



PUBLIC HEARING AGENDA

Public Health/Planning Auditorium
San Joaquin County Department of Public Health Services
1601 East Hazelton Avenue, Stockton, California

Thursday, October 3, 2019
6:30 p.m.

- **Flag Salute**
- **Roll Call**
- **Action on Requests for Continuances or Withdrawals (if needed)**
- **Explanation of Hearing Procedures**
- **The Public is welcome to address the Planning Commission on items of interest to the public that are NOT listed on the Agenda. Comments to the Commission are limited to a maximum of 5 minutes.**
- **Action Item:**
 - **Consent Agenda (Item No. 1, 2, and 3):** Items calendared for consent will be approved in one motion without a public hearing unless a member of the Planning Commission or the audience requests that the item be removed from the consent calendar and heard separately.

CONSENT 1. ZONE RECLASSIFICATION NO. PA-1800150 OF MOSSDALE ASSOCIATES (C/O ROBERT BROWN) to reclassify the zoning designation of three (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The current General Plan designation of the three (3) parcels is I/L (Limited Industrial), C/Fs (Freeway Service Commercial), and A/UR (Agriculture-Urban Reserve), which was approved in 2016 as a landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan. This Zone Reclassification application would make the proposed project zoning consistent with the approved General Plan designations. The underlying project is to establish a construction equipment sales facility. (Use Type: Equipment Sales and Repair-Farm Machinery, Sales; Equipment Sales and Repair- Heavy Equipment, Sales). Additionally, there is an active quarry operation on the parcel that excavates sand. The project site is located on the east side of West Mossdale Road, 900 feet south of the Interstate 5 northbound on-ramp, Lathrop. (Supervisorial District: 5).

Environmental Determination: A Mitigated Negative Declaration for this project has been prepared and is proposed for adoption.

CONSENT 2. ONE-YEAR TIME EXTENSION REQUEST FOR USE PERMIT NO. PA-1300105 OF ANTHONY ALEGRE (C/O KEVIN SWANSON) to establish a truck terminal and parking operation for twenty-one (21) trucks with a construction services and heavy equipment storage yard. The project will include the construction of an 800-square foot commercial

coach to be utilized as an office. The project site is located 1/4 mile east of the access point on De Broggi Road on a private access road, between Kingdon Road and State Route 12, north of Lodi. (Supervisory District: 4).

Environmental Determination: This project is exempt from CEQA pursuant to Section 15061(b)(3). A Notice of Exemption will be recorded if the project is approved.

- CONSENT 3. SIX-YEAR TIME EXTENSION REQUEST FOR MINOR SUBDIVISION NO. PA-1600024 OF NHON TAN VIEN AND LISA THAO (C/O DILLON & MURPHY)** to subdivide two parcels totaling 115 acres into three (3) parcels and a Designated Remainder. Parcel 1 to contain a 5.0-acre homesite parcel. Parcel 2 to contain a 3.9-acre homesite parcel. Parcel 3 to contain 35.01 acres. Parcel 4 to contain a 71.39-acre Designated Remainder parcel. The project site is located on the north side of East State Route 12 Highway/Victor Road, 1,050 feet east of Kennison Road, Lodi. (Supervisory District: 4).

Environmental Determination: This project is exempt from CEQA pursuant to Section 15061(b)(3). A Notice of Exemption will be recorded if the project is approved.

- **Other Business:**
 - **Planning Commission Training**
- **Planning Commissioner's Comments**
- **Director's Report (Scheduling of Future Meetings – as needed)**
- **Adjournment**

NOTE: If you need disability-related modification or accommodation in order to participate in this meeting, please contact the Clerk of the Planning Commission at (209) 468-2218 at least 48 hours prior to the start of the meeting (Government Code Section 54954.2[a]). Materials related to an item on this agenda submitted to the Planning Commission after distribution of the packet are available for public inspection at the Community Development Department at 1810 E. Hazelton Avenue during normal business hours.

Randy Hamilton, Chair

Zayante (Zoey) P. Merrill, Secretary

The appeal period for this agenda expires on October 13, 2019, at 5:00 p.m., and the appeal fee is \$648.00.

STAFF REPORT - Zone Reclassification

Application Information

Owner:	Mosssdale Associates LTD		
Applicant:	Robert Brown		
File Number:	PA-1800150		
Location:	On the east side of West Mosssdale Road, 900 feet south of the Interstate-5 on-ramp, Lathrop		
General Plan:	A/UR, I/L, C/FS	Community:	Lathrop
Zoning:	AG-40, C-FS	APN:	239-030-08,-09,-14
Project Size:	381.51-acres	Parcel Size:	381.51- acres
Water Supply:	Oakwood Lakes	Sewage Disposal:	Septic System
Storm Drainage:	Oakwood Lakes	100-Year Flood:	Yes
Williamson Act:	No	Supervisory District:	5
Staff:	Giuseppe Sanfilippo	CEQA Determination:	Mitigated Negative Declaration

Project Description

This project is a Zone Reclassification application to reclassify the zoning designation of (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse Industrial), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum) to I-W (Warehouse Industrial), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum).

The current General Plan designation of the three parcels is I/L (Limited Industrial), C/FS (Freeway Service Commercial), and A/UR (Agriculture-Urban Reserve) which was approved in 2016 as a landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan. This Zone Reclassification application would bring the proposed project zoning consistent with the approved General Plan designations. The underlying project is to establish a construction equipment sales facility. (Use Type: Equipment Sales and Repair-Farm Machinery, Sales; Equipment Sales and Repair- Heavy Equipment, Sales)

Recommendation

Approval.

Referrals and Replies

The agency referrals were originally mailed January 25, 2019, with responses due on February 21, 2019. The project was re-referred on September 3, 2019 as a result of an updated project description, with responses due by October 2, 2019.

AGENCY	RESPONSE DATE (through September 20, 2019)
Public Works	July 19, 2019
Environmental Health	August 29, 2019
San Joaquin Council of Governments	
Ag Commissioner	
County Assessor	
County Counsel	
Board of Supervisors District	
Building Division	
Fire Prevention Bureau	
Mosquito Abatement	
San Joaquin County General Services	
Department of Water Resources	
County Sheriff	
County Surveyor	
Air Pollution Control District	
California Highway Patrol	
Delta Commission	
Oakwood Lake Water District	September 1, 2019
2017 Mossdale Reclamation District	
Delta Stewardship Council	
L.A.F.C.O.	
Caltrans District 10	
C.R.W.Q.C.B.	February 14, 2019
C.V.F.P.B.	February 5, 2019
Department of Conservation/Mines & Geology	
Lathrop/Manteca Fire District	
State Lands Commission	
Division of Mine Reclamation	
Department of Fish & Wildlife Region - 2	
Pacific Gas & Electric	July 22, 2019
Banta School District	
Tracy Unified School District	
SJC Resource Conservation	
A.T.&T.	
F.E.M.A.	September 11, 2019
U.S. Fish & Wildlife	
U.S. Army Corp of Engineers	
Delta Keeper	
Farm Bureau	July 24, 2019
Haley Flying	
Kathy Perez	
Precissi Flying Service	
Sierra Club	

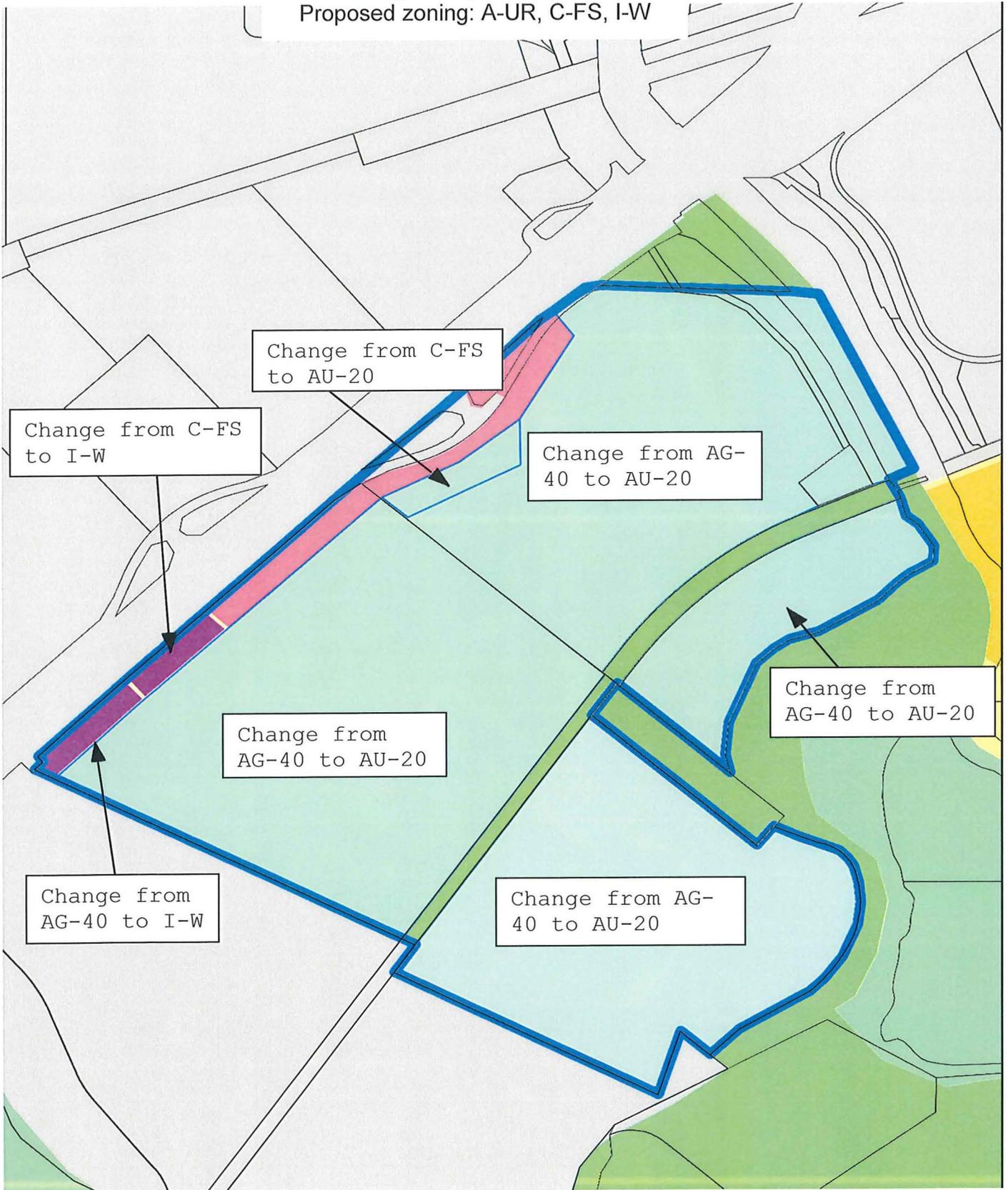
A legal ad for the public hearing was published in the Stockton Record on September 23, 2019.

149 Public Hearing notices were mailed on September 20, 2019.

The Development Committee reviewed this proposal on September 26, 2018.

Map Depicting Zoning Changes.

Existing zoning: AG-40, C-FS
Proposed zoning: A-UR, C-FS, I-W



Analysis

Background

On March 11, 2003, the Community Development Department approved Site Approval application No. PA-0200530 to establish a 10,000 square foot outdoor display area for the sale of agricultural machinery. On March 26, 2007, the Community Development Department approved Site Approval application No. PA-0700043 to expand the existing agricultural machinery sales establishment by constructing a 2,160 square foot storage building.

On December 13, 2016, the Board of Supervisors adopted a comprehensive update of the General Plan. As part of the General Plan update process, the County accepted landowner requests to change the General Plan land use designation of their properties to reflect their preferred land use for the property. The applicant submitted a request to change the land use designation of portions of the subject parcels (APNs: 239-030-08, -09, -14) from A/G (General Agriculture) to A/UR (Agriculture Urban Reserve), and A/G (General Agriculture) and C-FS (Freeway Services Commercial) to I/L (Limited Industrial) which was approved with the General Plan update.

On December 26, 2018, the applicant submitted this Zone Reclassification application to reclassify the zoning designation of (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse Industrial), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum) to I-W (Warehouse Industrial), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). This Zone Reclassification would make the zoning designation of the parcel consistent with the General Plan designations as a result of the landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan.

On February 8, 2019, the Community Development Department opened Code Enforcement case EN-1900058 for the operation of a construction equipment sales facility in the C-FS (Freeway Services Commercial) zone. The Code Enforcement case also includes the construction of a commercial coach and the installation of cargo containers without the benefit of a permit.

Underlying Project

The underlying project for this Zone Reclassification application is a construction equipment sales facility. The Equipment Sales and Repair, Heavy Equipment use type may be conditionally permitted in the I-W (Warehouse) zone with an approved Site Approval application. The zoning designation of the portion of the parcel that currently has the agricultural machinery sales establishment will change to the I-W (Warehouse) zone. If the request is approved, the applicant must then apply for a Site Approval application to establish the Equipment Sales and Repair, Heavy Equipment use type.

Public Services

The Oakwood Lakes Water District has provided a will-serve letter stating that water and storm drainage services are available for the portion of the project site where the zoning is proposed to change from AG-40 (General Agriculture, 40-acre minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse). The 2035 General Plan requires industrial areas outside communities to be served by a public water system. (2035 General Plan, Table IS-1, Page 3.2-37). The 2035 General Plan requires industrial areas outside communities to be served by a public storm drainage system (2035 General Plan, Table IS-3, Page 3.2-41). The 2035 General Plan permits individual private sewage disposal systems for Warehouse Industrial zones. (2035 General Plan, Table IS-2, Page 3.2-39). The public services proposed for the underlying project are consistent with the General Plan.

Bases for Zone Reclassification

Development Title Section 9-812.4 states that, prior to approving an application for a Zone

Reclassification, the Planning Commission and Board of Supervisors shall determine that all of the following are true:

a) The proposed zone is consistent with the General Plan, any applicable Master Plans, and any applicable Specific Plan:

- **From C-FS (Freeway Commercial Services) and AG-40 (General Agriculture, 40-acre minimum) zones to I-W (Warehouse) zone:**

The Warehouse (I-W) zone is an implementing zone of the Limited Industrial (I/L) General Plan land use designation. The zone change to I-W from AG-40 and C-FS would be consistent with the General Plan, as this portion is currently designated I/L (Limited Industrial).

- **From AG-40 (General Agriculture, 40-acre minimum) to AU-20 (Agriculture-Urban Reserve, 20-acre minimum):**

The Agriculture Urban Reserve, 20-acre minimum (AU-20) zone is an implementing zone of the Agriculture Urban Reserve (A/UR) General Plan land use designation. The zone change to AU-20 from AG-40 would be consistent with the General Plan.

- **From C-FS (Freeway Commercial Services) to AU-20 (Agriculture-Urban Reserve, 20-acre minimum):**

The Agriculture Urban Reserve, 20-acre minimum (AU-20) zone is an implementing zone of the Agriculture Urban Reserve (A/UR) General Plan land use designation. The zone change to AU-20 from C-FS would be consistent with the General Plan.

b) The proposed zone district is reasonable and beneficial at the time.

- **The proposed Zone Reclassification for the three (3) parcels totaling 372.11-acres is reasonable and beneficial as the zone reclassification will align the zoning designations with the General Plan land use designations. Additionally, the applicant has provided a will-serve letter from the Oakwood Lakes Water District dated September 1, 2019, that states that water and storm drainage services are available for the portion of the project site where the zoning is proposed to change from AG-40 (General Agriculture, 40-acre minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse).**

Agricultural Mitigation

On July 24, 2019, the Farm Bureau submitted a letter stating the subject application would be subject to the San Joaquin Agricultural Mitigation Ordinance. Pursuant to Development Title Section 9-1080.3(a)(2), a Zone Reclassification that changes the permitted uses of a parcel from an agricultural to a nonagricultural use shall require agricultural mitigation. The underlying project is to establish construction equipment sales facility on the portion of the property previously developed with the farm machinery sales establishment.

Since the portion of the property zoned AG-40 (General Agriculture, 40-acre minimum) is proposed to be re-zoned to AU-20 (Agriculture Urban Reserve, 20-acre minimum), and a portion of the project site that is currently zoned C-FS (Freeway Services Commercial) is proposed to be changed to an agricultural zone AU-20 (Agriculture Urban Reserve, 20-acre minimum), the Community Development Department has determined the subject Zone Reclassification application is not subject to agricultural mitigation. The proposed zoning of AU-20 will accommodate agricultural services and related activities that support the continued viability of the County's agricultural industry. (e.g. animal raising facilities, crop production, agricultural support and sales).

Recommendations

Action

It is recommended that the Planning Commission:

1. Approve the Mitigated Negative Declaration; and
2. Forward Zone Reclassification Application No. PA-1800150 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required "Bases for Zone Reclassification."

Bases for Zone Reclassification

a) The proposed zone is consistent with the General Plan, any applicable Master Plans, and any applicable Specific Plan:

- From C-FS (Freeway Commercial Services) and AG-40 (General Agriculture, 40-acre minimum) zones to I-W (Warehouse) zone:

The Warehouse (I-W) zone is an implementing zone of the Limited Industrial (I/L) General Plan land use designation. The zone change to I-W from AG-40 and C-FS would be consistent with the General Plan, as this portion is currently designated I/L (Limited Industrial).

- From AG-40 (General Agriculture, 40-acre minimum) to AU-20 (Agriculture-Urban Reserve, 20-acre minimum):

The Agriculture Urban Reserve, 20-acre minimum (AU-20) zone is an implementing zone of the Agriculture Urban Reserve (A/UR) General Plan land use designation. The zone change to AU-20 from AG-40 would be consistent with the General Plan.

- From C-FS (Freeway Commercial Services) to AU-20 (Agriculture-Urban Reserve, 20-acre minimum):

The Agriculture Urban Reserve, 20-acre minimum (AU-20) zone is an implementing zone of the Agriculture Urban Reserve (A/UR) General Plan land use designation. The zone change to AU-20 from C-FS would be consistent with the General Plan.

b) The proposed zone district is reasonable and beneficial at the time.

- The proposed Zone Reclassification for the three (3) parcels totaling 372.11-acres is reasonable and beneficial as the zone reclassification will align the zoning designations with the General Plan land use designations. Additionally, the applicant has provided a will-serve letter from the Oakwood Lakes Water District dated September 1, 2019, that states that water and storm drainage services are available for the portion of the project site where the zoning is proposed to change from AG-40 (General Agriculture, 40-acre minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse).



MITIGATED NEGATIVE DECLARATION

TO: Office of Planning & Research
 P. O. Box 3044
 Sacramento, California 95812-3044

FROM: San Joaquin County
 Community Development Department
 1810 East Hazelton Avenue
 Stockton, California 95205

County Clerk, County of San Joaquin

PROJECT TITLE: Zone Reclassification No. PA-1800150 (ZR)

PROJECT LOCATION: The project site is located on the east side of West Mossdale Road, 900 feet south of the Interstate-5 on-ramp, Lathrop, San Joaquin County. (APN/Address: 239-030-08, -09, & -14/800 West Mossdale Road, Lathrop) (Supervisorial District: 5)

PROJECT DESCRIPTION: A Zone Reclassification application to reclassify the zoning designation of three (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The current General Plan designation of the three parcels is I/L (Limited Industrial), C/FS (Freeway Service Commercial), and A/UR (Agriculture-Urban Reserve) which was approved in 2016 as a landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan. This Zone Reclassification application would bring the proposed project zoning consistent with the approved General Plan designations. The underlying project is to establish a construction equipment sales facility. (Use Type: Equipment Sales and Repair-Farm Machinery, Sales; Equipment Sales and Repair- Heavy Equipment, Sales). Additionally, there is an active quarry operation on the parcel that excavates sand. The project site is not under a Williamson Act Contract.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and C-FS (Freeway Service Commercial); and the General Plan designation is A/UR (Agriculture Urban Reserve), I/L (Limited Industrial), and C/FS (Freeway Service Commercial).

PROPONENT: Mossdale Associates LTD

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 Negative Declaration and Initial Study can be viewed on the Community Development Department website at www.sjgov.org/commdev under Active Planning Applications.

Date: August 30, 2019

Contact Person:
 Giuseppe Sanfilippo Phone: (209) 468-0227 FAX: (209) 468-3163 Email: gsanfilippo@sjgov.org

INITIAL STUDY/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: Brown/Mosssdale Associates

PROJECT TITLE/FILE NUMBER(S): PA-1800150 (ZR)

PROJECT DESCRIPTION: This project is a Zone Reclassification application to reclassify the zoning designation of (3) parcels totaling 381.51-acres. The project would reclassify 5.9-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), 3.5-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and 372.11-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The current General Plan designation of the three parcels is I/L (Limited Industrial), C/FS (Freeway Service Commercial), and A/UR (Agriculture-Urban Reserve) which was approved in 2016 as a landowner request adopted by the Board of Supervisors with the adoption of the 2035 General Plan. This Zone Reclassification application would bring the proposed project zoning consistent with the approved General Plan designations. The underlying project is to establish a construction equipment sales facility. (Use Type: Equipment Sales and Repair-Farm Machinery, Sales; Equipment Sales and Repair- Heavy Equipment, Sales). Additionally, there is an active quarry operation on the parcel that excavates sand. The project site is not under a Williamson Act Contract.

The project site is located on the east side of West Mosssdale Road, 900 feet south of the Interstate-5 on-ramp, Lathrop

ASSESSOR PARCEL NO.: 239-030-08,-09,-14

ACRES: 381.51-acres

GENERAL PLAN: A/UR, I/L, C/FS

ZONING: AG-40,C-FS

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
Three (3) parcels totaling 381.51-acres with zoning designations of I-W (Warehouse), AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum), and C-FS (Commercial-Freeway Services).

SURROUNDING LAND USES:

NORTH: City of Lathrop

SOUTH: Agricultural with scattered residences/Union Pacific Railroad Company

EAST: Agricultural with scattered residences/City of Manteca

WEST: Agricultural with scattered residences/City of Tracy

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 (note 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 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: Lathrop, Manteca

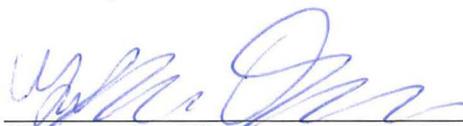
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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.


Giuseppe Sanfilippo
Associate Planner

8/30/2019
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
<u>I. AESTHETICS.</u>					
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 publically 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-d) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). There is an existing quarry operation, and a farm machinery sales establishment on-site. The underlying project is to establish a construction equipment sales facility on the existing developed portion. The project site is not located along a scenic vista route, and the surrounding area is a mixture of agricultural and residential uses.

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-e) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on the existing developed portion. The underlying project will not affect any existing agricultural uses. Therefore, the proposed application will have a less than significant 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
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III. AIR QUALITY.

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 checked="" type="checkbox"/> | <input 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:

- d) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). There is an existing quarry operation, and farm machinery sales establishment on-site. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the parcel totaling 2.0 acres. 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. At the time of future development, the applicant will be required to meet the requirements for emissions and dust control as established by SJVAPCD. As a result, any impacts to air quality 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
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IV. BIOLOGICAL RESOURCES:

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The Natural Diversity Database list the Swainson's hawk (*Buteo Swainsoni*), burrowing owl (*Athene cucularia*), riparian brush rabbit (*Sylvilagus bachmani riparius*), tricolored blackbird (*Agelaius tricolor*), Wright's trichocoronis (*trichocoronis wrightii*), Delta button-celery (*Eryngium racemosum*), California Tiger Salamander (*Ambystoma californiese*), and the slough thistle (*Cirsium crassicaule*) as rare, endangered, or threatened species as potentially occurring in or near the site. Participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) would address any potential impacts to rare, endangered or threatened species, or habitat located on or near the site. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments 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. The project applicant has indicated they will participate in the plan and by participating in the plan this would reduce potential impacts on special-status plant and animal species to a less-than-significant level.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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V. CULTURAL RESOURCES.

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a – c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. In the event human remains are encountered during any portion of the underlying project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VI. ENERGY.

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a,b) 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 applicable to the proposed underlying project ensuring that any impacts to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be reduced to less than significant and help to 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
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VII. GEOLOGY AND SOILS.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | <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) The Soil Survey of San Joaquin County classifies the soil on the parcel as *Columbia fine sandy loam, 0 to 2 percent slopes; Columbia fine sandy loam's, clayey substratum, 0 to 2 percent slopes; Egbert silty clay loam's, 0 to 2 percent slopes; and Merritt silty clay loam,, 0 to 2 percent slopes.*

Columbia fine sandy loam's permeability is moderately rapid and water capacity is moderate. This unit is suited to irrigated row and field crops. *Columbia fine sandy loam* has a storie index rating of 85 and a land capability of IIs irrigated and IVw nonirrigated.

Columbia fine sandy loam's, clayey substratum's permeability is moderately rapid in the upper part Colombia soil and slow in the clayey substratum. Available water capacity is moderate. This unit is suited to irrigated row and field crops. *Columbia fine sandy loam, clayey substratum* has a storie index rating of 48 and a land capability of IIw irrigated and IVw nonirrigated.

Egbert silty clay loam's permeability is moderately slow and water capacity is very high. This unit is suited to irrigated row and field crops. *Egbert silty clay loam* has a storie index rating of 58 and a land capability of IIw irrigated and IVw nonirrigated.

Merritt silty clay loam's permeability is moderately slow and water capacity is high. This unit is suited to irrigated row crops. *Merritt silty clay loam* has a storie index rating of 58 and a land capability of IIw irrigated and IVw nonirrigated.

The project site contains expansive soil. At the time of future development, the Building Division will require a soils report to be submitted with a Building Permit application. Therefore, the effects of expansive soil to the underlying project are expected to be less than significant.

This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on an existing developed portion. A referral has been sent to the San Joaquin Farm Bureau for review.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Discussion:

a-b) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. Emissions of GHG's 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 (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) 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 CO₂ equivalents (MTCO_{2e}/yr).

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.*¹ 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 greenhouse gas emissions 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.

¹ 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
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <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 is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the parcel.

The project would not result in, create or induce hazards and associated risks to the public. 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. No significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities are anticipated.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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X. HYDROLOGY AND WATER QUALITY.

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 checked="" 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:

d,e) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the existing General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The project site is located in the Flood Zone AE flood designations. A referral was sent to the Department of Public Works Flood Control Division for comments. At the time of future development, all new construction and the substantial improvement of any structure in the area of special flood hazard shall be elevated or flood-proofed in accordance to San Joaquin County Development Title Section 9-1605.12(a),(b), and (c). In addition, the project site may contain potential wetlands. A referral was sent to the Army Corps of Engineers for review.

The project area is located approximately 610 feet south of the Paradise Cut. Any future development will be subject to the Central Valley Regional Water Quality Control Board's rules and regulations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XI. LAND USE AND PLANNING.

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:

- b) This project is a Zone Reclassification application to reclassify the zoning designation of a 5.9-acre portion of three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) and C-FS (Freeway Services Commercial) to I-W (Warehouse), reclassify the zoning designation of a 3.5-acre portion of three (3) parcels totaling 381.51-acres from C-FS (Freeway Services Commercial) to AU-20 (Agriculture-Urban Reserve, 20-Acre minimum), and reclassify the zoning designation of a 372.11-acre portion three (3) parcels totaling 381.51-acres from AG-40 (General Agriculture, 40-Acre Minimum) to AU-20 (Agriculture-Urban Reserve, 20-Acre Minimum). The existing farm machinery sales facility is located within a portion of the parcel already developed. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property.

The project site is located within the Secondary Zone of the Delta. Referrals have been sent to the Delta Protection Commission and the Delta Stewardship Council for review.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XII. MINERAL RESOURCES.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <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) 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 predominately in the MRZ-2 zone, with a small portion in the MRZ-1 zone. The project site contains a permitted Quarry Excavation that is vested through the California Department of Conservation, Division of Mine Reclamation (Mine Identification Number 91-39-0002). Minerals of significance are already being extracted from the project site as a result of the permitted Quarry Excavation. There is also a farm machinery sales establishment on site. The underlying project is to establish a construction equipment sales facility that will occupy a portion of three (3) parcels totaling 381.51-acres. The underlying project will have a less than significant impact on the availability of mineral resources for this site.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIII. NOISE.

Would the project result in:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <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 is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The project site is located within the 65 dB noise contour for Interstate 5. Pursuant to General Plan 2035 Background Report Table 15-8 (page 15-25), the 65 dB noise contour is 1,595 feet from the side of the road. The existing land uses are a Quarry Excavation, Farm Machinery Sales, and the proposed construction equipment sales facility are not considered noise sensitive land uses. As a result, noise impacts 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
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XIV. POPULATION AND HOUSING.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <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) The proposed project is a Zone Reclassification and will not result in displacement of the population and affect the amount of proposed or existing housing in the vicinity. There is an existing quarry operation, and farm machinery sales establishment on site. The underlying project is to establish a construction equipment sales facility, which will serve the existing population in the area. Jobs and employment opportunities created from the project would most likely be absorbed by the employment needs of the existing residents of the area. Therefore, the underlying 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
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XV. PUBLIC SERVICES.

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:

Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property. The existing fire protection is provided by the Lathrop-Manteca Fire District, existing law enforcement protection is provided by the San Joaquin County Sheriff's Department, and the existing school services are provided by the Tracy Unified School District. There are no parks in the vicinity, and none are required to be provided. The underlying project is anticipated to have a less than significant impact to public services.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVI. RECREATION.

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"/>
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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"/>
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Impact Discussion:

N/A

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVII. TRANSPORTATION.

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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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,c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the General Plan designations. The underlying project is to establish a construction equipment sales facility on an existing developed portion of the property already developed with an agricultural machinery sales establishment. The Department of Public Works has reviewed the proposal, and the addition of construction equipment sales is not anticipated to generate more than 50 vehicle trips in an hour. Projects that have a traffic volume that is less than 50 trips per hour have a less than significant impact on traffic.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVIII. TRIBAL CULTURAL RESOURCES.

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

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.

Impact Discussion:

a) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the existing approved 2035 General Plan designations. The underlying project is to establish a construction equipment sales. There is an existing quarry operation, and a farm machinery sales establishment on-site. As a condition of approval for the underlying project, the project shall retain a qualified archaeologist to conduct testing of the proposed construction area for potential cultural resources, including tribal cultural resources. The project applicant shall invite the Northern Valley Yokuts tribe, which has geographical and cultural connections to the project site, to appoint a representative to monitor the testing.

Also, prior to construction personnel shall receive brief "tailgate" training by a qualified archaeologist in the identification of paleontological resources, buried cultural resources, including human remains, and protocol for notification should such resources be discovered during construction work. A Yokuts tribal representative shall be invited to this training to provide information on potential tribal cultural resources.

If any subsurface historical, archaeological, or paleontological resources, including human burials and associated funerary objects, are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified archaeologist and/or paleontologist can examine these materials, initially evaluate their significance and, if potentially significant, recommend measures on the disposition of the resource. The project applicant shall be immediately notified in the event of a discovery, and if burial resources or tribal cultural resources are discovered, the project applicant shall notify the appropriate Native American representatives. The contractor shall be responsible for retaining qualified professionals, implementing recommended mitigation measures and documenting mitigation efforts in written reports to the project applicant.

If project construction encounters evidence of human burial or scattered human remains, the contractor shall immediately notify the County Coroner and the project applicant, which shall in turn notify the Yokuts tribal representative. The project applicant shall notify other federal and State agencies as required. The project applicant will be responsible for compliance with the requirements of California Health and Safety Code Section 7050.5 and with any direction provided by the County Coroner. If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), and the NAHC will notify and appoint a Most Likely Descendant (MLD).

The MLD will work with the archaeologist to decide the proper treatment of the human remains and any associated funerary objects in accordance with California Public Resources Code Sections 5097.98 and 5097.991. Avoidance is the preferred means of disposition of the burial resources.

If tribal cultural resources other than human remains and associated funerary objects are encountered, the project applicant shall be immediately notified of the find, and shall notify the Yokuts tribal representative. The qualified archaeologist and tribal representative shall examine the materials and determine their "uniqueness" or significance as tribal cultural resources and shall recommend mitigation measures needed to reduce potential cultural resource effects to a level that is less than

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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-c) This project is a zone reclassification application to reclassify the zoning designations of three parcels totaling 381.51-acres to align with the underlying General Plan designations. The applicant has provided will-serve letters for the project site from the Oakwood Lake Water District for water and storm drainage service as a part of the application request. The 2035 General Plan, Table IS-2 states that individual commercial systems may be permitted in the (I-W) Warehouse Industrial zone. Therefore, the underlying project would have a less than significant impact on existing utilities and services.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XX. WILDFIRE.

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

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <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) No Impact

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

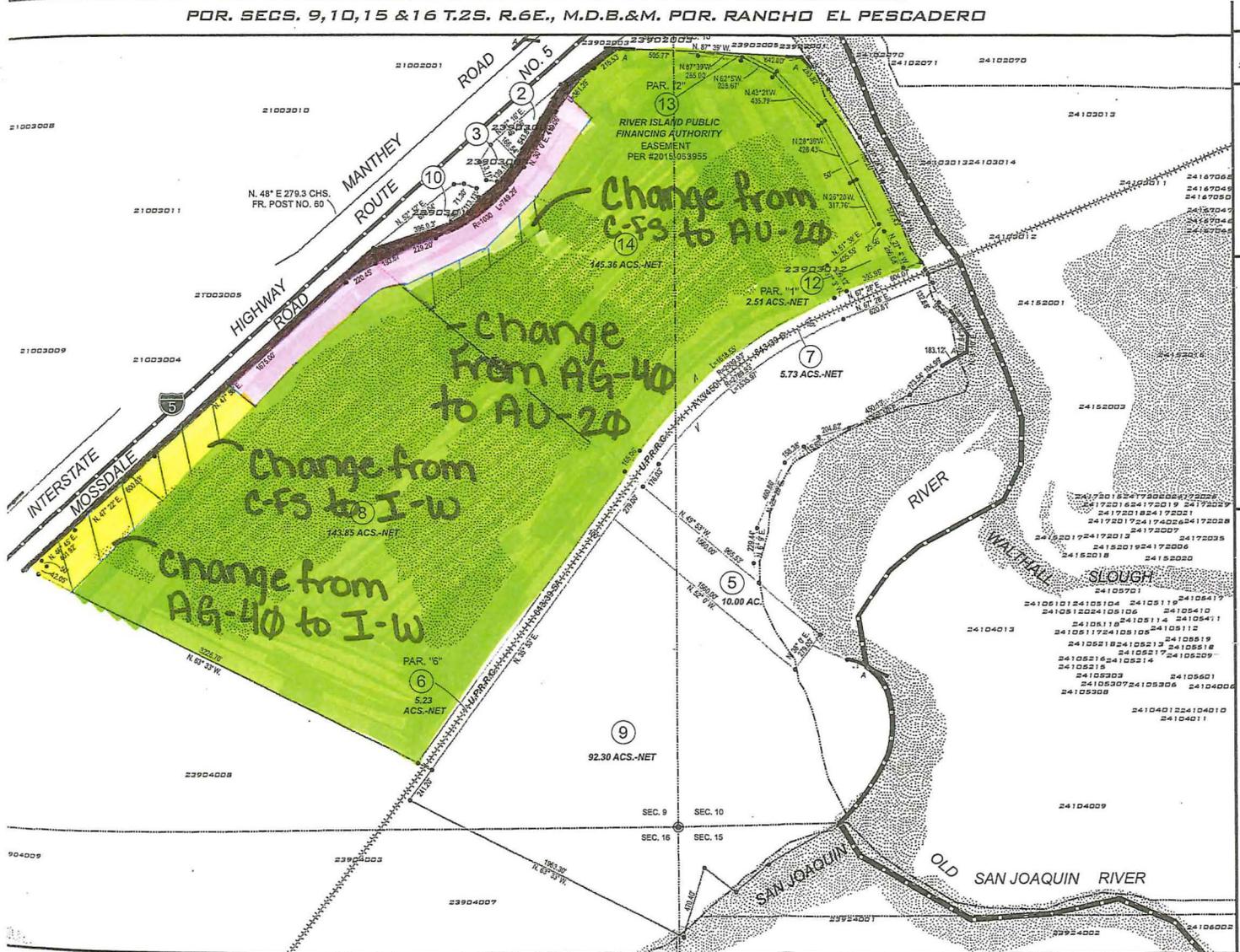
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce 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?

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)?

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

Impact Discussion:

a-c) The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community. The project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.





Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Alex Chetley, Interim Deputy Director/Engineering

Jim Stone, Deputy Director/Operations

Kristi Rhea, Manager of Strategic Initiatives

July 19, 2019

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Giuseppe Sanfilippo

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

SUBJECT: PA-1800150; A Zone Reclassification application to rezone a 5.9 acre portion of two parcels totaling 286.21 acres from AG-40 and C-FS to I-W, rezone a 3.5 acre portion of two parcels totaling 286.13 acres from C-FS to AU-20 and to rezone a 276.81 acre portion of two parcels totaling 286.21 acres from AG-40 to AU-20; located on the east side of Mossdale Road, Lathrop. (Supervisorial District 5)

RECEIVED

JUL 23 2019

San Joaquin County
Community Development

PROPERTY OWNER: Mossdale Associates Ltd.

APPLICANT: Same

ADDRESS: 800 West Mossdale Road, Lathrop

APN: 239-030-08, 239-030-14

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE, X (shaded), and X. The 100-Year Flood Elevation is approximately 25 feet, NAVD 1988.

West Mossdale Road has an existing right-of-way width of 60 feet and a planned right-of-way width per the City of Lathrop.

RECOMMENDATIONS:

- None.

Informational Notes:

- No public utility services (sewer, water and storm drainage) are available at this time.

AC:CH



SAN JOAQUIN
— COUNTY —
Greatness grows here.

Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, *Assistant Director*

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

August 29, 2019

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

From: Linda Turkatte, Director *LTurkate*
Registered Environmental Health Specialist

RE: **PA-1800150 (ZR), SU0012138**
800 W. Mossdale Rd, Lathrop

The Environmental Health Department (EHD) has no requirements related to the rezone application. However, any future proposed development must meet all onsite sewage treatment system, water well, and small public water system requirements. Other requirements may apply based on the proposed development project.

Gene Oliver, Chair
Steve Marino, Vice Chair
Nelson Bahler, Director
Chester Lau, Director
Tim Smith, Director

OAKWOOD LAKE WATER DISTRICT
P.O. BOX 77980
STOCKTON, CA 95267
(209) 239-2481

Douglas E. Coty, Counsel
Bert Michalczyk, District Engineer
Jean L. Knight, Secretary
Treasurer Vacant

September 1, 2019

Mossdale Associates, Ltd.
Attn: Mr. Robert H. Brown
P.O. Box 1429
Lathrop, CA 95330

Subject: Will Serve Request for Potable Water and Storm Water Drainage Service

Dear Mr. Brown:

In response to your request, this letter addresses the willingness of the Oakwood Lake Water District to provide potable water and storm water collection and drainage services to the project described herein. Wastewater service has not been requested and the District makes no commitment nor expresses any willingness to provide or assist in providing wastewater service to the affected property

Property Description:

Rezoning of a portion of Assessor Parcel Number 239-030-08 consisting of approximately four acres as shown in Attachment A from AG-40 to Industrial Warehouse (I/W) to allow development in accordance with the I/W Zoning.

Potable Water Service

The District is willing to serve the subject property with potable water service for normal use based on the contemplated land use at fire flow and storage requirements as will be determined by the Lathrop Manteca Fire District upon the conditions herein.

A potable water Plan of Service shall be prepared by the owner for the District's approval. Potable water infrastructure improvement plans shall be prepared by the owner for the District's approval. Construction of potable water facilities onsite and offsite where needed is the owner's responsibility and shall be subject to inspection, approval and acceptance by the District. Planning, design and installation of these facilities shall be approved by the District. The owner shall obtain a District Facilities Construction Permit for the installation of these facilities from the District. Onsite potable water facilities and services to this project may NOT connect to the District's existing potable water facilities. The owner shall bear all costs, including but not limited to the financing, permitting, environmental review, planning, designing and constructing potable water facilities. The owner shall bear all costs associated with operations, maintenance and replacement associated with the potable water facilities. The owner shall allow, and District may at its option, utilize some or all of the existing potable water facilities to the extent that those are compatible with District standards and the potable water facilities identified in the Plan of

Services. The owner shall bear any and all costs for integrating existing potable water facilities into the potable water system.

Storm Water Drainage Service

The District is willing to serve the subject property with storm water drainage service based on the contemplated land use at San Joaquin County storm water drainage criteria and upon the conditions herein.

A storm water Plan of Service shall be prepared by the owner for the District's approval. Storm water infrastructure improvement plans shall be prepared by the owner for the District's approval. Construction of storm water facilities onsite and offsite where needed is the owner's responsibility and shall be subject to inspection, approval and acceptance by the District. Planning, design and installation of these facilities shall be approved by the District. The owner shall obtain a District Facilities Construction Permit for the installation of these facilities from the District. Onsite storm water facilities and services to this project may NOT connect to the District's existing storm water facilities. The owner shall bear all costs, including but not limited to the financing, permitting, environmental review, planning, designing and constructing storm water facilities. The owner shall bear all costs associated with operations, maintenance and replacement associated with the storm water facilities. The owner shall allow, and the District may at its option, utilize some or all of the existing storm water drainage facilities to the extent that those are compatible with District standards and the storm water drainage facilities identified in the Plan of Services. The owner shall bear any and all costs for integrating existing storm water drainage facilities into the storm water drainage system.

If you have any questions, please contact me at 925-570-8830.

Sincerely,



Bert Michalczyk
Oakwood Lake Water District
District Engineer

Attachments:

- A – Map showing area addressed by Will Serve Letter

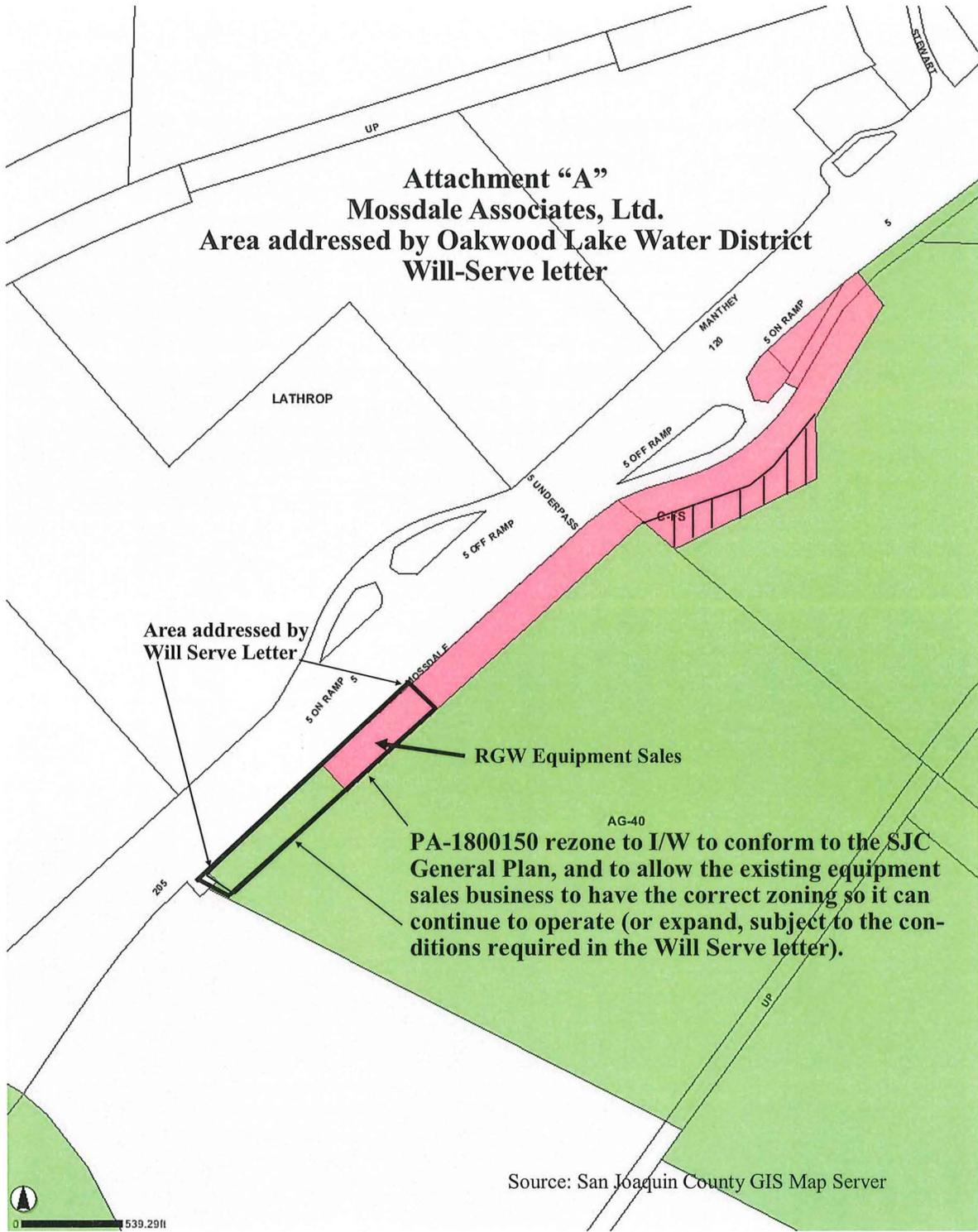


Exhibit A
Change in General Plan Designation Request C-1/F-7



Central Valley Regional Water Quality Control Board

14 February 2019

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

CERTIFIED MAIL
7014 3490 0001 3008 4286

COMMENTS TO REQUEST FOR REVIEW FOR THE EARLY CONSULTATION, PA-1800150 (ZR) PROJECT, SAN JOAQUIN COUNTY

Pursuant to the San Joaquin County Community Development Department's 25 January 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Early Consultation* for the PA-1800150 (ZR) 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 the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

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/

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_201805.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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.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.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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/

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/

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 Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. 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 Risk 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

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

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

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

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/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682



February 5, 2019

Mr. Giuseppe Sanfilippo
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

Subject: Application No.: PA-1800150 (ZR) Mossdale Associates, LTD

Location: 800 West Mossdale Road (APN: 239-030-08, 239-030-14), Lathrop,
San Joaquin County

Dear Mr. Sanfilippo,

Central Valley Flood Protection Board (Board) staff has reviewed the subject document and provides the following comments:

The proposed project is adjacent to the San Joaquin River, a regulated stream under Board jurisdiction, and may require a Board permit prior to construction.

The Board's jurisdiction covers the entire Central Valley including all tributaries and distributaries of the Sacramento and San Joaquin Rivers, and the Tulare and Buena Vista basins south of the San Joaquin River.

Under authorities granted by California Water Code and Public Resources Code statutes, the Board enforces its Title 23, California Code of Regulations (Title 23) for the construction, maintenance, and protection of adopted plans of flood control, including the federal-State facilities of the State Plan of Flood Control, regulated streams, and designated floodways.

Pursuant to Title 23, Section 6 a Board permit is required prior to working within the Board's jurisdiction for the placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee.

Permits may also be required to bring existing works that predate permitting into compliance with Title 23, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the works has not been clearly established or ownership and use have been revised.

Mr. Giuseppe Sanfilippo
February 5, 2019
Page 2 of 2

Other federal (including U.S. Army Corps of Engineers Section 10 and 404 regulatory permits), State and local agency permits may be required and are the applicant's responsibility to obtain.

Board permit applications and Title 23 regulations are available on our website at <http://www.cvfpb.ca.gov/>. Maps of the Board's jurisdiction are also available from the California Department of Water Resources website at <http://gis.bam.water.ca.gov/bam/>.

Please contact James Herota at (916) 574-0651, or via email at James.Herota@CVFlood.ca.gov if you have any questions.

Sincerely,



for Andrea Buckley
Environmental Services and Land Management Branch Chief

cc: Mossdale Associates LTD
P.O. Box 1429
Lathrop, CA 95330-1429



July 22, 2019

Mr. Guiseppe Sanfilippo
San Joaquin County
1810 East Hazelton Avenue
Stockton, CA 95205

Re: Zone Reclassification Application PA-1800150 (ZR)
800 West Mossdale Road, Lathrop

Mr. Sanfilippo:

Thank you for giving us the opportunity to review your plans. The proposed zone reclassification application dated August 16, 2018 and received by PG&E on August 21, 2018 does not appear to interfere with any existing PG&E facilities or easement rights; therefore, we have no comments at this time.

Please note that this is our preliminary review and PG&E reserves the right for 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 your plans to the email address listed below.

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

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

Sincerely,

PG&E Plan Review Team
Land Management

RECEIVED

SEP 16 2019

San Joaquin County
Community Development
U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

September 11, 2019

Giuseppe Sanfilippo, Project Manager
San Joaquin County, Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

Dear Mr. Sanfilippo:

This is in response to your request for comments regarding Application Referral Re Referral: Updated Project Description, Application Number: PA 1800150 (ZR), Zone Reclassification application, (APN/Address: 239-030-08, -09, & -14/800 West Mossdale Road, Lathrop) (Supervisory District 5)

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of San Joaquin (Community Number 060299), Maps revised October 20, 2016 and City of Lathrop (Community Number 060738), Maps revised October 16, 2009. Please note that the City of Lathrop, San Joaquin County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Giuseppe Sanfilippo, Project Manager

Page 2

September 11, 2019

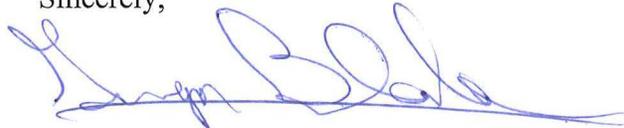
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Lathrop floodplain manager can be reached by calling Glenn Gebhardt, Community Development Director, at (209) 941-7292. The San Joaquin County floodplain manager can be reached by calling John Maguire, Engineering Services Manager, at (209) 953-7617.

If you have any questions or concerns, please do not hesitate to call Brian Trushinski of the Mitigation staff at (510) 627-7183.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Glenn Gebhardt, Community Development Director, City of Lathrop

John Maguire, Engineering Services Manager, Flood Management Division, San Joaquin County

Ray Lee, WREA, State of California, Department of Water Resources, North Central Region
Office

Brian Trushinski, NFIP Planner, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

RECEIVED

JUL 29 2019

July 24, 2019

Mr. Guiseppe Sanfilippo
San Joaquin County Community Development Department
Development Services Division
1810 E. Hazelton Avenue
Stockton, CA 95205

**San Joaquin County
Community Development**

RE: PA-1800150 (ZR)

Dear Mr. Sanfilippo:

The San Joaquin Farm Bureau Federation is a private, non-profit volunteer organization that has been committed to protecting the agricultural resources in San Joaquin County for over 100 years. The preservation of an ever diminishing amount of agricultural land remains one of our highest priorities.

In regard to this application, the land is zoned AG-40 and C-FS. Because this application will reclassify the zoning from agriculture to industrial and urban reserve, it is subject to the San Joaquin County Agricultural Mitigation Ordinance.

Section 9-1080.3(a)(2) provides that the county shall require agricultural mitigation for:

"A Zoning Reclassification that changes the permitted uses from agriculture to a nonagricultural use, regardless of the General Plan designation"

This section is directly applicable to this project because it is a zoning reclassification for a zone in which the permitted uses are agriculture to an industrial zone. Furthermore, this section speaks to the fact that mitigation is still required even though the zone is being reclassified to implement the current General Plan designation of industrial. We are also concerned with the additional AG-40 acreage to be reclassified to AG-20.

We ask that the applicant furnish the requisite agricultural mitigation under section 9-1080. Please keep us informed as this project moves forward.

Sincerely,

David Strecker
President

STAFF REPORT - Time Extension (Use Permit)

Application Information

Owner: **Anthony J. Alegre Tr, Et al.**
Applicant: **Kevin Swanson**
File Number: **PA-1300105**
Location: **Along a private access road 1,300 feet east of De Broggi Road/Flag City Boulevard, 1,400 feet south of State Route 12 Highway, west of Lodi.**
Address: **5484 W. State Route 12 Highway, Lodi**

General Plan:	I/T	Community:	None
Zoning:	I-T	APN's:	055-160-23 & -25
Project Size:	14.14 acres	Parcel Size:	14.14 acres
Water Supply:	Well	Sewage Disposal:	Septic system
Storm Drainage:	On-site	100-Year Flood:	No
Williamson Act:	No	Supervisorial District:	4
Staff:	Teddie Hernandez	CEQA Determination:	Notice of Exemption

Project Description

This project is a one-year Time Extension for a previously approved Use Permit application to establish a truck terminal operation for twenty-one (21) trucks and a construction materials and equipment storage yard. The project includes the construction of a 400 square foot office. (Use Type: Truck Sales & Services – Terminals)

Recommendation

Approval.

Referrals and Replies

The application referrals were mailed on July 5, 2019, with responses due by August 1, 2019.

AGENCY	RESPONSE DATE (through September 16, 2019)
S.J. Department of Public Works	July 15, 2019
S.J. Environmental Health Department	July 31, 2019
S.J. County Assessor	
S.J. County Building Inspection	
S.J. County Plan Check	
S.J. County Fire Prevention Bureau	
S.J. County Sheriff	
Mosquito & Vector Control	
Woodbridge-D Fire District	
Lodi Unified School District	
San Joaquin Council of Governments	July 10, 2019
A.L.U.C.	August 1, 2019
San Joaquin Valley Air Pollution Control District	
Woodbridge Irrigation District	
Caltrans - District 10	July 8, 2019
Caltrans - Division of Aeronautics	
C.A. Department of Fish and Wildlife-Region 2	
State Reclamation Board	
C.H.P.	
Federal Emergency Management Agency	
U.S. Army Corps of Engineers	
Kingdon Airport	
P.G. & E.	July 16, 2019
P.G. & E.-EEP	
A.T.&T.	
Trinkle Boys	
Kathy Perez	
Precissi Flying Service	
Sierra Club	
C.V.R.W.Q.C.B.	July 18, 2019

A legal ad for the public hearing was published in the **Stockton Record** on September 23, 2019.

Thirty-one (31) Public Hearing Notices were mailed on September 20, 2019.

LEGEND

AC	ASPHALT CONCRETE		PROPOSED 2" AC
E	CENTERLINE		EX. AC
CONC.	CONCRETE		PROPOSED AC
EX.	EXISTING		5' LANDSCAPING STRIP
H/C	HANDICAP		
LP	LIGHTPOLE		
PP	POWER POLE		
R/W	RIGHT-OF-WAY		
TYP.	TYPICAL		

SITE PLAN

DECEMBER, 2017

SCALE:
1" = 100'

N

OWNER

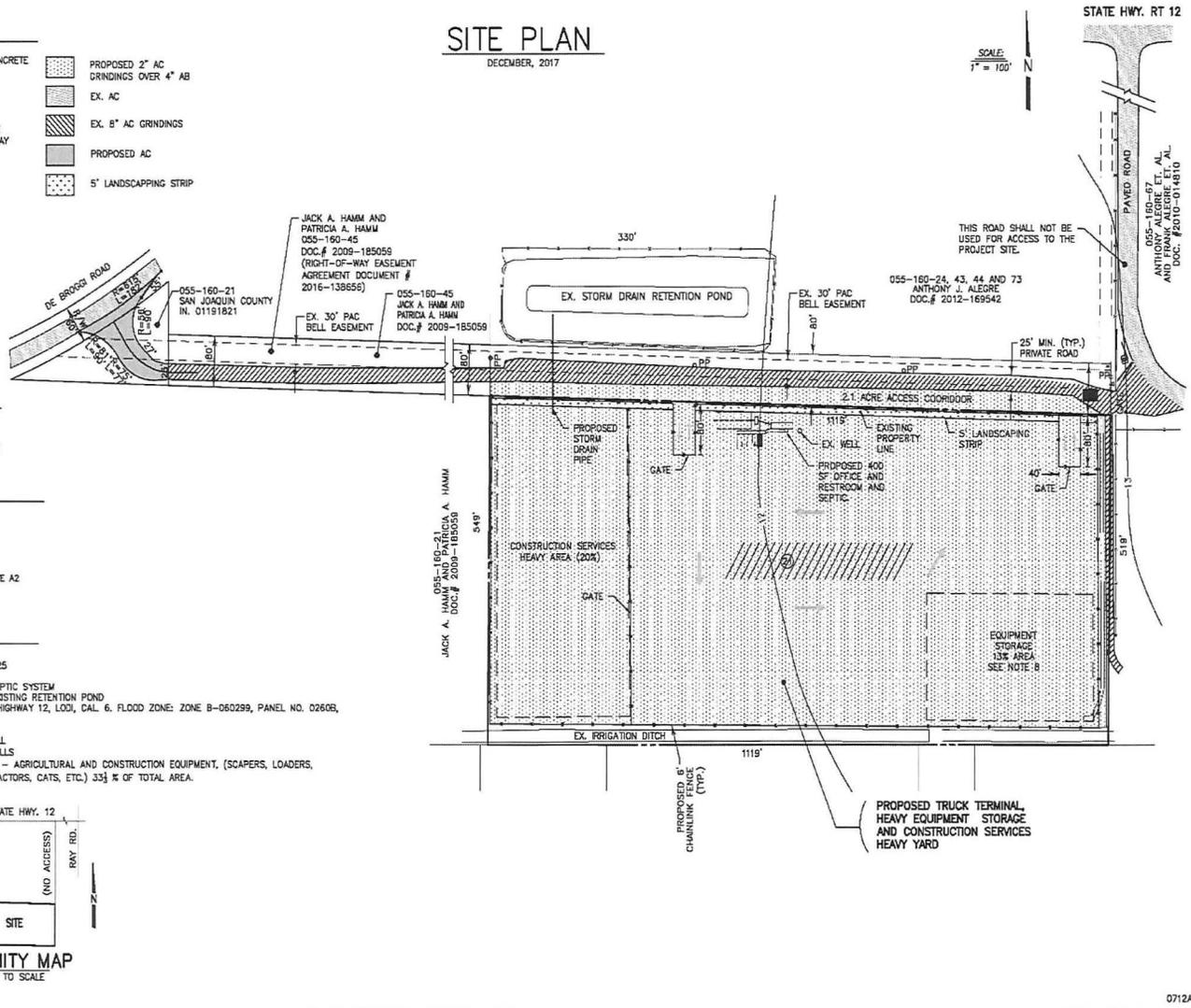
ANTHONY J. ALEGRE
P.O. BOX 150B
LODI, CALIFORNIA 95241
(209) 334-2112

ENGINEER

DILLON & MURPHY
P.O. BOX 2180
847 N. CLIFF AVE., SUITE A2
LODI, CA 95241
(209) 334-6813

NOTES:

1. APN: 055-160-23, 25
2. WATER: WELL
3. SANITARY SEWER: SEPTIC SYSTEM
4. STORM DRAINAGE: EXISTING RETENTION POND
5. SITE ADDRESS: 5184 HIGHWAY 12, LODI, CAL. 6. FLOOD ZONE: ZONE B-060299, PANEL NO. 02609, 12-28-92
7. PARKING:
 - (1) HANDICAP STALL
 - (3) STANDARD STALLS
8. EQUIPMENT STORAGE - AGRICULTURAL AND CONSTRUCTION EQUIPMENT, (SCAPERS, LOADERS, BLADES, BACKHOES, TRACTORS, CATS, ETC.) 33% OF TOTAL AREA.



0712A

S:\2007\0712A\SITE PLAN DECEMBER 2017.dwg

Analysis

Background

On December 21, 2017, the Planning Commission approved Use Permit No. PA-1300105 to establish a truck terminal operation for twenty-one (21) trucks with a construction materials and equipment storage yard on the subject parcel.

On June 25, 2019, the applicant submitted a one-year Time Extension application. The applicant is requesting additional time to meet the conditions of approval and initiate the final transfer of family business documents for the project site.

Time Extension

The Conditions of Approval were not met within eighteen (18) month time period granted with the approval of the Use Permit application due to a death in the family. If this Time Extension is approved, the new expiration date will be July 2, 2020.

CEQA Exemption

Under the California Environmental Quality Act (CEQA) of 1970, this project is exempt from CEQA review. Pursuant to CEQA guidelines Section 15061, as a general rule, CEQA applies only to projects which have the potential for causing a significant effect on the environment. If it can be seen with certainty that an activity has no possibility of having a significant effect on the environment, the activity is not subject to CEQA. This project is a one-year Time Extension for a previously approved project for which an Initial Study was performed and concluded that the project's effect on the environment would be less than significant. As a result, the Time Extension is not subject to CEQA review.

A Notice of Exemption has been completed and will be filed upon the Planning Commission's determination on this Time Extension.

Caltrans

The Community Development Department received a comment letter from Caltrans dated July 8, 2019. The comment letter stated that Caltrans had concerns of the additional truck traffic contribution on State Route 12 from the project and direct access from Flag City Boulevard to State Route 12. During the previous project review, Caltrans and County staff agreed to a condition of approval that would restrict access from the project site to State Route 12. This condition was inadvertently excluded from the previous project approval.

As a result, the following condition of approval is being added regarding truck access and circulation:

- 1.f.(6) All truck traffic associated with the truck terminal project shall exit the project site using De Broggi Road to Star Road for access to State Route (SR) 12. No direct access to State Route (SR) 12 is permitted from the project site at Flag City Boulevard. The project applicant shall also supply the truck operators with a notice or flyer of the designated project site access routes, and include additional on-site signage at the entrance/exit of the project site informing the truck operators of the access routes, excluding direct access to State Route 12 from Flag City Boulevard.

In an email dated September 9, 2019, the project applicant agreed to this condition of approval.

Also, in the July 8, 2019 letter Caltrans previously requested a Traffic Impact Study to study the cumulative impacts of the project and two (2) previous projects (PA-0700125 and PA-1300091). They recommended the County collect traffic impact fees for future improvements to State Route 12 to mitigate the cumulative impact of the various projects in the area.

A Traffic Study was prepared for the previously approved PA-0700125 project and it concluded that said project would not result in any significant impacts along State Route 12 or the study intersections. Pursuant to Section 9-1150.4(a) of the Development Title, "Traffic Studies," the County may require a supplemental Traffic Study if, after preparing an original Traffic Study for any development project, the property's use is changed so that total trip generation is expected to increase by more than fifteen percent (15%). It was determined by Public Works staff that the increase of trips generated by both the proposed and previous PA-1300091 projects are collectively less than fifteen percent (15%).

In addition, the proposed project will use a different access (entrance/exit) point/route than the previously approved projects (PA-0700125 and PA-1300091) and is not expected to generate more than fifty (50) vehicle trips during any hour, the general threshold for requiring a Traffic Study. In Public Works previous comment letter for the project, Traffic Impact Mitigation Fees and the Regional Traffic Impact Mitigation Fees, are due at the time of building permit application. These fee requirements are included in the conditions of approval for the project site.

Recommendations

Action

It is recommended that the Planning Commission:

1. **Approve the one (1) year Time Extension application for previously approved Use Permit No. PA-1300105 with the previously approved Findings and Conditions of Approval contained in the staff report.**

Previously Approved Findings

- 1) The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
 - **This finding can be made because truck terminal operations are consistent with the Truck Terminal (I/T) General Plan designation and in turn may be conditionally permitted with a Use Permit application in the I-T zone. In addition, pursuant to Development Title Section 9-505.6(g), the Construction Sales and Services – Heavy use type may be permitted as part of a truck terminal in the I-T zone provided the use does not exceed thirty-three and one-third percent (33 $\frac{1}{3}$ %) of the area devoted to the truck terminal. The proposed truck terminal operation and accessory construction materials and equipment storage is consistent with the goals, policies, standards and maps of the General Plan, and there are no Master Plans, Specific Plans, Special Purpose Plans, or any other applicable plan adopted by the County in the 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 the proposed services and improvements related to the project are adequate. The project will be served by a private septic system, an individual well, and on-site storm drainage. The storm drainage runoff generated by the construction of any new buildings will be contained on-site.**

In addition, the applicant proposed to modify the surfacing requirements pursuant to Development Title Section 9-1015.9 from asphalt concrete or Portland cement concrete to two (2) inches of asphalt concrete grindings over four (4) inches of aggregate base because the proposed project will store construction materials and equipment for long periods of time resulting in minimal customer traffic and limited traffic from daily operations. The proposed project also has a long driveway approach to the site which would limit the amount of dust and debris tracked onto and off of the proposed project site.

- 3) The site is physically suitable for the type of development and for the intensity of development.
 - **This finding can be made because the 14.14-acre property is of adequate size and shape to accommodate the proposed uses.**

- 4) Issuance of the permit will not be significantly detrimental to the public health, safety, or welfare or be injurious to the property or improvements of adjacent properties.
 - **This finding can be made because the Initial Study prepared for the project found no potentially significant environmental impacts. In addition, a truck turning analysis and improvement plan required by the Department of Public Works determined that the truck terminal operation would not result in significant traffic safety impacts.**

- 5) The use is compatible with adjoining land uses.
 - **This finding can be made because the proposed use will not interfere with nor alter the current land uses on adjacent properties. The project site is surrounded by industrial properties also zoned I-T (Truck Terminal) to the north and east. There are commercial properties to the north and west, and agricultural properties with scattered residences to the south, east, and west. The proposed uses may be conditionally permitted in the I-T zone subject to an approved Use Permit application. The nearest residence is located approximately 1,250 feet south of the project site.**

Previously Approved Conditions of Approval

A one (1) year Time Extension Application for previously approved Use Permit No. PA-1300105 was approved by the Planning Commission on. The effective date of approval is. This approval will expire on, which is one (1) year 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 the 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 (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 9-884)
 - b. **APPROVED USE:** This approval is for the establishment of a truck terminal operation for twenty one (21) trucks and a construction materials and equipment storage yard not to exceed thirty-three and one-third (33 $\frac{1}{3}$ %) of the area devoted to the truck terminal as shown on the revised Site Plan dated December 6, 2017. The project includes the construction of a 400 square foot office. (Use Type: Truck Sales & Services – Terminals)
 - 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 9-1245.2)
 - d. **DEED RESTRICTION:** A deed restriction granting access to the project site across APN's: 055-160-43 and -44 will be required prior to issuance of building permit.
 - e. **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 two (2) inches of asphalt concrete grindings and four (4) inches of asphalt base to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.9)
 2. A minimum of two (2) parking spaces shall be provided. (Two [2] spaces are required for every 1,000 square feet of building area and 0.67 space is required for each employee) (Development Title Section 9-1015.3)
 3. Each automobile parking stall shall be an unobstructed rectangle, minimum nine (9) feet wide and twenty (20) feet long. (Development Title Section 9-1015.5[b])
 4. Parking spaces for persons with disability shall be provided as required by Chapters 11A and 11B of the California Building Code.

5. A minimum of twenty-one (21) truck parking spaces shall be provided.
 6. Spaces shall be a minimum of fifty (50) feet in length and twelve (12) feet in width and shall have a minimum height clearance of fourteen (14) feet. (Development Title Section 9-1015.9)
 7. Spaces shall be provided and maintained on the same lot as the commercial or industrial use. (Development Title Section 9-1015.6[c][2])
 8. Spaces shall not interfere with vehicular circulation or parking, or with pedestrian circulation. (Development Title Section 9-1015.6[c][3])
- f. **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 9-1015.5[h][1])
 2. Driveway width at the ultimate right-of-way shall be forty (40) feet maximum. The design of the driveway shall allow trucks to enter and exit the property without entering into the opposing lane of traffic (Development Title Section 9-505.7)
 3. Access gates shall be recessed from the property line a minimum of sixty-five (65) feet. (Development Title Section 9-505.7[d])
 4. Adequate maneuvering and parking areas of automobiles and trucks shall be located on the site of the truck terminal. (Development Title Section 9-505.7[e])
 5. Aisles between truck parking areas shall be a minimum of fifty-five (55) feet wide. (Development Title Section 9-1015.6[d][2])
 6. All truck traffic associated with the truck terminal project shall exit the project site using De Broggi Road to Star Road for access to State Route (SR) 12. No direct access to State Route (SR) 12 is permitted from the project site at Flag City Boulevard. The project applicant shall also supply the truck operators with a notice or flyer of the designated project site access routes, and include additional on-site signage at the entrance/exit of the project site informing the truck operators of the access routes, excluding direct access to State Route 12 from Flag City Boulevard.
- g. **LIGHTING:** Lighting shall be provided and comply with the following;
1. If the parking area is to be used at night, parking lot and security lighting shall be installed. (Development Title Section 9-1015.5[g])
 2. Any lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted except onto public thoroughfares, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])
- h. **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. All areas not used for buildings, parking, driveways, walkways, approved outdoor storage areas, or other permanent facilities shall be landscaped. (Development Title Section 9-1020.8[a])
 3. Areas of the property which are not part of the project shall be barricaded from traffic and kept mowed and dust free.
- i. **SCREENING:** Screening shall be provided and comply with the following:
 1. All storage materials and related activities, including storage areas for trash, shall be enclosed by a screen six (6) to seven (8) feet in height. Items stored within one hundred (100) feet of a dedicated street or residential zone shall not be stacked higher than two (2) feet above the adjacent screen. (Development Title Section 9-1022.4[e][2][A])
 2. All loose materials shall be contained in bins. (Development Title Section 9-505.6[d])
 3. Truck parts or inoperable trucks that are stored on the property of the truck terminal must be directly related to the operation of the truck terminal and shall be contained within a specified area that is fenced to provide an effective visual barrier. (Development Title Section 9-505.6[e])
 4. Any construction materials and all equipment used for the transfer and/or storage of construction materials shall be contained in a specified area that is fenced to provide an effective visual barrier. (Development Title Section 9-505.6[f])
 - j. **SIGNS:** Sign details shall be consistent with Chapter 9-1710 of the Development Title and be included on the Site Plan. All portions of any sign shall be set back a minimum of five (5) feet from any future right-of-way line, including any corner cut-off (snipe). (Development Title Section 9-1710.2[g])
2. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)
 - a. An encroachment permit shall be required for all work within road right-of-way and APN: 055-160-54. (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. Prior to the issuance of the occupancy permit, the driveway approach off of DeBroggi Road shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 and the driveway improvement plan approved by Public Works June 2014. (Development Title Section 9-1145.5)
 - c. The developer shall provide drainage facilities and meet the requirements of 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 eighteen (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. For proposed retention basins located on a separate parcel, the owner must have a recorded drainage easement and provide copies of the documents to San Joaquin County Public Works. (Development Title Section 9-1135)
 - d. 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)
 - e. 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)

- f. A copy of the Final Site Plan shall be submitted prior to release of building permit.
- g. Applicant shall file all Permit Registration Documents (PRDs) with the State Water Resources Control Board (SWRCB) to state the intent to 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 for file.

Informational Notes:

- 1. A Solid Waste Diversion Plan for all applicable projects must be submitted to the Building Division of the Community Development Department prior to issuance of the building permit. Contact the Solid Waste Division (468-3066) for information.
 - 2. This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.
 - 3. All future building permits for projects located within a Special Flood Hazard Area at the time of permit issuance shall meet the San Joaquin County flood hazard reduction requirements (Title 9, Chapter 9-1605) and all requirements of the State of California (CCR Title 23) that are in force at the time of permit issuance. As an example, these requirements may include raising the finish floor elevation one foot above the expected flood level and/or using flood resistant materials.
3. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420)
- a. A soil suitability/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. (San Joaquin County Development Title, Section 9-1105.2(d)). A review fee must be paid at time of submittal to the Environmental Health Department. The review fee will be based on the current schedule at the time of payment.
- The sewage disposal system shall comply with the on site sewage standards of San Joaquin County prior to approval. A percolation test that meets absorption rates of the manual of septic tank practice or E.P.A. Design Manual for onsite wastewater treatment and disposal system is required for each parcel. A permit fee per percolation hole is required. The review fee will be based on the current schedule at the time of payment.
- b. 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. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7)
 - c. Submit to the Environmental Health Department revised site plans showing the maximum number of persons the sewage disposal system is being designed for. In addition, show on revised plans that the leach field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This leach 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)).

In addition, the revised site plan shall incorporate the 100% designed sewage disposal replacement area.

- d. 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).
 - e. Construction of an individual domestic water well under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-1115.3).
 - f. 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)
4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact: [209] 235-0600)
- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (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.
5. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (Contact: [209] 557-6400)
- a. The proposed project may be subject to the following District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). In the event that an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN
LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194



*Making Conservation
a California Way of Life.*

July 8, 2019

**10-SJ-12-PM 010.025
PA-1300105 (UP, TE)
Alegre Truck Terminal**

Teddie Hernandez
San Joaquin County
Community Development Department
1810 E. Hazelton Avenue
Stockton, CA 95205

Dear Mr. Hernandez:

The California Department of Transportation appreciates the opportunity to review the proposed one-year Time Extension for a previously approved Use Permit for a truck terminal and parking operation for 21 trucks with construction services and heavy equipment storage yard at 5484 West State Route 12, Lodi. The Department has the following comments:

- As stated in our previous letter dated September 5, 2014, the Department understands from conversations with County Planner John Funderburg that the project will be conditioned to use De Broggi Rd to Star St. to access State Route (SR) 12 and will not be allowed to have direct access to or from SR 12. While it is agreed that this would help direct traffic to use the signalized intersection, it will be difficult to enforce this restriction.
- Our Department previously requested a Traffic Impact Study for the cumulative impacts of this project and two previous projects (PA-1300091 and PA-0700125) in a letter dated August 16, 2013. These projects will cumulatively have an impact to the operations of SR 12. We suggest that the county collect traffic impact fees for future improvements to SR 12 to mitigate the cumulative impact of the various projects in the area. Based on the outcome of the TIS, acceleration and deceleration lanes at the intersection of North Flag City Road and State Route 12 may be necessary.

If you have any questions or would like to discuss our comments in more detail, please contact Nicholas Fung at (209) 948-7190 or myself at (209) 941-1921.

Sincerely,

A handwritten signature in cursive script that reads "Nicholas Fung". Below the signature, the word "FOR" is written in a simple, blocky font.

TOM DUMAS, CHIEF
OFFICE OF METROPOLITAN PLANNING



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

August 1, 2019

Doug Kuehne
CHAIR

Jesus Andrade
VICE CHAIR

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EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF SAN
JOAQUIN

Teddie Hernandez
Development Services Division
1810 East Hazleton Avenue
Stockton, CA 95205

Re: PA-1300105 (UP,TE) (Deadline: 8/1/2019)

Dear Teddie Hernandez,

The San Joaquin Council of Governments (SJCOCG), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed an application with multiple plans for a previously approved Use Permit application to establish a truck terminal and parking operation for 21 trucks with construction services and heavy equipment storage yard. The project will include the construction of an 800 sq. ft. commercial coach to be utilized as an office. The project site is located at 5484 West State Route 12 in Lodi, CA (APN: 055-160-23).

CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCOCG adopted the 2018 Update to the Regional Congestion Management Program (RCMP) (<http://www.sjcog.org/rcmp>) on April 26, 2018. Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation.

SJCOCG determined that this project does not meet the Tier 2 threshold; thus, no further information is required at this time.

AIRPORT LAND USE COMMISSION'S REVIEW

This project is located within Kingdon Airport's Zone 8 (AIA). Further review reveals this project is compatible with the 2018 San Joaquin County Airport Land Use Compatibility Plan (ALUCP) (<https://www.sjcog.org/ALUC>).

SJCOCG would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan (<https://www.sjcog.org/ALUC>) as a reference guide. *Note: Jurisdictions determine if the following standards and conditions apply to this project.*

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.

- c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel(dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).
2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) for any proposal for construction or alteration under the following conditions:
- a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest take off and landing area of a public use heliport
 - d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact CMA and ALUC staff Joel G. Campos (209-235-1090 or campos@sjcog.org) if you have any questions or comments.

Sincerely,



Joel G. Campos

ATTACHMENT A – Exhibit of Project Site Location in relation to ALUC



AIRPORT LAND USE CONSISTENCY REVIEW



PERMIT NUMBER / PROJECT TITLE: PA-1300105 (UP, TE)
ADDRESS: 5484 West State Route 12, Lodi
APN: 055-160-23
AIRPORT / "HAZARD TO FLIGHT": Kingdon Airport / Zone 8 (AIA)



S J C O G , I n c .

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 (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Teddie Hernandez, San Joaquin County, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Date: July 10, 2019

Local Jurisdiction Project Title: PA-1300105 (UP, TE)

Assessor Parcel Number(s): 055-160-23, -25

Local Jurisdiction Project Number: PA-1300105 (UP, TE)

Total Acres to be converted from Open Space Use: 13.5 acres

Habitat Types to be Disturbed: Agricultural Habitat Land

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

Dear Mr. Funderburg:

SJCOG, Inc. has reviewed application PA-1300105 (UP, TE). This project includes a One-Year Time Extension application for a previously approved Use Permit application to establish a truck terminal and parking operation for 21 trucks with construction services and heavy equipment storage yard. It will include the construction of an 800 square foot commercial coach to be utilized as an office. The proposed project site will be accessed by a private road from De Broggi Road. The project site is located ¼ mile east of the access point on De Broggi Road on a private access road, between Kingdon Road and State Route 12 (north of Lodi) (APN/Address: 055-160-23, -25; 5484 W. State Route 12 Highway, 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.sjco.org>

After 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.

2 | SJCOG, Inc.

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

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.
 - 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-1300105 (UP, TE)

Landowner: Anthony Alegre

Applicant: Frank Alegre c/o Kevin Swanson

Assessor Parcel #s: 055-160-23, -25

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Teddie Hernandez

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.



July 16, 2019

Teddy Hernandez
San Joaquin County
1810 E. Hazelton Ave.
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Mr. Hernandez,

Thank you for submitting 5484 West State Route 12 Hwy - PA-1300105 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.
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: <http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.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 12 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 12 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° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 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&E'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 15 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) 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.



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

18 July 2019

Teddie Hernandez
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

CERTIFIED MAIL
7017 1070 0000 8877 0845

COMMENTS TO REQUEST FOR REVIEW FOR THE PUBLIC HEARING, PA-1300105 (UP, TE) PROJECT, SAN JOAQUIN COUNTY

Pursuant to the San Joaquin County Community Development Department's 5 July 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Public Hearing* for the PA-1300105 (UP, TE) 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 the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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/

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_201805.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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.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.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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/

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/

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

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 Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. 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 Risk 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

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

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

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

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/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



for Jordan Hensley
Environmental Scientist

STAFF REPORT - Minor Subdivision (Time Extension)

Application Information

Owner: **Nhon Vien**
Applicant: **Dillon & Murphy**
File Number: **PA-1600024**
Location: **On the north side of State Route 12, 1,050 feet east of Kennison Road, Lodi**

General Plan:	A/G & OS/RC	Community:	None
Zoning:	AG-40	APN's:	049-130-54 & 81
Project Size:	115 acres	Parcel Size:	115 acres
Water Supply:	Well	Sewage Disposal:	Septic
Storm Drainage:	On-site	100-Year Flood:	Yes (Portion)
Williamson Act:	No	Supervisorial District:	4
Staff:	Teddie Hernandez	CEQA Determination:	Notice of Exemption

Project Description

This project is a six (6) year Time Extension application for a previously approved Minor Subdivision application to subdivide two parcels totaling 115 acres into three parcels and a Designated Remainder. Parcel 1 to contain a 5.0-acre homesite parcel. Parcel 2 to contain a 3.9-acre homesite parcel. Parcel 3 to contain 35.01 acres. Parcel 4 to contain a 71.39-acre Designated Remainder parcel.

Recommendation

Approval.

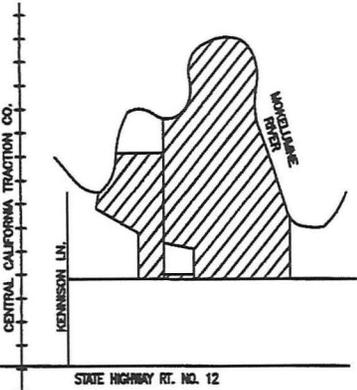
Referrals and Replies

The application referrals were mailed on June 7, 2019, with responses due by July 7, 2019. The project was re-referred on August 23, 2019 due to an error in notification with responses due by September 19, 2019.

AGENCY	RESPONSE DATE (through September 13, 2019)
Environmental Health Department	August 28, 2019
Public Works	June 10, 2019 & August 26, 2019
Air Pollution Control District	
County Sheriff	
SJ Council of Governments	
Ag Commissioner	
County Surveyor	
General Services	
County Assessor	
Mosquito & Vector Control	
PG&E - EEP	
Parks & Recreation	
Pacific Gas & Electric	June 20, 2019
Precissi Flying Services	
Kathy Perez	
NSJWCD	
Mokelumne Fire District	
Lodi Unified School District	
CVFPB	
Department of Conservation	
CA Fish & Wildlife Reg. 2	
CA State Lands Commission	
Stockton East Fire District	
US Department of Fish & Wildlife	
US Army Corps	
FEMA	
Farm Bureau	June 26, 2019
Sierra Club	
CVRWQCB	
City of Lodi	

A legal ad for the public hearing was published in the **Stockton Record** on September 23, 2019.

118 public hearing notices were mailed on September 20, 2019.



STATE HIGHWAY RT. NO. 12

VICINITY MAP
NOT TO SCALE

PROJECT DESCRIPTION:

TO CREATE THE FOLLOWING 4 PARCELS FROM TWO EXISTING PARCELS:

- 1 3.90 AC. HOMESTE PARCEL
- 1 5.00 AC. HOMESTE PARCEL
- 1 35.01 AC. AGRICULTURAL PARCEL
- 1 71.39 AC. REMAINDER AGRICULTURAL PARCEL

NOTES:

1. NO TREES TO BE REMOVED PER THIS APPLICATION. ALL TREES SHOWN ARE OF THE OAK VARIETY.
2. AREA IS GENERALLY FLAT BUT TERRACED AND LEVEED. ELEVATIONS SHOWN AND LAND FEATURES ARE LABELED BUT CONTOURS HAVE BEEN OMITTED FOR CLARITY.

TENTATIVE PARCEL MAP
OF A PORTION OF SECTION 5
T.3 N., R. 7 E., M. D. 6. & M.
SAN JOAQUIN COUNTY, CALIFORNIA
DECEMBER, 2015 SCALE: 1"=200'

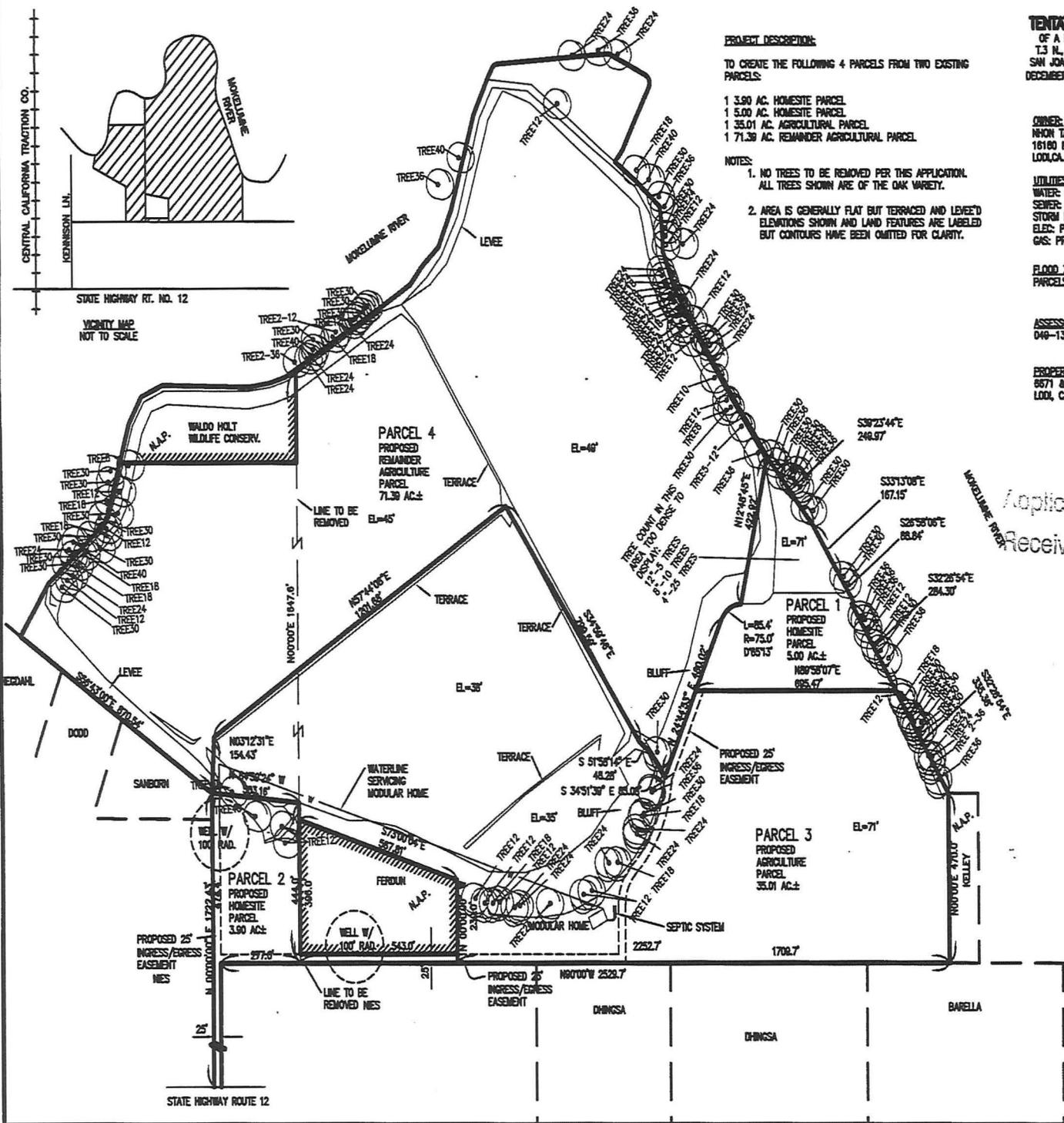
OWNER:
NHON TAN VEN
16180 N. MOORE RD.
LODI, CA. 95240

UTILITIES:
WATER: WELL
SEWER: SEPTIC SYSTEM
STORM DRAINAGE: ONSITE
ELEC: P.G. & E.
GAS: PROPANE DELIVERY

FLOOD ZONE INFORMATION:
PARCELS LOCATED IN FLOOD ZONES X & AE

ASSESSOR PARCEL NUMBERS:
048-130-52,54

PROPERTY ADDRESS:
6571 & 7101 E. HIGHWAY 12
LODI, CA. 95240



TENTATIVE MAP

Application # **PA1600024**

Received By MEY On 02/01/2016

PREPARED BY:
D.B. Wilton
LAND SURVEYING

PO BOX 435 LODI, CA 95241-0435

Analysis

Background

On August 4, 2016, the Planning Commission approved Minor Subdivision No. PA-1600024. The project was referred to the Planning Commission due to neighborhood opposition. The neighbors expressed concerns with the creation of homesite parcels and the potential of impacts on cultural resources related to the Miwok Indian Tribe. The Farm Bureau also opposed the Minor Subdivision due to concerns about the creation of the homesite parcels, and restated its concerns with the Time Extension request in a letter dated June 26, 2019. All issues were previously addressed and appropriate mitigation measures were included in the original conditions of approval. If the Time Extension application is approved, all previously approved conditions of approval will still apply.

Time Extension

The Parcel Map was not filed within the original three (3) year time period granted with the approval of the Minor Subdivision application due to issues related to clearing title. If approved, the new expiration date for the Minor Subdivision will be August 14, 2025.

CEQA Exemption

Under the California Environmental Quality Act (CEQA) of 1970, this project is exempt from CEQA review. Pursuant to CEQA Guidelines Section 15061, as a general rule, CEQA applies only to projects which have the potential for causing a significant effect on the environment. If it can be seen with certainty that an activity has no possibility of having a significant effect on the environment, the activity is not subject to CEQA. This project is a one-year Time Extension for a previously approved project for which an Initial Study was performed and concluded that the project's effect on the environment would be less than significant. As a result, the Time Extension is not subject to CEQA review.

A Notice of Exemption has been completed and will be filed if the Planning Commission approves the Time Extension application.

Recommendations

Action

It is recommended that the Planning Commission:

1. **Approve the six (6) year Time Extension application for previously approved Minor Subdivision No. PA-1600024 with the previously approved Findings and Conditions of Approval contained in the staff report.**

Previously Approved Findings

1. The proposed subdivision is consistent with the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan and any other applicable plan adopted by the County.
 - **This finding can be made because the proposed Minor Subdivision application No. PA-1600024 is consistent with the General Plan, and Development Title Section 9-610.3(a) Homesite Parcels, which allows for the creation of homesite parcels in the AG (General Agriculture) zone. There are no applicable Master Plan, Specific Plan, Special Purpose Plan, or other applicable plan adopted by the County.**
2. The design or improvement of the proposed subdivision is consistent with the General Plan and any applicable Specific Plan or Special Purpose Plan.
 - **This finding can be made because the design and improvements meet the minimum standards contained in the General Plan as reflected in the Tentative Map. Public services are not required for the proposed subdivision. Access to the parcels will be provided from State Route 12 along a private road. There are no applicable Specific Plans or Special Purpose Plans other applicable plan adopted by the County.**
3. The site is physically suitable for the type of development proposed.
 - **This finding can be made because the parcels lot sizes are consistent with Development Title Section 9-610.3(a) for the creation of a homesite parcel and satisfy the minimum lot width requirements pursuant to Development Title Table 9-610.2, and all minimum County standards are met.**
4. The site is physically suitable for the proposed density of development.
 - **This finding can be made because the site is physically suitable for the proposed density of development and the number of parcels proposed is consistent with the A/G (General Agriculture) General Plan density of one (1) dwelling per twenty (20) gross acres (General Plan Vol. I, page VI-10).**
5. Neither the design of the subdivision nor any proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - **This finding can be made because the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. There are conditions of approval to**

satisfy the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).

6. The design of the subdivision or type of improvement is not likely to cause significant public health problems.
 - **This finding can be made because the proposed parcels are of adequate size to accommodate private sewer, water, and storm drainage services on-site, and the Initial Study did not find any significant impacts to public health.**
7. The design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
 - **This finding can be made because there are no changes to public easements or access proposed or recommended.**
8. Any land or improvements to be dedicated to the County or other public agency is consistent with the General Plan, any applicable Specific Plan and Special Purpose Plan, and any other applicable plan adopted by the County.
 - **This finding can be made because no land or improvements are being dedicated to the County. There are no applicable Specific Plans, Special Purpose Plans, or other applicable plans.**
9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by Government Code Section 66473.1
 - **This finding can be made because the design of the subdivision provides lots that are large enough so that individual dwellings can be oriented to take advantage of solar orientation.**

Previously Approved Conditions

A six (6) year Time Extension for Minor Subdivision No. PA-1600024 was approved by the Planning Commission on . The effective date of approval is . This tentative map approval will expire on , which is six (6) years from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Parcel Map has been filed with and accepted by the County Surveyor.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to approval of the Parcel Map. 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 ([209] 468-3124)

a. **TENTATIVE MAP:** The Parcel Map shall substantially conform with the approved tentative map dated February 1, 2016.

b. **RIGHT TO FARM:** Pursuant to San Joaquin County Code Section 6-9004(b), the following note shall be placed on the Parcel Map and recorded as a Notice of Minor Subdivision Restriction:

All persons purchasing parcels within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered to be a nuisance.

c. **LOT SIZE AND WIDTH:** The following lot size and width regulations shall apply to this map:

1. Parcel 1 and 2 each shall have a minimum lot width of 150 feet. (Development Title Section 9-610.4)
2. Parcel 1 and 2 each shall be between two (2) gross acres and five (5) gross acres in size. (Development Title Section 9-610.3[a])

d. **TRANSFER RESTRICTION:** A Note shall be placed on the Parcel Map and a Notice of Minor Subdivision Restriction shall be recorded concurrently with the Parcel Map, with a reference to the instrument number of said recorded notice, stating that:

The homesite shall not be transferred until **{10 years from the date of approval}**, or upon the death of an owner owning at least fifty (50) percent interest in the homesite parcel, unless the homesite parcel and the remainder parcel are merged pursuant to the provisions of the Development Title.

The property shown on the Parcel Map is restricted from further subdivision for homesite purposes, except for financing only, by Section 9-610.3 of the San Joaquin County Development Title.

e. **BUILDING PERMIT:** The owner shall obtain a building permit for a single family dwelling for each homesite parcel concurrently with the approval of the parcel map. (Development Title Section 9-610.3[a][4])

f. **TREE PRESERVATION:** Future development on the parcel(s) shall be consistent with the requirements of the County's Tree Preservation Ordinance (Development Title Section 9-1505.2). The following note shall be placed on the Final/Parcel Map and also shall be recorded as a separate instrument:

The removal of a Native Oak Tree, Heritage Oak Tree, or Historical Tree shall require an approved Improvement Plan application. Replacement of any tree removed under Development Title Section 9-1505.3 shall be as specified in Section 9-1505.4.

- g. **RIPARIAN HABITAT:** Parallel to Mokelumne River, a natural open space area for riparian habitat and waterway protection shall be maintained to provide nesting and foraging habitat and the protection of waterway quality. The minimum width of said open space shall be one-hundred (100) feet, measured from the mean high water level of the natural bank or fifty (50) feet back from the existing riparian habitat, whichever is greater. Water-dependent uses may be permitted in this buffer. The mean high water level and the edge of the riparian habitat shall be shown on the Final/Parcel Map. The open space buffer required above shall be shown on the Final/Parcel Map with the following note:

Pursuant to Section 9-1510.5 of the San Joaquin County Development Title, this area is designated as a natural open space for riparian habitat and waterway protection. No development other than water dependent uses shall be permitted in this space.

- h. **CULTURAL RESOURCES:** If, in the course of development, concentrations of prehistoric or historic-period materials are encountered, all work in the vicinity of the find shall halt until an archaeologist can evaluate the materials and make recommendations for further action. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.

A qualified historical resources consultant be retained to re-survey the property prior to implementation of the project or issuance of any discretionary permit as required in the record search conducted by Central California Information Center dated April 6, 2016.

- i. **ACCESS:** The following access requirements apply and shall be shown on the Parcel Map:
1. A proposed 25-foot wide private easement for access to Parcels 1 through 4, along Parcel 2 and 3, shall be shown on the Parcel Map. (Development Title Section 9-1150.15)
 2. The following note shall be placed on the Parcel Map and also shall be recorded as a separate instrument:

At the time of non-agricultural development of Parcels 1, 2, 3, and/or 4, the entire length of the private right-of-way shall be constructed and maintained to the standards required by the California Fire Code and applicable San Joaquin County Improvement Standards. (Development Title Section 9-1150.15[c])

2. COUNTY COUNSEL ((209) 468-2980)

- a. **HOLD HARMLESS PROVISION:** Pursuant to Section 66474.9 of the Government Code, the subdivider shall defend, indemnify, and hold harmless the local agency or its agents, officers, and employees from any claim, action, or proceeding against the local agency or its agents, officers, or employees to attack, set aside, void, or annul an approval of the local agency, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time provided for in Section 66499.37 of the Government Code.

3. SAN JOAQUIN COUNCIL OF GOVERNMENTS ([209] 235-0600)

- a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development, any structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and should be resubmitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied. The following note shall be recorded as a Notice of Minor Subdivision Restriction:

Parcel 1 through 4 are subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development of Parcel 1 through 4 any structure(s) that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and development plans should be submitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied.

4. DEPARTMENT OF PUBLIC WORKS ([209] 468-3000)

- a. A Parcel Map is required. (Development Title Section 9-915.2)
- b. The remainder parcel shall be designated and labeled as "Designated Remainder" on the Parcel Map. (Subdivision Map Act Section 66445)
- c. For future development of "Designated Remainder" improvements [including but not limited to: roadway widening, shoulder, curb gutter and sidewalk, water/storm drainage/sewer facilities] shall be provided in accordance with the County development requirements for "Division 11: Infrastructure Standards and Requirements" of the San Joaquin County Development Title, and shall be noticed by a statement on the Parcel Map and by a recorded Notice of Minor Subdivision Restriction. (Subdivision Map Act Section 66424.6)
- d. All easements of record shall be shown on the Parcel Map. (Development Title Section 9-910.20)
- e. Proposed private access and utility easements across Parcels 2 and 3, including turnaround accommodations at their terminations and corner cutoffs at intersecting roads, shall be provided for the benefit of Parcel 4. The required easements shall be shown on the Parcel Map and shall be noticed on a recorded Notice of Minor Subdivision Restriction. The Notice shall read as follows:

We also hereby make an irrevocable offer to provide private access and utility easements across Parcels 2 and 3, including turnaround accommodations at their terminations and corner cut-offs at intersecting roads, for the benefit of Parcel 4 upon conveyance of Parcels 2, 3, or 4 to another party.

- f. Proposed private access and utility easements across Parcels 2 and 3, including turnaround accommodations at their terminations and corner cutoffs at intersecting roads, shall be provided for the benefit of Parcels 1 and 3. The required easements shall be shown on the Parcel Map and shall be noticed on a recorded Notice of Minor Subdivision Restriction. The Notice shall read as follows:

We also hereby make an irrevocable offer to provide private access and utility easements across Parcels 2 and 3, including turnaround accommodations at their terminations and corner cut-offs at intersecting roads, for the benefit of Parcels 1 and 3 upon conveyance of Parcels 1, 2, or 3 to another party.

- g. Prior to the issuance of a non-agricultural building permit on Parcels 1 through 4, a private access roadway and turnarounds from State Route 12 shall be constructed in conformance with fire road standards. The required improvements shall be noticed on a Declaration of Minor Subdivision Restriction – Non Rescindable and recorded concurrently with the Parcel Map (contact Department of Public Works, Development Services Division for processing) (Development Title 9-1150.15[c][d])(A fee for processing the Declaration will be required.)
- h. The limits of the Mokelumne River and the Federal Flood Insurance Administration Designated Flood Hazard Area, including the one hundred year flood elevations, shall be referenced on the Parcel Map in accordance with Section 66434.2 of the Subdivision Map Act.

Informational Notes:

- 1. Any construction activity that results in the disturbance of at least one (1) acre of soil shall require a State NPDES construction permit. Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre of soil and is not part of a larger common plan of development, are required to obtain coverage under the current General Permit for Discharges of Storm Water Associated with Construction Activity.
 - 2. Drainage from the improved portion of each parcel shall be retained on-site by a retention basin at the time of development of each parcel. Drainage facilities shall be constructed 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 Permits. (Development Title Section 9-1135)
 - 3. All new construction and the substantial improvement of any structure in the area of special flood hazard shall be elevated or floodproofed in accordance to San Joaquin County Ordinance Code Section 9-1605.12 (a), (b), and (c).
 - 4. All new structures shall be prohibited within the Federal Emergency Management Agency's and the State Central Valley Flood Protection Board's designated floodways of the Mokelumne River.
 - 5. A State Central Valley Flood Protection Board's Encroachment Permit shall be obtained for work done on Mokelumne River and within 30-feet of the top of its banks or within 10-feet from its levee toes.
 - 6. This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the prevention of mosquitoes. Best Management Practices (BMP) guidelines for stormwater devices, ponds and wetlands are available.
5. ENVIRONMENTAL HEALTH DEPARTMENT ([209] 468-3420)
- a. A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. The report shall be submitted to the

Environmental Health Department at time of submittal of a tentative map (San Joaquin County Development Title, Section 9-905.12).

A review fee of \$260 shall be paid at the time of submittal to the Environmental Health Department.

NOTE: The Environmental Health Department received a surface and subsurface contamination report (Service Request #SR0073801) on September 22, 2015 that has been approved.

- b. A soil suitability study shall be submitted to the Environmental Health Department indicating that the area is suitable for septic system usage. The study must be approved by the Environmental Health Department prior to the recordation of Parcel Map. (San Joaquin County Development Title, Section 9-1105.2 (d)). A review fee of \$260 must be paid at time of submittal to the Environmental Health Department.
- c. The sewage disposal system shall comply with the on site sewage standards of San Joaquin County prior to approval. A percolation test that meets absorption rates of the manual of septic tank practice or E.P.A. Design Manual for onsite wastewater treatment and disposal system is required for each parcel. A permit fee of \$130 per percolation hole is required.

NOTE: The designated remainder is non-buildable for living structures until the Environmental Health Department receives and approves a Soil Suitability Study showing the remainder is suitable for septic system usage including a percolation test.

- d. 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 recordation of the Parcel Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
- e. 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 Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- f. Construction of an individual domestic water well under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-1115.3).

6. DEPARTMENT OF PARKS AND RECREATION ([209] 331-2010)

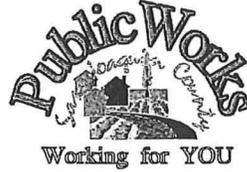
- a. **PARK FEES:** The department will require the collection of in-lieu fees for park development as a requirement for approval for any new residential lots created in the above subdivision. Based on the current assessed value of the land the fee is \$279.12.

7. IONE BAND OF MIWOK INDIANS ([209] 274-2348)

- a. Should any burials or related burial objects be uncovered, work should stop immediately within 100 feet of the discovery and the Ione Band of Miwok Indians should be contacted immediately if human remains are discovered.



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 COUNTY
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Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Alex Chetley, Interim Deputy Director/Engineering

Jim Stone, Deputy Director/Operations

Kristi Rhea, Manager of Strategic Initiatives

June 10, 2019

MEMORANDUM

TO: Community Development Department
 CONTACT PERSON: Teddie Hernandez

FROM: Awni Taha, Interim Engineering Services Manager
 Development Services Division

AT

SUBJECT: PA-1600024; A Six-Year Time Extension application for a previously approved Minor Subdivision application to subdivide one (1) 94.23-acre parcel and one (1) 21.07-acre parcel into three (3) parcels and a Designated Remainder Parcel; located on the north side of East State Route 12 highway/Victor Road, 1,050 feet east of Kennison Lane, Lodi. (Supervisory District 4)

PROPERTY OWNER: Nhon Tan Vien & Lisa Thao

APPLICANT: Dustin Wilton/Dillon & Murphy

ADDRESS: 7101 E. State Route 12, Lodi

APN: 049-130-52 & 049-130-54

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE, Zone X (shaded), and Zone X. The 100-year Flood Elevation will be approximately 58-59 feet NAVD 1988.

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

The Traffic Impact Mitigation Fee shall be required when parcels are developed. The fee is due and payable at the time of building permit application.

The Regional Transportation Impact Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

RECOMMENDATIONS:

1. None. All previous conditions apply.

AT:CH

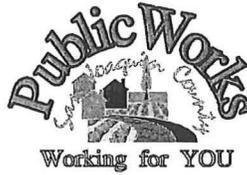
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JUN 14 2019

San Joaquin County
 Community Development



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Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development
 Alex Chetley, Interim Deputy Director/Engineering
 Jim Stone, Deputy Director/Operations
 Kristi Rhea, Manager of Strategic Initiatives

August 26 2019

RECEIVED

AUG 29 2019

**San Joaquin County
 Community Development**

MEMORANDUM

TO: Community Development Department
 CONTACT PERSON: Teddie Hernandez

FROM: Awni Taha, Interim Engineering Services Manager **AT**
 Development Services Division

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RECOMMENDATIONS:

1. None. All previous conditions apply.

AT:CH



SAN JOAQUIN
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Environmental Health Department

Linda Turkatte, REHS, Director

Kasey Foley, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

August 28, 2019

To: San Joaquin County Community Development Department
Attention: Teddie Hernandez

From: Naseem Ahmed; (209) 468-3436 ✓
Registered Environmental Health Specialist

RE: **PA-1600024 (MS, TE), Referral, SU0012520**
7101Hwy 12, Lodi

All conditions of approval, dated March 18, 2016, are still in effect.



June 20, 2019

Teddie Hernandez
1810 E Hazelton Ave
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Teddie Hernandez,

Thank you for submitting 7101 E State Route 12 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.
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: <http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.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 12 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 12 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° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 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 15 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) 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.



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

June 26, 2019

San Joaquin County Community Development Department
Development Services Division
Attn: Ms. Teddie Hernandez
1810 East Hazelton Avenue
Stockton, CA 95205

RE: PA-1600024 (ME, TE)

Dear Ms. Hernandez:

The San Joaquin Farm Bureau Federation is a private, not for profit volunteer organization that has been dedication to the protection and promotion of agriculture in San Joaquin County since 1914. We follow land use and planning applications to ensure the protection of the resources that the three billion dollar agriculture industry in San Joaquin County relies on.

We oppose the time extension for this application for the same previous concern that the subsequent subdivisions of those parcels will result in three substandard parcels in the AG-40 zone. The minimum acreage requirements are critical for ensuring the continuity of agricultural production in San Joaquin County. We opposed the original application because it does not conform to the minimum acreage requirements.

Please keep us informed as this application moves forward. Should you have any questions please do not hesitate to contact the Farm Bureau at (209) 931-4931.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Strecker'.

David Strecker
President