inclusion of the proposed Conditions of Approval and mitigation measures from the Mitigation Monitoring and Reporting Program. Requirements from the Planning Division and Building Division will address noise, vibration, and glare, while the County Fire Division has provided conditions to prevent smoke and heat. Additionally, the San Joaquin Valley Air Pollution Control District has included mitigation measures to address odor, dust, and gas emissions. Requirements from these departments and the Department of Public Works, Environmental Health Department, Mosquito and Vector Control District, and the San Joaquin Council of Governments will ensure that the project is developed to the appropriate standards to avoid creating a nuisance.**

6. The site of the proposed use is adequately served by highways, streets, water, sewer, storm drainage, and other public facilities and services.

**The project proposes access from East Pine Street, and will require an encroachment permit from the Department of Public Works and route approval for STAA trucks from both the Department of Public Works and Caltrans to ensure that site access is adequate. Additionally, in regards to water, sewer, and storm drainage, the project will be served by an on-site well for water, septic system for wastewater disposal, and a stormwater pond for storm drainage. The well and septic system improvements will be subject to the rules and regulations of the Environmental Health Department, and the stormwater pond will be subject to the rules and regulations of the Department of Public Works.**

7. The proposed use complies with all applicable provisions of this Title.

- **The proposed use is classified under the Industry-Agriculture use type, which may be conditionally permitted in the AG-40 zone subject to an approved Administrative Use Permit application. The proposed use will be consistent with the Development Title if the project is approved with the proposed Conditions of Approval related to parking, access, circulation, lighting, landscaping, and signs, as well as the Conditions of Approval provided by the reviewing departments and agencies.**



**SAN JOAQUIN**  
— COUNTY —  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

# Attachment G

## Conditions of Approval

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# CONDITIONS OF APPROVAL

PA-2100295

RIVER MAID LAND COMPANY / MIKE SMITH ENGINEERING, INC.

Administrative Use Permit No PA-2100295 was approved by the Board of Supervisors on . The effective date of approval is . This approval will expire on , which is 36 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Staff Contact: [209] 468-3121)

- a. **BUILDING PERMIT:** Submit an "APPLICATION-COMMERCIAL BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). Foundation and soils investigation shall be conducted in conformance with Chapter 18 of the California Building Code at the time of permit application. A fee is required for the Site Plan review. (Development Title Section 9-600.020[e][2])
- b. **APPROVED USE:** This approval is for a 96,959 square foot two-story agricultural processing building. The first floor includes 80,000 square feet for agricultural processing, packing, storage, and distribution with a 12,400 square foot roof overhang for outdoor storage. The second floor includes 4,559 square feet of storage space as shown on the Revised Site Plan dated February 28, 2023. (Use Type: Industry-Agricultural)
- c. **CAPITAL FACILITY FEE:** This project may be subject to the Capital Facility Fee. If the Capital Facility Fee is applicable, the County shall collect the fees before the issuance of any building permits. (Development Title Section 9-610.070)
- d. **PARKING:** Off-street parking shall be provided and comply with the following:
  - (1) All parking spaces, driveways, and maneuvering areas shall be surfaced and permanently maintained with asphalt concrete or Portland cement concrete to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-406.060[l])
  - (2) A minimum of forty (40) permanent parking spaces shall be provided.
  - (3) Parking spaces for persons with disability shall be provided as required by Chapters 11A and 11B of the California Building Code.
  - (4) Each parking stall shall be an unobstructed rectangle, minimum nine (9) feet wide and twenty (20) feet long. (Development Title Section 9-406.060[b])
  - (5) Seasonal overflow parking spaces areas shall be surfaced with all-weather material as defined and approved by the San Joaquin County Fire Chief's Association.
- e. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:
  - (1) Access driveways shall have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles, except that in no case shall driveways designated as fire

department access be less than twenty (20) feet wide. (Development Title Section 9-406.060 [n][1])

f. **LIGHTING:** Lighting shall be provided and comply with the following:

- (1) All off-street parking areas within Commercial and Industrial zones and for projects where the parking area is used at night, shall be provided with exterior lighting (Development Title Section 9-406.060[m])
- (2) All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted, except onto public roads, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-406.060[m][3])

g. **LANDSCAPING:** Landscaping shall be provided and comply with the following:

- (1) This project will be required to comply with the Model Water Efficient Landscape Ordinance Requirement per California Code of Regulations, Title 23, Division 2, Chapter 2.7.
- (2) A minimum ten (10) foot wide landscaped strip, respecting the ultimate right-of-way width of East Pine Street, shall be installed across the frontage of the project site. (Development Title Section 9-402.030[c][1])
- (3) All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped or left in a natural state. (Development Title Section 9-402.030[e])
- (4) Areas of the property which are not part of the project shall be barricaded from traffic and kept mowed and dust free. (Development Title Section 9-402.030[c][1])
- (5) One tree shall be required for each five permanent parking stalls, or portion thereof, and shall be evenly spaced throughout the parking lot. (Development Title Section 9-406.060[l][9])

h. **SIGNS:** Signs shall comply with the following:

- (1) All portions of a sign shall be setback a minimum of five feet from existing and future right-of-way lines and shall not block pedestrian or vehicle rights-of-way or obstruct drivers' visibility. (Development Title Section 9-408.070[p])

i. **MITIGATION MONITORING AND REPORTING PROGRAM:** This project shall comply with the Mitigation Monitoring and Reporting Program dated November 18, 2022.

k. **BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) requirements will be applicable to the proposed project. The following items, along with a building permit application will be required when applying for a building permit through the Building Inspection Division:

- (1) A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with the applicable California Building Standards Code in effect on the application date for the building permit(s). Plans for the different buildings or structures may be combined into a single set of construction documents. (Please visit <https://www.sjgov.org/commdev> for building permit check list(s) and application forms).
- (2) A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.



- (3) A soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report shall be incorporated into the construction drawings.
  - (4) Projects that include the use of an existing structure or building that was approved with a different occupancy classification than the proposed use, will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by a Registered Design Professional (architect or engineer) in accordance with the California Building Code and Existing Building Code in effect on the application date for the building permit(s). The report and plans shall identify existing conditions, propose alterations necessary to bring each building into compliance with the code.
  - (5) The applicable accessibility requirements as outlined in Chapter 11B of the California Building code shall be included with the building permit plan set for each new or altered structure or building including the project site plan.
  - (6) Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
  - (7) If the project includes landscaping, it will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2, Chapter 2.7
- I. **CALIFORNIA FIRE CODE:** The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division.
- (1) The Fire Prevention Division has reviewed this application and there does not appear to be any major problems associated with the proposed project as submitted.
  - (2) CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.
  - (3) If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
  - (4) CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A secondary access may be required.
  - (5) CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.
  - (6) CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
  - (7) CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
  - (8) A complete review, at building permit submittal, will require compliance with applicable codes and ordinances.
  - (9) CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.

(10) CFC, Section 510 Emergency Responder Radio Coverage-New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the Jurisdiction.

2. DEPARTMENT OF PUBLIC WORKS: (Staff Contact: [209] 468-3000)

- a. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
- b. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
- c. The proposed driveway shall align with Curry Avenue to the south.
- d. Applicant shall obtain approval from the Department of Public Works and Caltrans for STAA terminal and STAA route designations of proposed facility. Contact the Traffic Engineering Division of the Department of Public Works (209-468-3707) for designation process.
- e. Prior to the issuance of the occupancy permit the “Commercial Vehicles Over 7 Tons Prohibited” signage shall be relocated to the western property line.
- f. Prior to issuance of the occupancy permit signage shall be installed directing all traffic exiting the facility west on Pine Street. No truck or vehicular traffic shall be directed east on Pine Street to Curry Avenue.
- g. The owner shall execute an Irrevocable Offer to Dedicate Road to result in a twenty-five (25) foot wide right-of-way from the centerline of Pine Street to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing per Development Title Table 9-240.2 in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-1150.5)
- h. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
- i. The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- j. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
- k. A copy of the Final Site Plan shall be submitted prior to release of building permit.
- l. Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State “General Permit for Storm Water Discharges Associated with Construction Activity”. The Waste Discharge Identification Number (WDID), issued by SWRCB, shall be submitted to Public Works prior to release of the building permit. Contact the SWRCB at (916) 341-5537 for further information.
- m. Prior to release of the building permit the applicant shall submit the Storm Water Pollution Prevention Plan (SWPPP) to Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for

review upon request.

3. ENVIRONMENTAL HEALTH DEPARTMENT (Staff Contact: 209-468-3420)

- a. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to issuance of building permit(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

Note: The Environmental Health Department received a Soil Suitability Nitrate Loading Study report dated April 18, 2022 (Service Request #SR0085176) and it has been approved.

- b. Prior to issuance of building permit, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve.

In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).

- c. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- d. An application for Waste Discharge Requirements must be submitted to the Central Valley Regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).
- e. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
- f. Submit Water Provision Declaration form to the Environmental Health Department for review.
- g. Should the existing private water well's number of non-resident individuals exceed 24 for at least 60 days per year, or the number of service connections exceed four, a yearly permit to operate a public water system will be required by the Environmental Health Department (San Joaquin County Development Title, Section 9-1120.2 and 9-1115.9.).

The supplier must possess adequate financial, managerial, and technical capability to assure delivery of pure, wholesome, and potable drinking water in accordance with San Joaquin County Development Title, Sections 9-1120.2 and 9-1115.9 and C.C.R., Title 22, and Health and Safety Code, Section 116525 through 116570.

- h. The existing well must be repaired under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.4(e)) as follows:
  1. Install sanitary seal.
  2. Install cement surface seal around the well casing to protect the well casing sufficiently and the integrity of well grout.

3. Raise well casing 12 inches above ground level.
  4. Provide sample tap between the well head and the pressure tank.
- i. Install an approved back-flow prevention device on the water supply system(s) (California Code of Regulation, Title 17, Section 7603).
  - j. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).
  - k. If floor drains are required, they must be plumbed through a sand/oil separator and discharged to an above ground system approved by the Environmental Health Department. A registered engineer must design this system. The material collected in the above ground holding system must be analyzed for hazardous constituents prior to disposal. Specific test requirements may be obtained from the Environmental Health Department. The fee will be based on the current schedule at the time of payment.
4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Staff Contact: [209] 235-0600)
    - a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) must provide a Certificate of Payment prior to issuance of any grading or building permits.
  5. MOSQUITO VECTOR CONTROL DISTRICT (Staff Contact: [209] 982-4675)
    - a. Applicant must incorporate mosquito prevention best management practices for the design, construction, operations, and maintenance of the proposed stormwater pond.
  6. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (Staff Contact: [209] 557-6446)
    - a. For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30 days of the end of each phase of construction.
    - b. For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.
    - c. For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.