



**Planning Commission Staff Report  
Item # 1, May 7, 2020  
Variance No. PA-1900287  
Prepared by: Stephanie Stowers**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** SJ Valley, LP  
**Project Applicant:** Capitol Avenue Development & Investments

**Project Site Information**

**Project Address:** 2720 North Wilcox Road, Stockton  
**Project Location:** On the east side of North Wilcox Road, 475 feet north of State Route 88, Stockton

<b>Parcel Number (APN):</b>	087-100-76	<b>Water Supply:</b>	Public (CSA 15)
<b>General Plan Designation:</b>	C/G (General Commercial)	<b>Sewage Disposal:</b>	Public (CSA 15)
<b>Zoning Designation:</b>	C-G (General Commercial)	<b>Storm Drainage:</b>	Public (CSA 15)
<b>Project Size:</b>	1,750 square feet	<b>100-Year Flood:</b>	Yes (X [500])
<b>Parcel Size:</b>	5.36 acres	<b>Williamson Act:</b>	No
<b>Community:</b>	Stockton	<b>Supervisory District:</b>	4

**Environmental Review Information**

**CEQA Determination:** Notice of Exemption (Attachment C, Environmental Document)

**Project Description**

This project is a Variance application to reduce the side yard setback from twenty (20) feet to eight (8) feet for the northern property line adjacent to residential uses. The reduced setback will allow for the construction of a 1,750 square foot shelter at an existing California Highway Patrol (CHP) facility over existing parking stalls to provide security and protection of vehicles that are being stored for evidence. If approved, the applicant must apply for a building permit, which is a ministerial permit. No additional land use permitting is required.

**Recommendation**

1. Adopt the Findings for Variance (Attachment D, Findings for Variance); and
2. Approve Variance No. PA-1900287

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## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

**Legal ad for the public hearing published in the Stockton Record:** April 27, 2020

**Number of Public Hearing notices:** Fifty (50)

**Date of Public Hearing notice mailing:** April 24, 2020

### Referrals and Responses

- **Project Referral with Environmental Determination Date:** December 24, 2019
- **OPR State Clearinghouse #:** N/A

Agency Referrals	Response Date - Referral
<b>County Departments</b>	
Community Development	
Building Division	12/31/2019
Fire Prevention Bureau	
Public Works	1/21/2020
Environmental Health	1/9/2020
Sheriff Office	
Supervisor District: 4	
<b>State Agencies</b>	
C.H.P.	

Agency Referrals	Response Date - Referral
<b>Local Agencies</b>	
Waterloo Morada Fire District	
<b>Miscellaneous</b>	
P.G.&E.	1/10/2020

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## ANALYSIS

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This Variance application is proposed to facilitate the construction of an accessory structure at the existing California Highway Patrol facility. The structure will be installed over nine (9) existing parking stalls to allow for evidence vehicles to be adequately secured and protected throughout investigations. Pursuant to Development Title Section 9-410.5(b)(1), if a side yard abuts property developed with conforming residential uses, property zoned residentially, or property shown on the General Plan Map for residential development, said side yard shall be increased to twenty (20) feet in width.

This Variance application proposes to reduce the required setback adjacent to residential uses from twenty (20) feet to eight (8) feet.

### **CEQA Exemption**

This application is a Variance, and the underlying development is not subject to discretionary land use permitting under the provisions of Development Title Section 9-405.3(a), which allows for the expansion of a facility that involves less than a twenty-five percent (25%) increase in floor area covered by the existing use. The expansion will be processed with an Improvement Plan and building permit. The Community Development Department determined that the proposed project is exempt from CEQA under a Class 5 Categorical Exemption (CEQA Guidelines Section 15305). This exemption states that projects consisting of minor alterations in land use limitations including side yard and setback variances not resulting in the creation of a new parcel are exempt from CEQA review.

### **Findings**

In order to approve the Variance application, the Planning Commission is required to make three (3) findings in the affirmative pursuant to Development Title Section 9-827.5.

#### **Finding 1: Special Circumstances**

Because of the special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the regulation deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Applicant's Statement:

*The California Highway Patrol's (CHP) Mission is to prevent Loss of Life Injuries and Property Damage. In order to achieve this, the CHP is accrediting its facilities to meet the International Association for Property & Evidence standards. This accreditation requires that evidence vehicles, which are now parked in open parking stalls within the secure yard, be covered with a carport canopy and surrounded with an eight (8) foot high slatted chain link fence. This will allow for the department to safeguard the chain of custody of evidence and reduce the possibility of reckless driving and drunk driving convictions being overturned on a technicality in court, thus safeguarding county citizens. There is no un-programmed covered parking on site and the only open spaces are less than twenty (20) feet from residential properties. The original site planning distributed nearly all spare area against the residences. We have proposed the new carport to align with the residential property outbuildings and thus maximize views from residences.*

- **The strict application of the regulation does deprive the property of privileges enjoyed by other properties in the vicinity under the same zoning classification because the project abuts a residentially developed area that impacts the buildable area on site. The**

remainder of the property is fully developed, and the proposed structure will cover existing parking stalls to provided security around cars held as evidence. The strict application of the rule does not permit for providing coverage over the existing parking area. The area will remain as a parking area, and no new use is proposed within the setback.

#### Finding 2: No Special Privileges

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

Applicant's Statement:

*As the residents are currently building utility structures along their property line, the CHP would not be granted any greater benefit than the adjacent properties, in fact eight (8) feet of landscaped area would remain between the carport and the existing security fence. The residential outbuildings appear to be between three (3) and five (5) feet from the property line.*

- **The granting of this Variance will not constitute a grant of special privileges for the proposed carport shelter. The proposed Variance will allow the proposed facility to maintain a similar setback as structures on the neighboring residential properties within the vicinity. Additionally, the proposed structure will cover existing parking stalls for security purposes, no new use is proposed.**

#### Finding 3: Use Authorized

The Variance will not authorize a use or activity, which is not otherwise expressly authorized by the regulation governing the parcel of property.

Applicant's Statement:

*The carport is consistent with allowed uses on site.*

- **This finding can be made because the Variance application does not authorize a use that is not otherwise expressly authorized by the General Plan or Development Title. If the Variance application is approved, the applicant must apply for the applicable building permits to construct the new carport shelter structure.**

## **RECOMMENDATION**

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It is recommended that the Planning Commission:

1. Approve the Findings for Variance (Attachment D, Findings for Variance); and
2. Approve Variance No. PA-1900287.

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**SAN JOAQUIN**  
— COUNTY —  
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# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment A Site Plan

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STATION 0+00 TO 0+87  
 Approved: PA-1900287  
 Received By: [Signature] - CIVIL ENGINEER

**CALIFORNIA HIGHWAY PATROL - STOCKTON AREA OFFICE PARKING CANOPY VARIANCE**  
 California Department of General Services  
 2220 BRIDGE BLVD., STOCKTON, CA 95215

**nacht&lewis**  
 ARCHITECTS  
 1100 EAST 12TH AVENUE  
 STOCKTON, CA 95210  
 TEL: 209.944.1100  
 FAX: 209.944.1108



ARCHITECT  
 RECORD DRAWING SET  
 INITIAL BOX  
 NO. CHG. DATE  
 REVISIONS  
 NO. DESCRIPTION DATE

DATE: 1/15/2020  
 SHEET TITLE: SITE PLAN  
 SHEET NO.: A0.00  
 SHEET OF TOTAL: 10

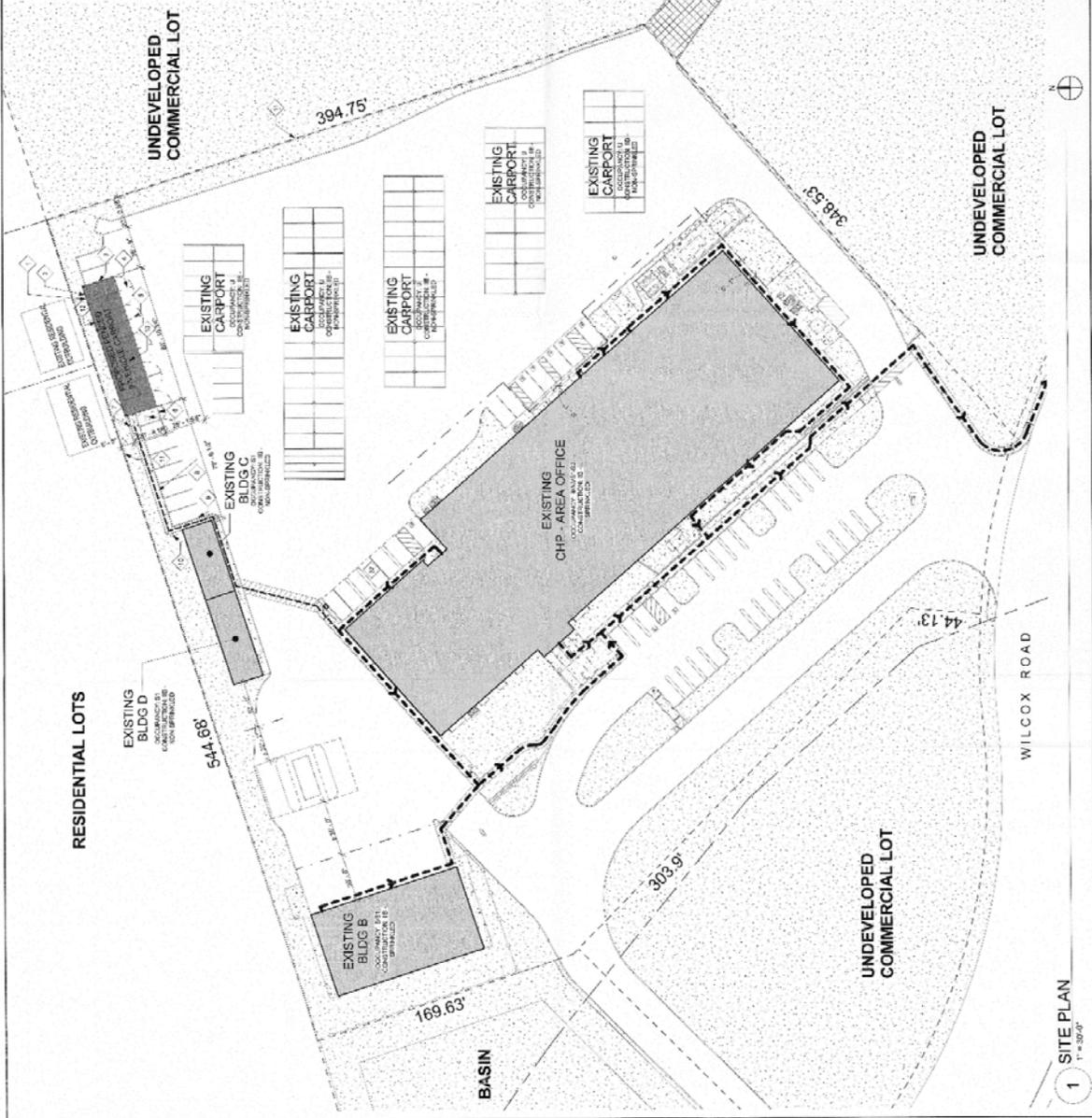


**KEYNOTES:**  
 1. THESE NOTES APPLY TO THIS SHEET ONLY.  
 2. PROPOSED 10' HIGH CARPORT CANOPY IS OCCUPANCY TYPE B CONSTRUCTION WITH APPROXIMATE 10' HIGH BLUETILE ROOF. CANOPY SHALL BE CONSTRUCTED WITH 2x4 JOISTS AND 1/2" GYPSUM BOARD ON TOP OF 2x10 RAFTERS. CANOPY SHALL BE ANCHORED TO CONCRETE FOUNDATION WITH 4x4 POSTS. CANOPY SHALL BE CONSTRUCTED WITH 2x4 JOISTS AND 1/2" GYPSUM BOARD ON TOP OF 2x10 RAFTERS. CANOPY SHALL BE ANCHORED TO CONCRETE FOUNDATION WITH 4x4 POSTS. CANOPY SHALL BE CONSTRUCTED WITH 2x4 JOISTS AND 1/2" GYPSUM BOARD ON TOP OF 2x10 RAFTERS. CANOPY SHALL BE ANCHORED TO CONCRETE FOUNDATION WITH 4x4 POSTS.

- LEGEND:**  
 PROPOSED CARPORT INCLUDES VARIANCE  
 UNDEVELOPED SEE LANDSCAPE DRAWINGS FOR FINISHES EQUAL  
 CONCRETE SUBGRADE SEE CIVIL DRAWINGS FOR FINISHES EQUAL  
 CONCRETE FINISHES SEE CIVIL DRAWINGS FOR FINISHES EQUAL  
 EXISTING SEE CIVIL DRAWINGS FOR FINISHES EQUAL  
 MILL/FORM FOOTPRINT  
 SETBACK PLANTING TRACES TO FIELD STAY  
 PLANTING TRACES  
 PROPOSED PROPERTY LINE  
 P.E.A. CONVEYANCE LINE

**PROJECT DATA**

NO.	DESCRIPTION	AMOUNT
1	QUALIFICATION	
2	PERMITS	
3	CONTRACT	
4	INSURANCE	
5	LANDSCAPE	
6	CONCRETE	
7	PAVING	
8	PLANTING	
9	UTILITIES	
10	OTHER	
TOTAL		







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# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment B Response Letters

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**DATE: December 31, 2019**

**PA-1900287 (VR)**

**Property owner: SJ Valley LP**

**Applicant: Capitol Avenue Development & Investments**

**APN / Address: 087-100-76, 2720 N. Wilcox Rd.**

**Planner: Stephanie Stowers**

**Building Conditions By: Mark Fine Deputy Director (Building Official) (209) 468-3180**

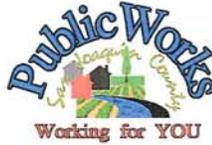
**BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:

1. A building permit for the proposed carport is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with The 2019 California Building, Existing Building, Mechanical, Plumbing, Electrical, Energy and Fire Codes as may be applicable. Plans for the different buildings or structures may be combined into a single set of construction documents.
2. The reduced fire separation distance to 8' will require the proposed building to meet the fire resistance rating per Table 602 of the California Building code.
3. The plan shall include the following project information:
  - a. Description of proposed use
  - b. Existing and proposed occupancy Groups
  - c. Type of construction
  - d. Sprinklers (Yes or No)
  - e. Number of stories
  - f. Building height
  - g. Allowable floor area
  - h. Proposed floor area
  - i. Occupant load based on the CBC
  - j. Occupant load based on the CPC
4. Accessible routes shall be provided per CBC § 11B-206. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B- 206.2.1
5. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
6. At least one accessible route shall connect accessible building or facility entrances with all

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accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4

7. Parking spaces will be required to accommodate persons with disabilities in compliance with Chapter 11B of the California Building Code. Note that accessible parking spaces are required for each phase of the project. These parking space(s) shall be located as close as possible to the primary entrance to the building.



**Department of Public Works**

Kris Balaji, Director of Public Works  
Fritz Buchman, Deputy Director/Development  
Jim Stone, Deputy Director/Operations  
Najee Zarif, Interim Deputy Director/Engineering  
Kristi Rhea, Manager of Strategic Initiatives

January 21, 2020

MEMORANDUM

**RECEIVED**

TO: Community Development Department  
CONTACT PERSON: Stephanie Stowers

JAN 22 2020

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

San Joaquin County  
Community Development

SUBJECT: PA-1900287; A Variance application to reduce the side setback from twenty (20) feet to eight (8) feet for the side of the parcel that is adjacent to residential uses. The underlying project is the construction of a 1,750 square foot carport over existing parking spaces that will also be fenced to provide a secure yard for evidence vehicles; located on the north side of North Wilcox Road, 485 feet west of East Waterloo Road, Stockton. (Supervisory District 4)

PROPERTY OWNER: SJ Valley, LP

APPLICANT: Capitol Avenue Development & Investments

ADDRESS: 2720 N. Wilcox Road, Stockton

APN: 087-100-76

**INFORMATION:**

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

Wilcox Road has an existing and planned right-of-way of 84 feet.

**RECOMMENDATIONS:**

- 1. None.

AC:CH



January 10, 2020

Stephanie Stowers  
San Joaquin County  
1810 E. Hazelton Rd.  
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Ms. Stowers,

Thank you for submitting 2720 North Wilcox Rd - PA-1900287 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

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

Below is additional information for your review:

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

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

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

Sincerely,

Plan Review Team  
Land Management

### Attachment 1 – Gas Facilities

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

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

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

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

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

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 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](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.

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

# **Community Development Department**

Planning · Building · Neighborhood Preservation

## **Attachment C Environmental Document**

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**NOTICE OF EXEMPTION**

TO:  Office of Planning & Research  
 P. O. Box 3044, Room 212  
 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:** Variance No. PA-1900287

**Project Location - Specific:** The project site is on the east side of North Wilcox Road, 475 feet north of State Route 88, Stockton. (APN/Address: 087-100-76/2720 North Wilcox Road, Stockton) (Supervisorial District: 4)

**Project Location – City:** Stockton

**Project Location – County:** San Joaquin County

**Project Description:** A Variance application to reduce the side setback from twenty (20) feet to eight (8) feet for the northern property line adjacent to residential uses. The reduced setback will allow for the construction of a 1,750 shelter over existing parking stalls to provided security and protection of vehicles that are being stored for evidence. If approved, the applicant must apply for a building permit; no additional land use permitting is required.

The Property is zoned C-G (General Commercial) and the General Plan designation is C/G (General Commercial).

**Project Proponent(s):** SJ Valley, LP / Capitol Avenue Development & Investments

**Name of Public Agency Approving Project:** San Joaquin County Community Development Department

**Name of Person or Agency Carrying Out Project:** Stephanie Stowers, Senior Planner  
 San Joaquin County Community Development Department

**Exemption Status:**  
 Categorical Exemption. (Section 15305, Class 5)

**Exemption Reason:**  
 Processed under the provisions of the California Code of Regulations Section 15305, which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;
- (b) Issuance of minor encroachment permits;
- (c) Reversion to acreage in accordance with the Subdivision Map Act.

**Lead Agency Contact Person:**  
 Stephanie Stowers Phone: (209) 468-9653 FAX: (209) 468-3163 Email: sstowers@sjgov.org

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Domenique Martorella Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: \_\_\_\_\_

*Authority cited: Sections 21083 and 21110, Public Resources Code.  
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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

# Community Development Department

Planning · Building · Neighborhood Preservation

## **Attachment D** **Findings for Variance**

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## FINDINGS FOR VARIANCE

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### Finding 1: Special Circumstances

Because of the special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the regulation deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

- **The strict application of the regulation does deprive the property of privileges enjoyed by other properties in the vicinity under the same zoning classification because the project abuts a residentially developed area that impacts the buildable area on site. The remainder of the property is fully developed, and the proposed structure will cover existing parking stalls to provided security around cars held as evidence, and strict application of the rule does not permit for providing coverage over the existing parking area. The area will remain as a parking area, and no new use is proposed within the setback.**

### Finding 2: No Special Privileges

The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

- **The granting of this Variance will not constitute a grant of special privileges for the proposed carport shelter. The proposed Variance will allow the proposed facility to maintain a similar setback as structures on the neighboring residential properties within the vicinity. Additionally, the proposed structure will cover existing parking stalls for security purposes, no new use is proposed.**

### Finding 3: Use Authorized

The Variance will not authorize a use or activity, which is not otherwise expressly authorized by the regulation governing the parcel of property.

- **This finding can be made because the Variance application does not authorize a use that is not otherwise expressly authorized by the General Plan or Development Title. If the Variance application is approved, the applicant must apply for the applicable building permits to construct the new carport shelter structure.**



**Planning Commission Staff Report  
Item # 2, May 7, 2020  
Time Extension No. PA-1800071  
Prepared by: Stephanie Stowers**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** Victoria Island Farms, LP  
**Project Applicant:** Edge of Cultivations, LLC

**Project Site Information**

**Project Address:** 14311 West State Route 4  
**Project Location:** On the north side of West State Route 4, 1.6 miles west of Tracy Boulevard, west of Stockton

<b>Parcel Number (APN):</b>	129-190-29 & -31	<b>Water Supply:</b>	Private (Septic)
<b>General Plan Designation:</b>	A/G	<b>Sewage Disposal:</b>	Public (Well)
<b>Zoning Designation:</b>	AG-80	<b>Storm Drainage:</b>	Private (Natural)
<b>Project Size:</b>	7 acres	<b>100-Year Flood:</b>	Yes (AE)
<b>Parcel Size:</b>	6,933.1 acres	<b>Williamson Act:</b>	Yes
<b>Community:</b>	None	<b>Supervisory District:</b>	3

**Environmental Review Information**

**CEQA Determination:** Notice of Exemption (Attachment C, Environmental Document)

**Project Description**

This project is a one-year Time Extension application for a previously approved Use Permit for a craft distillery. The Use Permit was approved on June 21, 2018, and had two (2) phases: Phase 1 included the conversion of a 4,800 square foot agricultural processing building into a distillery, and Phase 2 included the conversion of a 44,825 square foot portion of an existing 54,425 square foot agricultural processing building into a barrel-aging room, distilling area, bottling line, tasting room, and shipping and receiving area.

With the original approval, building permits for Phase 1 improvements were to be issued within eighteen (18) months from the effective date of approval, and building permits for Phase 2 were to be issued within three (3) years from the effective date of approval. If approved, this time extension will extend the entire project by one (1) year, giving the applicant thirty (30) months to obtain building permits for Phase 1 improvements, and four (4) years to obtain building permits for Phase 2 improvements. If approved, the new expiration date for Phase 1 will be December 31, 2020, and the new expiration date for Phase 2 will be July 1, 2022.

**Recommendation**

1. Approve a one-year Time Extension application for Use Permit No. PA-1800071.

2. Adopt the previously approved Findings for Use Permit (Attachment D, Findings for Use Permit);
3. Adopt the previously approved Williamson Act Principles of Compatibility (Attachment E, Williamson Act Principles of Compatibility);
4. Adopt the previously approved Delta Plan Consistency Findings (Attachment F, Delta Plan Consistency Findings);
5. Adopt the previously approved Delta Protection Commission Land Use Resource Management Plan Findings (Attachment G, Delta Protection Commission Land Use Resource Management Plan Findings); and
6. Adopt the updated Conditions of Approval (Attachment H, Updated Conditions of Approval).

## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

**Legal ad for the public hearing published in the Stockton Record:** April 27, 2020

**Number of Public Hearing notices:** Sixty (60)

**Date of Public Hearing notice mailing:** April 24, 2020

### Referrals and Responses

**Project Referral with Environmental Determination Date:** February 19, 2020

- **OPR State Clearinghouse #:** N/A

Agency Referrals	Response Date - Referral
<b>County Departments</b>	
Ag Commissioner	
Assessor	
Community Development	
Building Division	
Fire Prevention Bureau	
Public Works	2/20/20
Environmental Health	3/5/20
Sheriff Office	
Supervisor: District 3	
<b>State Agencies</b>	
A.B.C.	
Department of Transportation	
District 10	
C.H.P.	
C.R.W.Q.C.B.	
C.V.F.P.B.	
Delta Commission	
Delta Stewardship Council	
Fish & Wildlife, Division: 3	
Food & Agriculture	
Native American Heritage Commission	
<b>Federal Agencies</b>	
Army Corps of Engineers	
F.E.M.A	2/27/20
Fish & Wildlife	

Agency Referrals	Response Date - Referral
<b>Local Agencies</b>	
Contra Costa County	
Mosquito & Vector Control	
S.J.C.O.G.	
San Joaquin Farm Bureau	2/26/20
San Joaquin Air Pollution Control District	
Tracy Unified School District	
2040 Victoria Island Reclamation District	
<b>Miscellaneous</b>	
A.T.&T.	
B.I.A.	
Buena Vista Rancheria	
Builders Exchange	
California Tribal TANF Partnership	
Carpenters Union	
Haley Flying Service	
North Valley Yokuts Tribe	
P.G.&E.	
Precissi Flying Service	
Sierra Club	
United Auburn Indian Community	

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# ANALYSIS

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## **Background**

On June 21, 2018, the Planning Commission approved Use Permit PA-1800071 to establish a craft distillery in two (2) phases over three (3) years.

Phase 1 included the conversion of an existing 4,800 square foot agricultural processing building and Phase 2 included a 44,825 square foot portion of an existing 54,425 square foot agricultural processing building.

After project approval, the applicant met with the Flood Control Division of the Department of Public Works regarding the conversion of the structure in Phase 1. On July 13, 2018, the applicant learned that the proposed conversion was not permitted due to the property's elevation, which lead the applicant to redesign the project. The applicant began the building permit review process with the redesigned plans on August 8, 2019.

## **Revised Project**

The revised plans relocated the Phase 1 improvements into the existing 54,425 square foot building previously proposed for Phase 2 improvements. Staff determined that the proposed changes were substantially in conformance with the original approval, and determined that no new application was required in order to move forward with building permit processing for Phase 1.

The revisions to the approved project resulted in additional necessary review by the Department of Public Works and the Environmental Health Department at the time of building permit application. The applicant started the building permit review process on August 8, 2019. The Department of Public Works review was completed on August 18, 2019. The Environmental Health Department review was completed on November 18, 2019. With the Planning Division, Department of Public Works, and Environmental Health Department approvals, the building permit application was submitted to the Building Division on November 19, 2019. The initial plan check for a building permit generally takes between four (4) and five (5) weeks after submittal with the Building Division. Multiple rounds of plan check may be required for any building permit.

On November 19, 2019, the same day the applicant came to the Department to submit the building permit, staff advised that if the building permit was not issued prior to the expiration date (December 31, 2019) then the project would expire. Accordingly, staff provided the applicant with the Time Extension application. At that time, the applicant stated that they did want an extension in order to keep the project from expiring.

On January 15, 2020, the applicant formally submitted an application for a Time Extension via email to staff. The application was consistent with their stated goal, to seek an extension. Staff reviewed the application with CDD management. Ultimately, Director David Kwong determined that the applicant had been diligently pursuing the permit, and was unable to obtain the permit by the December 31, 2019, date due to unforeseen circumstances. Additionally, it was clear that the applicant needed a time extension due to the unique delays in the project and the applicant stated as such on November 19, 2019. Accordingly, Director Kwong determined that the November 2019 discussions were sufficient to be deemed receipt of an application for a Time Extension from the applicant prior to the expiration of the applicant's approved Use Permit pursuant to Development Title Section 9-881.4(a) Pursuant to Development Title Section 9-881.4(c), Time Extensions for approved development applications may be granted by the Review Authority for a period or periods not to exceed one (1) year.

## **CEQA Exemption**

This application is a one-year Time Extension request, which will add one (1) year to each phase of the proposed project. No other changes are proposed with this application, and no additional Conditions of Approval are recommended for adoption. California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Community Development Department determined that the proposed one-year Time Extension will not cause a significant effect on the environment.

## **RECOMMENDATION**

---

It is recommended that the Planning Commission:

- a. Approve the one-year Time Extension for Use Permit No. PA-1800071.
- b. Adopt the previously approved Findings for Use Permit (Attachment D, Findings for Use Permit);
- c. Adopt the previously approved Williamson Act Principles of Compatibility (Attachment E, Williamson Act Principles of Compatibility);
- d. Adopt the previously approved Delta Plan Consistency Findings (Attachment F, Delta Plan Consistency Findings);
- e. Adopt the previously approved Delta Protection Commission Land Use Resource Management Plan Findings (Attachment F, Delta Protection Commission Land Use Resource Management Plan Findings); and
- f. Adopt the updated Conditions of Approval (Attachment G, Updated Conditions of Approval).

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## **Community Development Department**

Planning · Building · Neighborhood Preservation

## **Attachment A** **Site Plans**

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SITE PLAN  
PA 1800071

Application #

Received By G.S. on 3/23/2018

PROPOSED REMODEL FOR:  
**VICTORIA ISLAND FARMS, INC.**  
16021 W. STATE HWY. ROUTE 4  
STOCKTON, CA. 95206

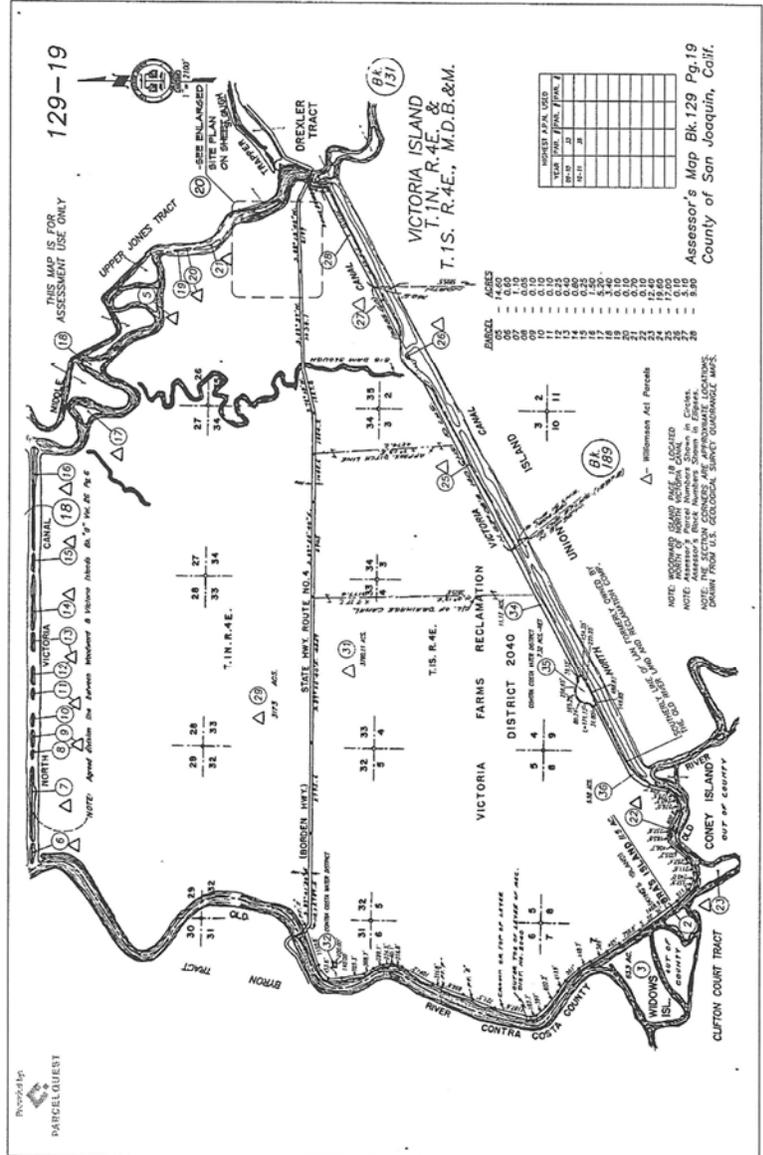


VICINITY MAP

**PROJECT DATA:**  
 PROJECT OWNER: VICTORIA ISLAND FARMS, INC.  
 PROJECT LOCATION: 16021 W. STATE HWY. ROUTE 4, STOCKTON, CA. 95206  
 APN: 124-160-24  
 PROJECT DESCRIPTION: REMODEL EXISTING AS PROCESSING BUILDING FOR DISTILLERY  
 OCCUPANCY: P1 / S1  
 CONSTRUCTION TYPE: IN  
 STORIES: ONE  
 OCCUPANT LOAD: 21 OCCUPANTS  
 FIRE SPRINKLERS: NO  
 AREAS:  
 PHASE I REMODEL: 4,800 SF.  
 PHASE II REMODEL: 34,425 SF.  
 PHASE I: 50 SPACES  
 PHASE II: 100 SPACES  
 UTILITIES:  
 WATER: (B) WELL  
 SEWER: (B) SEPTIC TANK/ LEACH LINES  
 STORM: (B) ON SITE RETENTION

**SHEET INDEX:**  
 CS: COVER SHEET  
 A1: SITE PLAN

**CODE COMPLIANCE**  
 ALL WORK PERFORMED SHALL BE IN ACCORDANCE TO THE LATEST EDITION OF APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO:  
 • 2016 CALIFORNIA BUILDING CODE (CBC)  
 • 2016 CALIFORNIA ELECTRICAL CODE (CEC)  
 • 2016 CALIFORNIA GREEN BUILDING CODE (CALGreen)  
 • 2016 CALIFORNIA MECHANICAL CODE (CMC)  
 • 2016 CALIFORNIA PLUMBING CODE (CPC)  
 • 2016 CALIFORNIA ENERGY CODE (CEC)  
 • 2016 CALIFORNIA HISTORICAL BUILDING CODE  
 • 2016 CALIFORNIA EXISTING BUILDING CODE  
 • 2016 CALIFORNIA REFERENCED STANDARDS CODE



Assessor's Map Bk. 129 Pg. 19  
County of San Joaquin, Calif.

NO.	
DATE	
BY	
REVISION	

**MIKE SMITH ENGINEERING, INC.**  
 1001 NORTH MAIN STREET  
 STOCKTON, CA 95204  
 PHONE (209) 534-2525

**TITLE**  
 COVER SHEET  
 SITE PLAN

**PROJECT LOCATION:**  
 16021 W. STATE HWY. ROUTE 4  
 STOCKTON, CA 95206



**PROJECT INFORMATION:**  
 PROJECT NO.: 1800071  
 SHEET NO.: 1 OF 2

NO. 1	DATE	BY

**MIKE SMITH ENGINEERING, INC.**  
 4 NORTH MAIN STREET  
 1001 CALIFORNIA 95240  
 PHONE (909) 394-2333

**TITLE**  
 ENLARGED SITE PLAN

**PROJECT**  
 PROPOSED DISTILLERY BUILDING FOR  
 VICTORIA ISLAND FARMS  
 18021 N STATE HWY. ROUTE 4  
 STOCKTON, CA 95206



DATE	NO.	BY

**SCALE**  
 AS NOTED  
 1/8" = 1'-0"

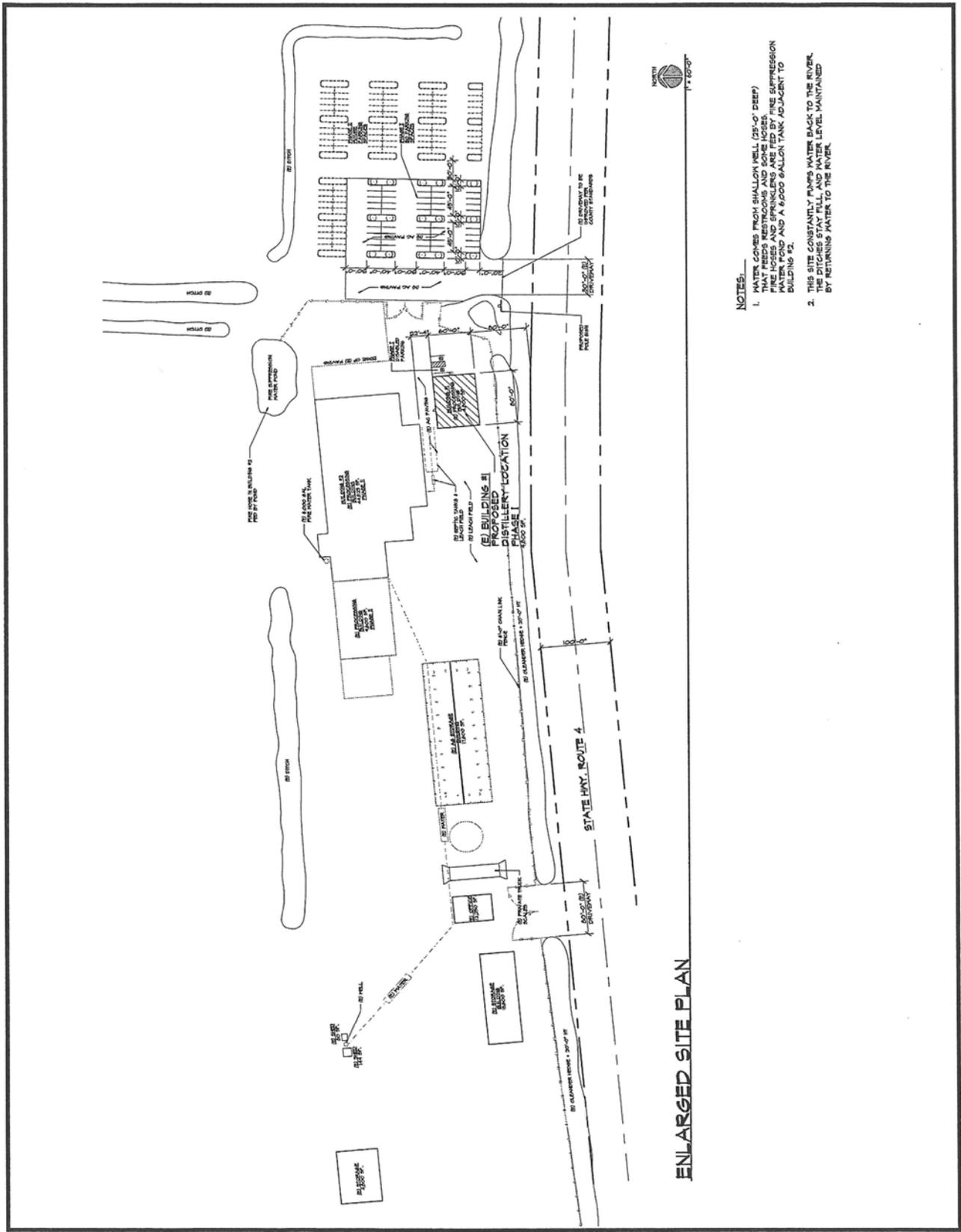
**PROJECT NO.**  
 18021

**DATE**  
 11/15/19

**SCALE**  
 AS NOTED

**PROJECT NO.**  
 18021

**DATE**  
 11/15/19



- NOTES:**
1. WATER COMES FROM SHALLOW WELL (25'-10" DEEP) THAT FEEDS RESTROOMS AND SOME HOSES. FIRE HOSES AND SPRINKLERS ARE FED BY FIRE SUPPRESSION WATER POND AND A 6,000 GALLON TANK ADJACENT TO BUILDING #2.
  2. THIS SITE CONSTANTLY PUMPS WATER BACK TO THE RIVER. THE DITCHES STAY FULL AND WATER LEVEL MAINTAINED BY RETURNING WATER TO THE RIVER.

ENLARGED SITE PLAN



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# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment B Response Letters

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**Department of Public Works**

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Jim Stone, Deputy Director/Operations

Najee Zarif, Interim Deputy Director/Engineering

Kristi Rhea, Manager of Strategic Initiatives

February 20, 2020

MEMORANDUM

TO: Community Development Department  
CONTACT PERSON: Stephanie Stowers

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

SUBJECT: PA-1800071; A One-Year Time Extension application for a previously approved Use Permit application for a craft distillery. Phase 1 includes the conversion of an existing 4,800 square foot agricultural processing building into a distillery building. Phase 2 includes the conversion of a 44,825 square foot portion of an existing 54,425 square-foot agricultural processing building into a barrel-aging room, distilling area, bottling line, tasting room, and shipping/receiving area; located on the north side of West State Route 4 Highway, 1.6 miles west of Tracy Boulevard, Stockton.  
(Supervisory District 3)

PROPERTY OWNER: Victoria Island, LP

APPLICANT: Edge Cultivation, LLC

ADDRESS: 14311 W. State Route 4 Highway, Stockton

APN: 129-190-29 and -31

**INFORMATION:**

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE. The 100-Year Flood Elevation will be approximately 10 -feet NAVD 1988.

State Route 4 Highway has an existing and planned right-of-way width per Caltrans.

**RECOMMENDATIONS:**

1. None. All previous conditions apply.

AC:CH

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FEB 25 2020

San Joaquin County  
Community Development

1810 East Hazelton Avenue | Stockton, California 95205 | T 209 468 3000 | F 209 468 2999

Follow us on Facebook @ PublicWorksSJC Visit our website: [www.sjgov.org/pubworks](http://www.sjgov.org/pubworks)



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## Environmental Health Department

**Kasey Foley, REHS, Interim Director**

PROGRAM COORDINATORS

**Robert McClellon, REHS**

**Jeff Carruesco, REHS, RDI**

**Willy Ng, REHS**

**Muniappa Naidu, REHS**

**Michael Kith, REHS**

**Melissa Nissim, REHS**

March 5, 2020

To: San Joaquin County Community Development Department  
Attention: Stephanie Stowers

From: Aaron Gooderham; (209) 468-3442 ✓  
Environmental Health Specialist

RE: **PA-1800071 (UP), Referral (Time Extension), SU0013058**  
**14311 West Highway 4, Stockton**

---

All conditions of approval, dated April 13, 2018, are still in effect.

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)

RECEIVED

MAR 02 2020

San Joaquin County  
Community Development

c

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



FEMA

February 27, 2020

Stephanie Stowers, Project Planner  
San Joaquin County, Community Development Department  
1810 East Hazelton Avenue  
Stockton, California 95205

Dear Ms. Stowers:

This is in response to your request for comments regarding Application Referral Early Consultation Application Number PA 1800071 (UP, TE) One Year Time Extension application, (APN/Address: 129-190-29, -31/14311 West State Route 4 Highway, Stockton) (Supervisory District 3).

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 Stockton (Community Number 060302), Maps revised October 16, 2009. Please note that the City of Stockton, 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.

[www.fema.gov](http://www.fema.gov)

Stephanie Stowers, Project Planner  
Page 2  
February 27, 2020

- 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 Stockton floodplain manager can be reached by calling David Kwong., Director, Community Development Department, at (209) 937-8444. 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 Patricia Rippe of the Mitigation staff at (510) 627-7015.

Sincerely,



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

cc:

David Kwong, Director, Community Development Department, City of Stockton  
John Maguire, Engineering Services Manager, Flood Management Division, Public Works  
Department, San Joaquin County  
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region  
Office  
Julia Gillespie, Floodplain Management Specialist, DHS/FEMA Region IX  
Patricia Rippe, Senior Floodplain Management Specialist, DHS/FEMA Region IX  
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

[www.fema.gov](http://www.fema.gov)



# SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

RECEIVED

MAR 06 2020

San Joaquin County  
Community Development

February 26, 2020

San Joaquin County Community Development Department  
Development Services Division  
Attn: Stephanie Stowers  
1810 E. Hazelton Avenue  
Stockton, CA 95205

**RE: PA-1800071 (UP)**

Dear Ms Stowers:

The San Joaquin Farm Bureau Federation is a private, not for profit, volunteer organization dedicated to the advancement of agriculture in San Joaquin County. As such, we are pleased to support application PA-1800071, a Use Permit application for a craft distillery.

Maintaining and growing our agricultural industry in San Joaquin County is imperative to the economic viability of the entire county and we are encouraged to see applications of this nature. Projects such as the one proposed in the aforementioned application that grow agricultural business and processing contribute significantly to our local economy through job creation, taxes, and most importantly, promoting the incredible local agricultural products that growers produce locally.

We encourage your staff as well as the Planning Commission, if referred, to approve this application. Please keep us informed as this project moves forward. If you have any questions, please do not hesitate to contact the Farm Bureau staff at (209) 931-4931.

Sincerely,

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

David Strecker  
President

3290 NORTH AD ART ROAD • (209) 931-4931 • STOCKTON, CALIFORNIA 95215

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## **Community Development Department**

Planning · Building · Neighborhood Preservation

# **Attachment C**

## **Environmental Document**

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**NOTICE OF EXEMPTION**

TO:  Office of Planning & Research  
P. O. Box 3044, Room 212  
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:** One-Year Time Extension No. PA-1800071

**Project Location - Specific:** The project site is on the north side of West State Route 4, 1.6 miles west of Tracy Boulevard, west of Stockton. (APN/Address: 129-290-29 & -31/14311 West State Route 4) (Supervisorial District: 3)

**Project Location – City:** Stockton

**Project Location – County:** San Joaquin County

**Project Description:** A One-Year Time Extension application for a previously approved Use Permit for a craft distillery. Phase 1 includes the conversion of a 4,800 square foot agricultural processing building into a distillery. Phase 2 includes the conversion of a 44,825 square foot portion of an existing 54,425 square foot agricultural processing building into a barrel-aging room, distilling area, bottling line, tasting room, and shipping and receiving area. With the original approval, building permits for Phase 1 improvements were to be issued within eighteen (18) months from the effective date of approval, and building permits for Phase 2 were to be issued within three (3) years from the effective date of approval. If approved, this time extension will extend the entire project by one (1) year, with thirty (30) months to obtain building permits for Phase 1 improvements, and four (4) years to obtain building permits for Phase 2 improvements. If approved, the new expiration date for Phase 1 will be December 31, 2020 and the new expiration date for Phase 2 will be July 1, 2022.

The Property is zoned AG-80 (General Agriculture, 80-acre minimum) and the General Plan designation is A/G (General Agriculture).

**Project Proponent(s):** Victoria Island Farms, LP / Edge of Cultivations, LLC

**Name of Public Agency Approving Project:** San Joaquin County Community Development Department

**Name of Person or Agency Carrying Out Project:** Stephanie Stowers, Senior Planner  
San Joaquin County Community Development Department

**Exemption Status:**  
General Exemptions. (Section 15061[b](3))

**Exemption Reason:**  
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

**Lead Agency Contact Person:**  
Stephanie Stowers Phone: (209) 468-9653 FAX: (209) 468-3163 Email: sstowers@sjgov.org

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Dominique Martorella Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: \_\_\_\_\_

*Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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## **Community Development Department**

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### **Attachment D Previously Approved Findings for Use Permit**

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## Previously Approved Findings For Use Permit

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1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
  - **This finding can be made because food manufacturing facilities are consistent with the General Agriculture (A/G) General Plan designation and in turn may be conditionally permitted with a Use Permit application in the General Agriculture, 80-acre minimum (AG-80) zone. 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 required improvements related to the project are adequate and meet the minimum standards. The project will be served by a private septic system, an individual well, and on-site storm drainage. The amount of storm drainage runoff generated by the construction of any new buildings will be contained on-site. As a Condition of Approval, the Public Works Department is requiring the developer to provide on-site drainage facilities and meet the requirements of San Joaquin County Development Standards to prevent the increased runoff release rate of storm water from discharging onto other properties and to prevent offsite sediment transport.**
3. The site is physically suitable for the type of development and for the intensity of development.
  - **This finding can be made because the 7-acre portion of the two (2) parcels totaling 6933.1 acres is of adequate size and shape to accommodate the proposed project, all yards, building coverage, setbacks, parking areas, and other requirements of the Development Title. The Site Plan shows that there is sufficient area for parking and circulation for the distillery in compliance with standards of the Development Title.**
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.**
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 adjacent parcels are primarily agricultural with scattered residences. The proposed use may be conditionally permitted in the AG-80 zone subject to an approved Use Permit application.**

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**SAN JOAQUIN**  
— COUNTY —  
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## **Community Development Department**

Planning · Building · Neighborhood Preservation

### **Attachment E** **Previously Approved Williamson Act** **Principles of Compatibility**

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## **Previously Approved Williamson Act Principles of Compatibility**

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1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
  - **This Principle of Compatibility can be made because the proposed distillery will not displace any agricultural operations. The proposed distillery will be contained within existing buildings only, and site improvements (i.e. parking) will be contained within existing disturbed land areas. No new buildings are proposed. The remainder of the property, which was previously utilized for asparagus farming until 2015, will be utilized to grow barley and other products that will be processed into alcohol within the distillery. The use on the subject property will remain in agriculture and will therefore will not significantly compromise the long term productive capability of the subject contracted parcel or other contracted lands in agricultural preserves. The use is an approved use on contracted land pursuant to Development Title Section 9-1810.3.**
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted land in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands including activities such as harvesting, processing, or shipping.
  - **This Principle of Compatibility can be made because, the proposed distillery operation will utilize all existing buildings, and necessary improvements will be contained within the existing disturbed area on site. The site, which previously grew asparagus will be converted to barley, and other grains to be processed by the distillery. No agriculture will be displaced as the facility will be wholly utilized by the compatible agricultural uses.**
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility a board or council shall consider the impacts on non-contracted lands in the agricultural preserve or preserves.
  - **This Principle of Compatibility can be made because the proposed use, a distillery, will encourage continued and expanded agricultural uses in the area. The surrounding properties contain agricultural uses and will not be affected by the project. The Agricultural Processing - Food Manufacturing use type is a permitted use on property under contract and is consistent with the A/G (General Agriculture) General Plan Designation. Therefore, the distillery facility will not negatively impact agricultural uses on adjacent contracted lands and will not result in the significant removal of adjacent contracted land from agricultural or open-space.**

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## **Community Development Department**

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# **Attachment F**

## **Previously Approved Delta Plan Consistency Findings**

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Law Offices Of  
**HAKHEEM, ELLIS & MARENGO**

*A Professional Law Corporation*

April 26, 2018

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Michael D. Hakeem  
Albert M. Ellis  
Renee M. Marengo  
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**STEPHANIE STOWERS**  
**SENIOR PLANNER**  
**S. J. COUNTY COMMUNITY DEVELOPMENT**  
1810 E. Hazelton Avenue  
Stockton, CA 95205

**RE: VICTORIA ISLAND, LP (PA-1800071)**  
**DELTA PLAN FINDINGS**

Dear Ms. Stowers:

The following are our consistency findings for your review and consideration.

1. Attachment No. 1 is the Covered Action Checklist which references under Step 2, at section #4, that a significant impact means a “substantial” negative impact on the achievement of one or both of the coequal goals or the implementation of a government – sponsored flood control program to reduce risks to people, property, and State interests in the Delta. We believe that our risk to people and property is not significant given the information that the project is 100% agriculturally related and has no urban occupancy. (See attached project description)
2. Attachment No. 2 is the provision (G P1) that full consistency with all of the regulatory policies may not be feasible and that a certification of consistency can be made with the Delta Plan if, “on whole”, the action is consistent with the coequal goals. (Similar to our San Joaquin County General Plan consistency requirement)
3. Attachment No. 3 is the recognition that serving the two “coequal goals” must be met in a manner that “Protects and enhances the unique...agricultural values of the Delta as an evolving place”.

The re-use of the existing asparagus packing facility footprint and buildings will continue to support farming. In addition, the planting of corn, barley and wheat as the grain mixture for the distillery activity will also continue to support farming at this location.

4. Attachment No. 4 is the is the Delta Plan's confirmation that supporting farming is a core element.
5. Attachment No. 5 is confirmation that Policy DP R8 encourages value-added processing of Delta crops. The proposed re-use distillery proposes to plant corn, barley and wheat on the property for their use on site as grain for the distillery.
6. Attachment No. 6 is the Chapter 5 Policy (DP R9) to promote agritourism in the Delta. The distillery will provide guided tours of the facility for on site education on grain to glass spirits to include additional agricultural education elements.
7. Attachment No. 7 is the Chapter 5 Policy (DP R10) to encourage wildlife friendly farming. Corn is a key agricultural product for wildlife habitat. The State of California currently has conservation easements on farms growing corn and the Nature Conservancy grows corn to create habitat for cranes and geese. Using corn for our distillery grain will be an alternative to other permanent crops such as almonds or grapes which use much more water and take away valuable habitat.
8. Attachment No. 8, at pages 46 and 47, is the reference that a covered action requires a significant impact. (See item number 1 above)
9. Attachment No. 9, is the Decision Tree. We are of the opinion that our Proposed Action will not trigger a significant impact and therefore is not covered by a provision of the Delta Plan and therefore is not a Covered Action.
10. Attachment No. 10 is from Chapter 5 and outlines five (5) core strategies for protecting and enhancing the values of the San Joaquin Delta. Core strategy number three (3) is to maintain Delta

agriculture as a primary land use, a food source, a key economic sector, and a way of life. The proposed distillery's primary land use is agriculturally related.

11. Attachment No. 11 is a reference to the Public Resources Code Section 29703.5 which describes the Delta Protection Commission's role in providing recommendations to the Delta Stewardship Council...which include the decisions to recognize and enhance the unique...agricultural resources of the Delta.
12. Attachment No. 12 is the Chapter 5 recognition that one of the goals for the Delta Protection Commission's management plan is to preserve a strong agricultural economic base. The proposed distillery is for a re-use of a previous asparagus packing shed and shipping facility which will provide new skilled employment jobs for San Joaquin County.
13. Attachment No. 13 is the Chapter 5 recognition that maintaining Delta agriculture as a primary land use, a fuel source, a key economic indicator, and a way of life is a core strategy.
14. Attachment No. 14 is the recognition that agriculture is among the qualities that define the Delta as a place. The re-use of the property for the proposed distillery is confirmation that agriculture is paramount to the vitality of the Delta.

In closing, the above referenced attachments are taken directly from the Delta Plan and support the proposed distillery as being consistent with the Delta Plan and not being a covered action.

Very truly yours,

**HAKEEM, ELLIS & MARENGO**  
**A Professional Corporation**

By:   
MICHAEL D. HAKEEM

MDH:em  
Enclosures

① A

Covered Action Checklist		
<p>This checklist is a discretionary tool for state and local agencies to use in determining whether a plan, program, or project is a "Covered Action" (Delta Plan Chapter 2), as defined in the Delta Reform Act (Water Code section 85057.5(a)).</p> <p><b>Note:</b> the responsibility for making this determination rests with the State and local agencies, subject to judicial review.</p>		
Covered Action Title: _____		
<b>STEP 1:</b> Determine if the plan, program, or project is exempt from the definition of a "covered action".		
<b>THE PLAN, PROGRAM OR PROJECT:</b>	<b>YES</b>	<b>NO</b>
<p>1. Is exempt from the definition of a covered action.</p> <p><i>For specific details on what is statutorily exempt from regulation as a "covered action" refer to: (Water Code section 85057.5 (b.)), Included in (Appendix F of the Delta Plan) and (Chapter 2 of the Delta Plan)</i></p>	<input type="radio"/>	<input type="radio"/>
<p>If "YES", the plan, program, or project is exempt from the Council's regulatory authority – <b>NO FURTHER STEPS REQUIRED.</b></p> <p>If "NO", the plan, program or project is not exempt from the definition of a covered action – <b>PROCEED TO STEP 2.</b></p>		
<b>STEP 2:</b> Determine if the plan, program, or project meets all four "Screening Criteria" listed below.		
<b>THE PLAN, PROGRAM OR PROJECT:</b>	<b>YES</b>	<b>NO</b>
<p>1. Is "... a plan, program, or project as defined pursuant to Public Resources Code section 21065; This criteria would be met if the plan, program, or project meets the definition of a project under the California Environmental Quality Act (CEQA) Public Resources Code section 21065 that defines the term "project" for purposes of potential CEQA review.</p>	<input type="radio"/>	<input type="radio"/>
<p>2. Will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh; This criteria would be met if, for example, water intended for use upstream of the statutory Delta or Suisun Marsh were transferred through the statutory Delta or Suisun Marsh (pursuant for example, to a water transfer longer than 1 year in duration).</p>	<input type="radio"/>	<input type="radio"/>
<p>3. Will be carried out, approved, or funded by the State or a local public agency; This criteria would be met if the plan, program, or project is (a) an activity directly undertaken by any state or local public agency, (b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more state or local public agencies, or (c) An activity that involves the issuance to a person of lease, permit, license, certificate, or other entitlement for use by one or more state or local public agencies.</p>	<input type="radio"/>	<input type="radio"/>
<p>4. Will have a significant impact on the achievement of one or both of the coequal goals or the implementation of a government-sponsored flood control program to reduce risks to people, property, and State interests in the Delta;</p> <p><i>"Significant Impact" means a substantial positive or negative impact on the achievement of one or both of the coequal goals or the implementation of a government-sponsored flood control program to reduce risks to people, property, and state interests in the Delta, that is directly or indirectly caused by a project on its own or when the project's incremental effect is considered together with the impacts of other closely-related past, present, or reasonably foreseeable future projects. The coequal goals and government-sponsored flood control programs are further defined in Chapters 3, 4, and 7.</i></p> <p>The following categories of projects will not have a significant impact for this purpose:</p> <ul style="list-style-type: none"> <li>• "Ministerial" projects exempted from CEQA, pursuant to Public Resources Code Section 21080(b)(1);</li> <li>• "Emergency" projects exempted from CEQA, pursuant to Public Resources Code Section 21080(b)(2)-(4);</li> <li>• Temporary water transfers of up to one year in duration. This provision shall remain in effect only through December 31, 2016, and as of January 1, 2017, is repealed, unless the Council acts to extend the provision prior to that date;</li> <li>• Other projects exempted from CEQA, unless there are unusual circumstances indicating a reasonable possibility that the project will have a significant impact under Water Code Section 85057.5(a)(4). Examples of unusual circumstances could arise in connection with, among other things:             <ul style="list-style-type: none"> <li>• Local government general plan amendments for the purpose of achieving consistency with the Delta Protection Commission's Land Use and Resource Management Plan; and,</li> <li>• Small-scale habitat restoration projects, as referred to in CEQA Guidelines 15333, proposed in important restoration areas, but which are inconsistent with the Delta Plan's policy related to appropriate habitat restoration for a given land elevation.</li> </ul> </li> </ul>	<input type="radio"/>	<input type="radio"/>
<p>If "NO" to any in step 2 above, the plan, program, or project, for purposes of the Delta Plan, does not meet the definition of Covered Action, <b>NO FURTHER STEPS REQUIRED.</b></p> <p>If "YES" to all four in step 2 above, then the plan, program or project is considered, for purposes of the Delta Plan, a Proposed Action – <b>PROCEED TO STEP 3.</b></p>		

① B

STEP 3: Determine if the Proposed Action is covered by one or more Delta Plan regulatory policies below - the final Screening Criteria.		
THE PROPOSED ACTION:	YES	NO
<p><b>1. Is covered by one or more of the regulatory policies contained in Chapters 3, 4, 5, and 7;</b></p> <p><b>DELTA PLAN CHAPTER 3 -</b>  <u>WR P1 / 23 CCR SECTION 5003:</u> This policy covers all Proposed Actions that would export water from, transfer water through, or use water in the Delta, but does not cover any such action unless one or more water suppliers would receive water as a result of the proposed action.  <u>WR P2 / 23 CCR SECTION 5004:</u> This policy covers all Proposed Actions that involve water supply or water transfer contracts from the State Water Project (SWP) and/or the Central Valley Project (CVP).</p> <p><b>DELTA PLAN CHAPTER 4 -</b>  <u>ER P1 / 23 CCR SECTION 5005:</u> This policy covers all Proposed Actions that could significantly affect flow in the Delta.  <u>ER P2 / 23 CCR SECTION 5006:</u> This policy covers all Proposed Actions that include habitat restoration.  <u>ER P3 / 23 CCR SECTION 5007:</u> This policy covers all Proposed Actions in the priority habitat restoration areas depicted in <u>Appendix 5</u>. It does not cover actions outside those areas.  <u>ER P4 / 23 CCR SECTION 5008:</u> This policy covers all Proposed Actions that would construct new levees or substantially rehabilitate or reconstruct existing levees.  <u>ER P5 / 23 CCR SECTION 5009:</u> This policy covers all Proposed Actions that have the reasonable probability of introducing, or improving habitat conditions for nonnative invasive species.</p> <p><b>DELTA PLAN CHAPTER 5 -</b>  <u>DP P1 / 23 CCR SECTION 5010:</u> This policy covers all Proposed Actions that involve new residential, commercial, and industrial development that is not located within the areas described in <u>Appendix 6</u> and <u>Appendix 7</u>. In addition, this policy covers any such action on Bethel Island that is inconsistent with the Contra Costa County general plan effective as of the date of the Delta Plan's adoption. This policy does not cover commercial recreational visitor-serving uses or facilities for processing of local crops or that provide essential services to local farms, which are otherwise consistent with this chapter.  <u>DP P2 / 23 CCR SECTION 5011:</u> This policy covers all Proposed Actions that involve the siting of water management facilities, ecosystem restoration, and flood management infrastructure.</p> <p><b>DELTA PLAN CHAPTER 7 -</b>  <u>RR P1 / 23 CCR SECTION 5012:</u> This policy covers all Proposed Actions that involve discretionary State investments in Delta flood risk management, including levee operations, maintenance, and improvements.  <u>RR P2 / 23 CCR SECTION 5013:</u> This policy covers all Proposed Actions that involve new residential development of five or more parcels that are not located within the following areas:            (1) Areas that city or county general plans, as of the date of the Delta Plan's adoption, designate for development in cities or their spheres of influence;            (2) Areas within Contra Costa County's 2006 voter-approved urban limit line, except Bethel Island;            (3) Areas within the Mountain House General Plan Community Boundary in San Joaquin County; or            (4) The unincorporated Delta towns of Clarksburg, Courtland, Hood, Locke, Ryde, and Walnut Grove, as shown in <u>Appendix 7</u>.  <u>RR P3 / 23 CCR SECTION 5014:</u> This policy covers all Proposed Actions that would encroach in a floodway that is not either a designated floodway or regulated stream.  <u>RR P4 / 23 CCR SECTION 5015:</u> This policy covers all Proposed Actions that would encroach in any of the floodplain areas described below:            (1) The Yolo Bypass within the Delta;            (2) The Cosumnes River-Mokelumne River Confluence, as defined by the North Delta Flood Control and Ecosystem Restoration Project (McCormack-Williamson), or as modified in the future by the Department of Water Resources or the U.S. Army Corps of Engineers (Department of Water Resources 2010a); and,            (3) The Lower San Joaquin River Floodplain Bypass area, located on the Lower San Joaquin river upstream of Stockton immediately southwest of Paradise Cut on lands both upstream and downstream of the Interstate 5 crossing. This area is described in the Lower San Joaquin River Floodplain Bypass Proposal, submitted to the Department of Water Resources by the partnership of the South Delta Water Agency, the River Islands Development Company, Reclamation District 2062, San Joaquin Resource Conservation District, American Rivers, the American Lands Conservancy, and the Natural Resources Defense Council, March 2011. This area may be modified in the future through the completion of this project.</p>		
<p>If "NO" to Step 3 above, the "proposed action" is <u>not covered</u> by any of the Delta Plan regulatory policies above and therefore <u>exempt</u> from the Council's regulatory authority - <b>NO FURTHER STEPS ARE REQUIRED.</b></p> <p>If "YES" to Step 3 above, the "proposed action" is <u>covered</u> by one or more of the Delta Plan regulatory policies above and therefore referred to as a "<u>Covered Action</u>". A Certification of Consistency must be filed with the DSC - <b>PROCEED TO FINAL STEP.</b></p>		

**FINAL STEP:** File a Certification of Consistency with detailed findings demonstrating consistency with the Delta Plan.

- 1. Click [here](#) to file a Certification of Consistency with the Delta Stewardship Council, with detailed findings, demonstrating that the covered action is consistent with the Delta Plan.

*The State or local agency that proposes to undertake a covered action, prior to initiating the implementation of that covered action, is required to file a Certification of Consistency with the Delta Stewardship Council using the online form found on the Delta Stewardship Council's website. Detailed findings must be included to demonstrate how the covered action is consistent with all relevant policies of the Delta Plan. The online form prompts the agency for the requirements to be included and may be uploaded to the form. Typically, the lead agency, for purposes of CEQA compliance, will file the Certification of Consistency with the Delta Stewardship Council.*

**ADDITIONAL CONSIDERATIONS:**

- Have the project proponent and/or the lead agency consulted with the Delta Stewardship Council on the covered action? (Not required, but recommended)

*Working with the Delta Stewardship Council staff during the early development phases of the covered action and prior to filing a Certification of Consistency is a valuable tool to maximize the consistency between the covered action and the Delta Plan.*

- Statutory Exemptions

*Certain actions are statutorily excluded from the definition of covered action and are exempt from the Council's regulatory authority (Water Code section 85057.5(b)). A complete list is included in Appendix F of the Delta Plan.*

- Was the DRAFT Certification of Consistency posted on the Agency website for public review and comment and notifications sent prior to submission to the Delta Stewardship Council?

*At least 10 days prior to the submission of a Certification of Consistency to the Council, agencies whose actions are not subject to open meeting laws (Bagley-Keene Open Meeting Act [Gov. Code sec 11120 et seq.] or the Brown Act [Gov. Code sec 54950 et seq.]) with regard to its certification must post for public review and comment, their draft certification on their website and in their office, mail to all persons requesting notice, and include any public comments received in the record submitted to the council in the case of an appeal. Any state or local public agency that is subject to open meeting laws with regard to its certification is encouraged to take those actions.*

- Has CEQA been completed at the time of filing a Certification of Consistency with the Delta Stewardship Council?

*Filing the Certification of Consistency with the Delta Stewardship Council should occur at the same time of filing of the Notice of Determination where applicable. Filing a Certification of Consistency too early may result in an originally proposed covered action that is significantly altered through the CEQA process or otherwise. If, after filing a certificate of consistency, the project is significantly changed, a new Certification of Consistency will need to be filed with the Delta Stewardship Council.*

- Implementation of the covered action may not proceed until the appeals process is complete.

*Once the State or local agency has filed a Certification of Consistency for a covered action, the Certification of Consistency is displayed on the Delta Stewardship Council's website for public view. Water Code 85225.10. (a): Any person who claims that a proposed covered action is inconsistent with the Delta Plan and, as a result of that inconsistency, the action will have a significant adverse impact on the achievement of one or both of the coequal goals or implementation of government-sponsored flood control programs to reduce risks to people and property in the Delta, may file an appeal within 30 calendar days of filing with regard to a Certification of Consistency submitted to the Delta Stewardship Council.*

*The Delta Stewardship Council has developed Administrative Procedures Governing Appeals (Appendix D). If a valid appeal is filed with the Delta Stewardship Council within 30 calendar days of Certification Filing, the Council will hear the appeal within 60 days of the filing of the appeal. The Council will adopt written findings, either upholding the appeal or denying it, within 60 days of the hearing. If multiple appeals are filed on the same covered action, the Council will consolidate, to the extent practicable, all the appeals into a single hearing.*

- Has the state or local agency prepared the "record" upon which the certification of consistency is based?

*If the Certification of Consistency is appealed, the State or local agency must submit the record to the Delta Stewardship Council within 10 days of being notified of the appeal. The Delta Stewardship Council encourages the agency to submit the record that was before the lead agency at the time it made its certification as part of the certificate of consistency. Failure to submit the record in a timely manner is grounds for the council to affirm the appeal.*

**THANK YOU FOR USING THE COVERED ACTIONS CHECKLIST.  
YOU MAY SAVE THE CHECKLIST TO YOUR COMPUTER OR PRINT FOR YOUR RECORDS.**

## Attachment 1

### Description of the proposed project:

The owners of Victoria Island Farms propose to remodel an existing agricultural processing building on their parcel to start a craft distillery. The distillery would manufacture and market alcoholic beverages made from ingredients grown on the farm. As a type 74 Craft Distillery, production would be limited to 100,000 gallons per year and subject to other related restrictions on scale, processes, and ingredients.

The owners plan to engage in a phased project to develop the distillery business. The first phase would involve a remodel of an existing agricultural processing building of 4,800 square feet (Building 1). Building 1 is a standalone structure that stands a minimum of 22 feet, four inches from the closest structure, another agricultural processing building on the same parcel that is not currently in use (Building 2). Our site is 1.15 miles from our nearest neighbor, Union Point Marina Bar and Grill, which lies across from Victoria Island along Middle River. Building 1 is approximately 80 feet from the nearest road, State Highway 4, at the nearest point, and is separated by a fence and dense vegetation.

Building 1 would house small-scale distilling equipment and ingredients. The distillery plans to go to market with lightly-aged spirits within the first twelve months of operations. After 12 months the company plans to begin appointment-only distillery tours and tastings within the project area, with five tours per day and a maximum of 20 participants per tour. We believe that this would add automotive traffic of up to ten vehicles per hour for around four hours per day. For the first two years of operation we foresee an average of five employee vehicles on-site per day bringing total potential daily traffic impact to around 45 total vehicles. Parking would be available in an existing parking lot that is not currently in use. In the past, this lot accommodated approximately 200 automobiles during harvest season. We plan to remodel the parking facility to accommodate paved parking for up to 50 automobiles during the first phase. Parking facilities are approximately 150 feet from the distillery building and pedestrians would walk along a paved path from the parking lot to Building 1. We would also add accessible parking spaces adjacent to building 1.

We aim to begin the second phase of the project within three years of initial business activities. This would involve a remodel of the parking area to accommodate up to 150 vehicles, using the existing dimensions and infrastructure. It would also involve the expansion of distillery operations into Building 2, which is approximately 54,425 square feet in size. Building 2 would include a bonded barrel-aging room using existing storage facilities. It would also include distilling equipment, a bottling line, and would utilize existing shipping and receiving facilities with two loading docks. This building has two ADA compliant multi-stall restrooms for customer and employee use. The building also has existing pressurized fire hose and fire sprinklers.

At a time, Victoria Island was amongst the largest vertically-integrated asparagus growers and processors in California. Changes in the marketplace have forced asparagus production out of the area, and Victoria Island halted asparagus operations in 2015. The crops now grown on Victoria Island are not generally processed or marketed in San Joaquin County and the farm has downsized employee headcounts significantly. We see the distillery as one way to bring skilled jobs back to our community, to improve the brand awareness of the fertile Delta area, to restore facilities to productive use, and to leverage decades of related experience in agricultural management into a new industry for San Joaquin County in a way that aligns with the County's General Plan and the Delta Plan. The project would at no time remove land from Agricultural use and would utilize only existing structures for the foreseeable future.

The owners of Victoria Island Farms have formed a new company, Edge of Cultivation LLC, as an investment vehicle for the distillery business. The landholding company, Victoria Island LP, is family-owned, while the goal is to create an employee-owned distillery. The farming entity will lease facilities and provide professional services to the distillery and will engage in custom farming for the distillery's ingredients.

## Delta Plan Policies and Recommendations

The Delta Plan contains a set of regulatory policies that will be enforced by the Delta Stewardship Council's appellate authority and oversight. The Delta Plan also contains priority recommendations, which are nonregulatory but call out actions essential to achieving the coequal goals.

POLICY OR RECOMMENDATION NUMBER	SHORT TITLE	POLICY/RECOMMENDATION LANGUAGE
<b>Chapter 2</b>		
GP1 (23 CCR section 5002)	Detailed Findings to Establish Consistency with the Delta Plan	<p>(a) <i>This policy specifies what must be addressed in a certification of consistency filed by a State or local public agency with regard to a covered action. This policy only applies after a "proposed action" has been determined by a State or local public agency to be a covered action because it is covered by one or more of the regulatory policies contained in Article 3. Inconsistency with this policy may be the basis for an appeal.</i></p> <p>(b) <i>Certifications of consistency must include detailed findings that address each of the following requirements:</i></p> <p>(1) <i>Covered actions, in order to be consistent with the Delta Plan, must be consistent with this regulatory policy and with each of the regulatory policies contained in Article 3 implicated by the covered action. The Delta Stewardship Council acknowledges that in some cases, based upon the nature of the covered action, full consistency with all relevant regulatory policies may not be feasible. In those cases, the agency that files the certification of consistency may nevertheless determine that the covered action is consistent with the Delta Plan because, on whole, that action is consistent with the coequal goals. That determination must include a clear identification of areas where consistency with relevant regulatory policies is not feasible, an explanation of the reasons why it is not feasible, and an explanation of how the covered action nevertheless, on whole, is consistent with the coequal goals. That determination is subject to review by the Delta Stewardship Council on appeal;</i></p> <p>(2) <i>Covered actions not exempt from CEQA must include applicable feasible mitigation measures identified in the Delta Plan's Program EIR (unless the measure(s) are within the exclusive jurisdiction of an agency other than the agency that files the certification of consistency), or substitute mitigation measures that the agency that files the certification of consistency finds are equally or more effective;</i></p> <p>(3) <i>As relevant to the purpose and nature of the project, all covered actions must document use of best available science;</i></p> <p>(4) <i>Ecosystem restoration and water management covered actions must include adequate provisions, appropriate to the scope of the covered action, to assure continued implementation of adaptive management. This requirement shall be satisfied through both of the following:</i></p> <p>(A) <i>An adaptive management plan that describes the approach to be taken consistent with the adaptive management framework in Appendix 1B, and</i></p> <p>(B) <i>Documentation of access to adequate resources and delineated authority by the entity responsible for the implementation of the proposed adaptive management process.</i></p>

EXECUTIVE SUMMARY

pressing into the region from the fringe. More millions come to it for boating, fishing, hunting, bird watching, even windsurfing on its 700 miles of channels. Steeped in history, combining notes of the American heartland and of Holland, the Delta looks and feels like no other place in California. This is a land that people love.

It is not doing so well.

The very shape of the modern Delta is in danger. Farming of peat-rich ground like this always leads to oxidation, the literal vanishing of soil, and thus to subsidence. Many Delta islands now lie 15 feet or more below sea level and depend on aging dikes to prevent the water in adjacent channels from pouring in. Higher river flows in winter or spring, predicted results of climate change, will add to the pressure, and a great earthquake, sooner or later, will shake the region like a paint can on a mixer. Encroaching urbanization, meanwhile, puts more people and property on dangerous ground.

After years of slow decline, the condition of the Delta's watery ecosystem, as measured especially by the population of wild salmon and other native fishes, has gone critical. The list of causes begins, but does not end, with all those water withdrawals, a kind of tax that leaves the system in a condition of chronic drought. The specific, peculiar manner in which the last large gulps of water are withdrawn adds to the ecological cost. The continual introduction of alien aquatic species from around the world is altering the web of life, often at the expense of native and other valued species. Pollution from the vast and busy watershed does its share of harm.

Today, all those who depend on or value the Delta are, in a word, afraid. Delta residents face the possibility of floods from the east when the rivers flow strongly and of salinity intrusion from the west if they flow too feebly. Fishermen, both commercial and recreational, fret about the future of salmon and other species. Water suppliers that receive water from the Delta find those supplies insecure, subject to

*Steeped in history, combining notes of the American heartland and of Holland, the Delta looks and feels like no other place in California. This is a land that people love.*

*It is not doing so well.*

interruption by weather vagaries, levee failures, or pumping restrictions imposed in the desperate attempt to stem the decline of fish.

**The Coequal Goals, the Delta Stewardship Council, and the Delta Plan**

Since the middle 1980s, California has been looking for ways to secure the natural and human values of the Delta while maintaining its place in the state's water plumbing. These efforts have generally started in hope and ended in impasse. In recent years environmentalists turned to the courts, using the blunt tool of the federal Endangered Species Act to force curtailment of water exports at certain times. In reaction, water suppliers south of the Delta have complained of "regulatory drought."

In 2009 the Legislature made its latest, most determined bid to find solutions, passing the Delta Reform Act and associated bills. First and foremost, it declared that State policy toward the Delta must henceforth serve two "coequal goals":

- Providing a more reliable water supply for California, and
- Protecting, restoring, and enhancing the Delta ecosystem.

These goals, the Legislature added, must be met in a manner that:

- Protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

By affirming the equal status of ecosystem health and water supply reliability, the Legislature changed the terms of the conversation. It changed them further with the following pronouncement: "The policy of the state of California is to reduce reliance on the Delta in meeting California's future water supply needs." Here was recognition that, for the sake of the water system and the Delta both, a partial weaning of the one from the other is required.

The Delta Stewardship Council is the body entrusted with giving practical meaning to these directives. Publication of this Delta Plan completes its first assignment. The product of eight drafts, almost 100 public meetings, and nearly 10,000 comments, the Delta Plan pulls together in one place the steps that need to be taken to meet the coequal goals—measures that, in one way or another, could affect almost everyone in California. The Plan is to be revised every 5 years, or sooner as circumstances change.

The Delta Plan contains 87 provisions, some broad and some narrowly technical, some novel, some commonsensically familiar. What, in essence, does the Plan propose be done differently? At the risk of oversimplification, we can say that it asks California and Californians to do six large things:

- In order to improve and secure our water supply, while taking pressure off the Delta, we must use water more efficiently in cities and on farms, and develop alternative, usually local, sources.
- We must also get much better at capturing and storing the surplus water that nature provides in the wettest years, building reserves that can be drawn on in dry ones.

- To revitalize the Delta ecosystem, we must provide adequate seaward flows in Delta channels, on a schedule more closely mirroring historical rhythms: what the Plan calls natural, functional flows.
- We must also bring back generous wetlands and riparian zones in the Delta for the benefit of fish and birds.
- To preserve the Delta as a place, we must restrict new urban development to those peripheral areas already definitely earmarked for such growth, while supporting farming and recreation in the Delta's core.
- And we must floodproof the Delta, as far as feasible, mainly by improving levees and by providing more overflow zones where swollen rivers can spread without doing harm.

What about today's headline issue concerning the Delta—the proposed construction of tunnels to improve the way water destined for export southwards reaches the pump intakes near Byron? This initiative is part of what is called the Bay Delta Conservation Plan (BDCP). The BDCP is a different and more narrowly focused undertaking than the Delta Plan, into which, if certain conditions are met, it will be fused (see section, A Better System: Delta Conveyance).

The Delta Plan is California's plan for the Delta, prepared in consultation with, and to be carried out by, all agencies in the field: the State Water Resources Control Board, ultimate arbiter of water rights and water quality; the California Department of Water Resources, the state's water planner and also operator of the great State Water Project; the California Department of Fish and Wildlife, responsible for the welfare of the living system of the Delta; the Delta Protection Commission, which oversees land use and development on low-lying Delta islands; and many more agencies, State and local. Add to the list federal players like the Bureau of Reclamation, which runs the Central Valley Project; the U.S. Fish and Wildlife Service; the National Marine Fisheries Service; and the U.S. Army Corps of Engineers. Their cooperation has been promised, and it is vital.

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5

EXECUTIVE SUMMARY

POLICY OR RECOMMENDATION NUMBER	SHORT TITLE	POLICY/RECOMMENDATION LANGUAGE
DP R8	Promote Value-added Crop Processing	<i>Local governments and economic development organizations, in cooperation with the Delta Protection Commission and the Delta Conservancy, should encourage value-added processing of Delta crops in appropriate locations.</i>
DP R9	Encourage Agritourism	<i>Local governments and economic development organizations, in cooperation with the Delta Protection Commission and the Delta Conservancy, should support growth in agritourism, particularly in and around legacy communities. Local plans should support agritourism where appropriate.</i>
DP R10	Encourage Wildlife-friendly Farming	<i>The California Department of Fish and Wildlife, the Delta Conservancy, and other ecosystem restoration agencies should encourage habitat enhancement and wildlife-friendly farming systems on agricultural lands to benefit both the environment and agriculture.</i>
DP R11	Provide New and Protect Existing Recreation Opportunities	<i>Water management and ecosystem restoration agencies should provide recreation opportunities, including visitor-serving business opportunities, at new facilities and habitat areas whenever feasible; and existing recreation facilities should be protected, using California State Parks' Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh and Delta Protection Commission's Economic Sustainability Plan for the Sacramento-San Joaquin Delta as guides.</i>
DP R12	Encourage Partnerships to Support Recreation and Tourism	<i>The Delta Protection Commission and Delta Conservancy should encourage partnerships between other State and local agencies, and local landowners and business people to expand recreation, including boating, promote tourism, and minimize adverse impacts to nonrecreational landowners.</i>
DP R13	Expand State Recreation Areas	<i>California State Parks should add or improve recreation facilities in the Delta in cooperation with other agencies. As funds become available, it should fully reopen Brannan Island State Recreation Area, complete the park at Delta Meadows-Locke Boarding House, and consider adding new State parks at Barker Slough, Elkhorn Basin, the Wright-Elmwood Tract, and south Delta.</i>
DP R14	Enhance Nature-based Recreation	<i>The California Department of Fish and Wildlife, in cooperation with other public agencies, should collaborate with nonprofits, private landowners, and business partners to expand wildlife viewing, angling, and hunting opportunities.</i>
DP R15	Promote Boating Safety	<i>The California Department of Boating and Waterways should coordinate with the U.S. Coast Guard and State and local agencies on an updated marine patrol strategy for the region.</i>
DP R16	Encourage Recreation on Public Lands	<i>Public agencies owning land should increase opportunities, where feasible, for bank fishing, hunting, levee-top trails, and environmental education.</i>
DP R17	Enhance Opportunities for Visitor-serving Businesses	<i>Cities, counties, and other local and State agencies should work together to protect and enhance visitor-serving businesses by planning for recreation uses and facilities in the Delta, providing infrastructure to support recreation and tourism, and identifying settings for private visitor-serving development and services.</i>
DP R18	Support the Ports of Stockton and West Sacramento	<i>The ports of Stockton and West Sacramento should encourage maintenance and carefully designed and sited development of port facilities.</i>

**Problem Statement**

*Agriculture in some parts of the Delta is threatened by urbanization, subsidence, and changing markets due to increased competition from other countries and regions, and shifting consumer preferences. The impacts from water conveyance facilities, ecosystem restoration, changing water quality, and flood management plans are yet to be determined, but rapid and significant changes could disrupt agriculture. Farmers are concerned that regulations and other barriers to conducting business and using their land also threaten the continued viability of agriculture.*

**Policies**

*No policies with regulatory effect are included in this section.*

**Recommendations**

**DP R8. Promote Value-added Crop Processing**

*Local governments and economic development organizations, in cooperation with the Delta Protection Commission and the Delta Conservancy, should encourage value-added processing of Delta crops in appropriate locations.*

**DP R9. Encourage Agritourism**

*Local governments and economic development organizations, in cooperation with the Delta Protection Commission and the Delta Conservancy, should support growth in agritourism, particularly in and around legacy communities. Local plans should support agritourism where appropriate.*

**DP R10. Encourage Wildlife-friendly Farming**

*The California Department of Fish and Wildlife, the Delta Conservancy, and other ecosystem restoration agencies should encourage habitat enhancement and wildlife-friendly farming systems on agricultural lands to benefit both the environment and agriculture.*

**Encourage Recreation and Tourism**

The Delta region offers diverse recreation experiences and facilities such as fishing, boating, birdwatching, other nature activities, hunting, campgrounds, parks and picnic areas, and historic towns and buildings. DPC and California State Parks foresee opportunities to improve and increase recreation and tourism in the Delta. Both

agencies recommend improvements of "gateways" to the region on the Delta's urban edges and "base camps" inside the Delta at destinations such as resorts, legacy communities, or parks that are focal points for visitors. Building on the reports of the DPC and California State Parks, the Council recommends protecting and improving existing recreation opportunities while seeking ways of providing new, and better coordinated, opportunities. Ecosystem restoration, as described in Chapter 4, can also enhance opportunities for nature-based recreation and boating. Future prospects for recreation and tourism will be influenced by decisions about the Delta ecosystem, water quality, levee improvements, and governance, including land use and environmental standards. The BDCP, Delta water quality plans, levee investments, and other decisions yet to be made can all significantly affect recreation and tourism.

**Problem Statement**

*Recreation opportunities abound, but many have not been fully developed due to inadequate visitor information, aging and inadequate facilities, and restricted access to public lands. Limited cooperation in marketing, planning, and public-private partnerships between public recreation providers, other government land managers, businesses, and others hinders recreation and tourism, and impedes expansion of visitor-serving businesses.*

**Policies**

*No policies with regulatory effect are included in this section.*

**Recommendations**

**DP R11. Provide New and Protect Existing Recreation Opportunities**

*Water management and ecosystem restoration agencies should provide recreation opportunities, including visitor-serving business opportunities, at new facilities and habitat areas whenever feasible; and existing recreation facilities should be protected, using California State Parks' Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh and Delta Protection Commission's Economic Sustainability Plan for the Sacramento-San Joaquin Delta as guides.*

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## PERFORMANCE MEASURES IN THE DELTA PLAN

The performance measures included in this Delta Plan are primarily administrative measures focused on implementation of near-term actions (generally, actions contained within policies and recommendations of the Delta Plan) that support the coequal goals. This initial set of performance measures will be expanded and refined after adoption of the Delta Plan and will be considered for inclusion in subsequent updates of the Delta Plan.

Delta Plan performance measures have been placed into three general classes:

- Administrative performance measures describe decisions made by policy makers and managers to finalize plans or approve resources (funds, personnel, projects) for implementation of a program or group of related programs.
- Output (also known as "driver") performance measures evaluate the factors that may be influencing outcomes and include on-the-ground implementation of management actions, such as acres of habitat restored or acre-feet of water released, as well as natural phenomena outside of management control (such as a flood, earthquake, or ocean conditions).
- Outcome performance measures evaluate responses to management actions or natural outputs.

Administrative performance measures are included in Appendix E. Output and outcome performance measures, where appropriate, are included at the end of individual chapters.

Development of informative and meaningful performance measures is a challenging task that will continue after the adoption of the Delta Plan. Performance measures need to be designed to capture important trends and to address whether specific actions are producing expected results. Efforts to develop performance measures in complex and large-scale systems like the Delta are commonly multiyear endeavors. The Council will improve all performance measures, but will focus on outcome measures through a multiyear effort, using successful approaches for developing performance measures employed by similar efforts elsewhere (such as the Kissimmee River Restoration, The State of San Francisco Bay, and Healthy Waterways Southeast Queensland, Australia) as positive examples (see Appendix C for more information).

DP-301

### Communication and the Delta Plan

Keeping the public and decision makers informed as future Delta Plan changes are proposed and considered is a vital step. The Council is committed to open communication of current understanding gained through the evaluation of performance measures, monitoring, science, and adaptive management. This communication will be continuous as the Council receives and produces information that will be used to adapt its strategy toward meeting the coequal goals and updating the Delta Plan.

The Council's website and meetings will remain the central hub for communicating information about progress toward meeting the coequal goals and the objectives of the Delta Plan. Information learned from the analysis, synthesis, and evaluation of how well the policies and recommendations in the Delta Plan are meeting their intended goals will be gathered and communicated through a number of media and forums that may include:

- The Council's meetings and workshops, website, social media, and newsletter

- Staff reports on the status and trends of the Delta Plan performance measures
- Reports, presentations, and correspondence presented to the Council
- Interagency Implementation Committee meetings and products
- The Delta Science Program website, *Science News*; the online journal, *San Francisco Estuary & Watershed Science*; brown bag seminars; and Biennial Bay-Delta Science Conference
- Delta ISB meetings and products

### Covered Actions and Delta Plan Consistency

The Delta Reform Act directs the Council to develop a legally enforceable long-term management plan for the Delta (this Delta Plan) and includes a mechanism for enforcement of Delta Plan policies over State and local actions identified

8 B

as covered actions (Water Code sections 85001(c) and 85022). The Council has taken a hybrid approach to developing the Delta Plan by including both regulatory policies and noregulatory recommendations. This section presents a discussion of the process and general requirements for certifying consistency with the Delta Plan through compliance with its regulatory policies, and includes examples of covered actions and exemptions.

Delta Plan regulatory policies are not intended and shall not be construed as authorizing the Council or any entity acting pursuant to this section to exercise their power in a manner that will take or damage private property for public use without the payment of just compensation. These policies are not intended to affect the rights of any owner of property under the Constitution of the State of California or the United States. None of the Delta Plan policies increases the State's flood liability.

**Covered Actions Must Comply with Delta Plan Policies**

The Delta Reform Act requires State and local actions that fit the legal definition of a covered action to be consistent with the policies included in the Delta Plan. The mechanism for determining consistency is the filing of a certification of consistency. Not all actions that occur in whole or in part in the Delta are covered actions. Only certain activities qualify as covered actions, and the Delta Reform Act establishes specific criteria and exclusions, discussed in this chapter. Furthermore:

- The State or local agency that carries out, approves, or funds a proposed action determines whether that proposed plan, program, or project is a covered action (subject to judicial review of whether the determination was reasonable and consistent with the law).
- The State or local agency that carries out, approves, or funds a covered action ("proponents") needs to certify consistency with the policies included in the Delta Plan.

- In the case of all other actions (those that do not meet the criteria of being a covered action or are otherwise explicitly excluded), the Delta Plan's policies, where applicable, are recommendations.

**What Is a Covered Action?**

For a State or local agency to determine whether its proposed plans, programs, or projects are covered actions under the Delta Plan and, therefore, subject to the regulatory provisions in the plan, it must start with the Delta Reform Act, which defines a covered action as (Water Code section 85057.5(a)):

*...a plan, program, or project as defined pursuant to Section 21065 of the Public Resources Code that meets all of the following conditions:*

1. *Will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh;*
2. *Will be carried out, approved, or funded by the state or a local public agency;*
3. *Is covered by one or more provisions of the Delta Plan;*
4. *Will have a significant impact on the achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta.*

Figure 2-3 shows the steps to follow for identifying whether a proposed plan, project, or program is a covered action.

**Screening Criteria for Covered Actions**

As used in this Delta Plan, the statutory criteria for covered actions under the Delta Plan are collectively referred to as "screening criteria." Before using the screening criteria, a project proponent should first determine whether its proposed plan, program, or project is exempt from covered action status under either the Council's administrative

exemptions or the Delta Reform Act's statutory exemptions, discussed below. Early consultation with Council staff is encouraged and can assist in this determination.

1. Is a "Project," as defined by section 21065 of the Public Resources Code. A proponent's first step in determining whether a plan, program, or project is a covered action is to identify whether it meets the definition of a project as defined in Public Resources Code section 21065. That particular provision is the section of the California Environmental Quality Act (CEQA) that defines the term "project" for purposes of potential review under CEQA.<sup>2</sup> If the plan, program, or project does indeed meet the definition of a project under CEQA, the next step in determining a covered action is to review the four additional screening criteria in the definition of covered action, all of which must be met by a proposed plan, program, or project for it to qualify as a covered action (see sidebar, What Does CEQA Consider a "Project"?).
2. Will occur in whole, or in part, within the boundaries of the Delta or Suisun Marsh. To qualify as a covered action, a project must include one or more activities that take place at least partly within the Delta or Suisun Marsh. This means, for example, that the diversion and use of water in the Delta watershed that is entirely upstream of the statutory Delta or Suisun Marsh would not satisfy this criterion. By contrast, this criterion *would* be met if water intended for use upstream were transferred through the statutory Delta or Suisun Marsh (pursuant, for example, to a water transfer longer than 1 year in duration).

<sup>2</sup> It is important to note that CEQA's various statutory and categorical exemptions—which are considered only after the threshold determination of a CEQA "project" is made—are not similarly incorporated by cross-reference in the definition of covered action. Therefore, the Delta Plan must expressly incorporate a CEQA exemption for it to apply to the Delta Plan.

### Decision Tree for State and Local Agencies on Possible Covered Actions

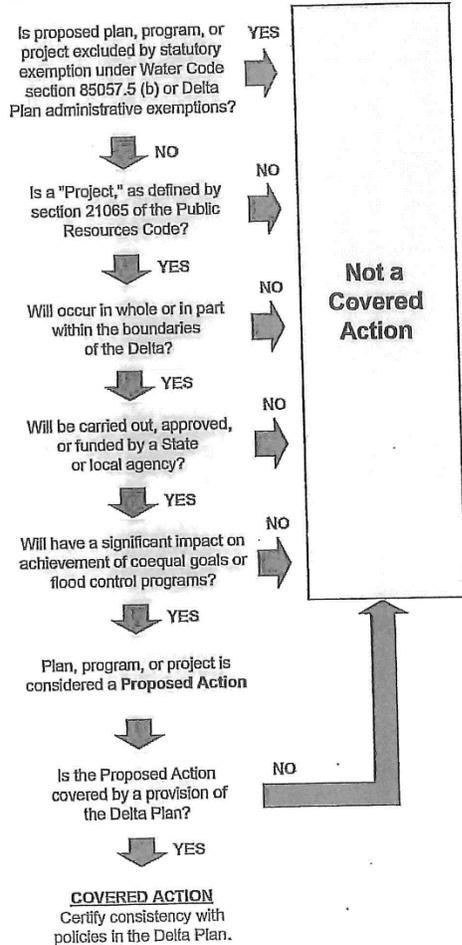


Figure 2-3

## ABOUT THIS CHAPTER

This chapter describes the unique values that distinguish the Sacramento-San Joaquin Delta (Delta) and make it a special region. It also outlines the Delta Stewardship Council's (Council) five core strategies for protecting and enhancing these values:

- Designate the Delta as a special place worthy of national and state attention
- Plan to protect the Delta's lands and communities
- Maintain Delta agriculture as a primary land use, a food source, a key economic sector, and a way of life
- Encourage recreation and tourism that allow visitors to enjoy and appreciate the Delta, and that contribute to its economy
- Sustain a vital Delta economy that includes a mix of agriculture, tourism, recreation, commercial and other industries, and vital components of state and regional infrastructure

The 2 policies and 19 recommendations to carry out these strategies are found at the end of the chapter. Protecting the Delta as a place also depends on the strategies to reduce flood and other risks to the Delta that are described in Chapter 7.

RELEVANT LEGISLATION

The Sacramento-San Joaquin Delta Reform Act of 2009 declared State policy for the resources and values of the Delta (Water Code section 85054):

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

The Legislature declares the following objectives inherent in the coequal goals for management of the Delta (Water Code section 85020):

- (a) Manage the Delta's water and environmental resources and the water resources of the state over the long term.
- (b) Protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place.

Water Code section 85302(h) provides direction on the implementation of measures to promote the coequal goals and inherent objectives:

- (h) The Delta Plan shall include recommendations regarding state agency management of lands in the Delta.

The Delta Reform Act states (Water Code section 85022 (d)):

- (d) The fundamental goals for managing land use in the Delta are to do all of the following:
  - (1) Protect, maintain, enhance, and, where feasible, restore the overall quality of the Delta environment and its natural and artificial resources.
  - (2) Ensure the utilization and conservation of Delta resources, taking into account the social and economic needs of the people of the state.

- (3) Maximize public access to Delta resources and maximize public recreational opportunities in the Delta consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

- (4) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Delta.

- (5) Develop new or improved aquatic and terrestrial habitat and protect existing habitats to advance the goal of restoring and enhancing the Delta ecosystem.

- (6) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.

Public Resources Code section 29703.5 describes the Delta Protection Commission's role in providing recommendations to the Delta Stewardship Council:

- (a) The Delta Protection Commission created pursuant to Section 29735 provides an existing forum for Delta residents to engage in decisions regarding actions to recognize and enhance the unique cultural, recreational, and agricultural resources of the Delta. As such, the commission is the appropriate agency to identify and provide recommendations to the Delta Stewardship Council on methods of preserving the Delta as an evolving place as the Delta Stewardship Council develops and implements the Delta Plan.

- (b) There is a need for the five Delta counties to establish and implement a resources management plan for the Delta and for the Delta Stewardship Council to consider that plan and recommendations of the commission in the adoption of the Delta Plan.

- (3) *Maximize public access to Delta resources and maximize public recreational opportunities in the Delta consistent with sound resources conservation principles and constitutionally protected rights of private property owners.*
- (4) *Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Delta.*
- (5) *Develop new or improved aquatic and terrestrial habitat and protect existing habitats to advance the goal of restoring and enhancing the Delta ecosystem.*
- (6) *Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.*

Goals 2, 3, and 4 are addressed in this chapter.

In addition, Water Code section 85305(a) provides, in part:

*The Delta Plan shall attempt to reduce risks to people, property, and state interests in the Delta by promoting... appropriate land uses.*

Water Code section 85022(a) directs "state and local land use actions identified as covered actions pursuant to section 85057.5 be consistent with the Delta Plan" and that the section's "findings, policies, and goals apply to Delta land use planning and development." Thus, the Council's role in reviewing land use actions is to consider the full range of State interests in the Delta, including the economic and social well-being of Californians, environmental protection, use and conservation of resources, public access and recreation, habitat restoration and enhancement, water quality, and flood protection.

**The DPC's Role**

The DPC *Land Use and Resource Management Plan for the Primary Zone of the Delta* (2010) guides land uses in the Primary Zone. Local government general plans must be consistent with the DPC's land use and resource management plan. Local

government land use actions may be appealed to the DPC for review of consistency with the land use and resource management plan. Chapter 2 describes the special role that the Delta Reform Act gives to the DPC to review and comment on significant projects or programs, such as ecosystem restoration or flood control projects, under consideration by the Council. The referral of projects to DPC for its review and comment and the membership of the DPC chair on the Council assure that the Delta communities will have a voice concerning actions' effects on existing and planned uses of the Delta.

The DPC's management plan states these goals for land use in the Primary Zone (DPC 2010):

*Protect the unique character and qualities of the Primary Zone by preserving the cultural heritage, strong agricultural/economic base, unique recreational resources, and biological diversity of the Primary Zone. Direct new non-agriculturally oriented non-farmworker residential development within the existing unincorporated towns (Walnut Grove, Clarksburg, Courtland, Hood, Locke, and Ryde).*

*Encourage a critical mass of farms, agriculturally-related businesses and supporting infrastructure to ensure the economic vitality of agriculture within the Delta.*

DPC's management plan also acknowledges the importance of balancing urban development with the protection of agriculture and other rural lands (DPC 2010):

*The periphery of the Delta is undergoing rapid urbanization associated with substantial population growth. Current and future population growth increases the demand for developable land, particularly in areas near the Bay area, Stockton, and Sacramento. This demand results in the conversion of open space, primarily agricultural land, to residential and commercial uses. Increasing concern exists regarding the potential for urbanization and projects in the Secondary Zone to impact the Primary Zone.*

highway. California State Parks' Recreation Proposal recommends that the California Department of Transportation seek national scenic byway status for this route and prepare a scenic byway plan that would identify opportunities to improve signage, interpretation, and amenities for access, recreation, and nonautomobile circulation. A national scenic byway is a road recognized by the U.S. Department of Transportation for its archaeological, cultural, historic, natural, recreational, and/or scenic qualities. The program preserves and protects the nation's scenic but often less-traveled roads, and promotes tourism and economic

development. Funding for byway-related projects is granted annually by the Federal Highway Administration. State Routes 4 and 12 are also important for recreational travel.

The American Discovery Trail, Mokelumne Coast-To-Crest Trail, and Great Delta Trail (Public Resources Code section 5852 et seq.) are State trails that can provide recreational access for bicyclists, hikers, and others. DPC's ESP and California State Parks' Recreation Proposal also recommend a system of water trails to guide boaters through the Delta's channels.

## POLICIES AND RECOMMENDATIONS

The policies and recommendations presented in this section address the unique values that distinguish the Delta and make it a special region, and outline the Council's five core strategies for protecting and enhancing these values as follows:

- Designate the Delta as a special place worthy of national and state attention
- Plan to protect the Delta's lands and communities
- Maintain Delta agriculture as a primary land use, a food source, a key economic sector, and a way of life
- Encourage recreation and tourism that allow visitors to enjoy and appreciate the Delta and that contribute to its economy
- Sustain a vital Delta economy that includes a mix of agriculture, tourism, recreation, commercial and other industries, and vital components of state and regional infrastructure

Protecting the Delta also depends on the strategies to reduce flood and other risks, as detailed in Chapter 7.

### Designate the Delta as a Special Place

Designating the Delta as a special place can build public recognition of the Delta and its unique resources. The DPC proposes to seek the Delta's designation as an NHA to recognize and promote "Delta-as-a-Place" and to cultivate appreciation and understanding of the Delta. The DPC recommends that the NHA include the legal Delta and Suisun Marsh, as well as adjoining areas in Rio Vista and the Carquinez Strait.

The proposed NHA's vision is "a regional network of partner sites, with interpretive/educational components, that will be linked where possible and serve as the primary attractions, on existing public properties or on private properties with the voluntary consent and involvement of the landowners." The NHA's goals are to "brand the Delta as a region of national significance to educate the public about 'Delta-as-a-Place,' and build more support for preserving, protecting, and enhancing the Delta." Other goals relate to economic development, public access, historic preservation, interpretation, and more.

Although State Route 160 is already recognized as a state scenic highway, national scenic byway status under the U.S. Department of Transportation and a scenic byway plan would provide opportunities to improve signage, interpretation, and amenities for access, recreation, and nonautomobile circulation. The byway

12

(b) For purposes of Water Code section 85057.5(a)(3) and section 5001(j)(1)(E) of this Chapter, this policy covers proposed actions that involve the siting of water management facilities, ecosystem restoration, and flood management infrastructure.

23 CCR Section 5011  
NOTE: Authority cited: Section 86210(i), Water Code.  
Reference: Sections 85020, 85022, 85054, 85300, and 85305, Water Code.

**Recommendations**

**DP R3. Plan for the Vitality and Preservation of Legacy Communities**

Local governments, in cooperation with the Delta Protection Commission and Delta Conservancy, should prepare plans for each community that emphasize its distinctive character, encourage historic preservation, identify opportunities to encourage tourism, serve surrounding lands, or develop other appropriate uses, and reduce flood risks.

**DP R4. Buy Rights of Way from Willing Sellers When Feasible**

Agencies acquiring land for water management facilities, ecosystem restoration, and flood management infrastructure should purchase from willing sellers, when feasible, including consideration of whether lands suitable for proposed projects are available at fair prices.

**DP R5. Provide Adequate Infrastructure**

The California Department of Transportation, local agencies, and utilities should plan infrastructure, such as roads and highways, to meet needs of development consistent with sustainable community strategies, local plans, the Delta Protection Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta, and the Delta Plan.

**DP R6. Plan for State Highways**

The Delta Stewardship Council, as part of the prioritization of State levee investments called for in Water Code section 85306, should consult with the California Department of Transportation as provided in Water Code section 85307(c) to consider the effects of flood hazards and sea level rise on State highways in the Delta.

**DP R7. Subsidence Reduction and Reversal**

The following actions should be considered by the appropriate State agencies to address subsidence reversal:

- State agencies should not renew or enter into agricultural leases on Delta or Suisun Marsh islands if the actions of the lessee promote

or contribute to subsidence on the leased land, unless the lessee participates in subsidence reversal or reduction programs.

- State agencies currently conducting subsidence reversal projects in the Delta on State-owned lands should investigate options for scaling up these projects if they have been deemed successful. The California Department of Water Resources should develop a plan, including funding needs, for increasing the extent of their subsidence reversal and carbon sequestration projects to 5,000 acres by January 1, 2017.
- The Delta Stewardship Council, in conjunction with the California Air Resources Board (CARB) and the Delta Conservancy, should investigate the opportunity for the development of a carbon market whereby Delta farmers could receive credit for carbon sequestration by reducing subsidence and growing native marsh and wetland plants. This investigation should include the potential for developing offset protocols applicable to these types of plants for subsequent adoption by the CARB.

**Maintain Delta Agriculture**

Agriculture is the principal land use in the Delta; however, in recent decades, the total area of agricultural lands has declined, as has the overall percentage of lands in agricultural use. The continued viability of agriculture in the Delta will require the protection of sufficient farmland and fresh water to support commercially viable operations and provide ways for agriculture to coexist with habitat restoration. Policies DP P1 and DP P2 acknowledge the importance of protecting these lands. Farming in the Delta will have to respond to changing conditions and new challenges in the coming years. Among these challenges are shifting commodity markets and consumer demand, changes in climate and water supplies, and subsidence of reclaimed agricultural lands. To support both Delta agriculture and species recovery, farmers in the Delta are encouraged to implement "wildlife-friendly" management practices to maximize habitat values. Restoring wildlife and fish through wildlife-friendly agriculture can help achieve ecosystem restoration objectives while reducing the loss of farmland to habitat restoration. Agritourism is a small but fast-growing source of income for farms in the region. It is another opportunity to add further value to the Delta economy from agricultural activities.

## Attachment 1

### Description of the proposed project:

The owners of Victoria Island Farms propose to remodel an existing agricultural processing building on their parcel to start a craft distillery. The distillery would manufacture and market alcoholic beverages made from ingredients grown on the farm. As a type 74 Craft Distillery, production would be limited to 100,000 gallons per year and subject to other related restrictions on scale, processes, and ingredients.

The owners plan to engage in a phased project to develop the distillery business. The first phase would involve a remodel of an existing agricultural processing building of 4,800 square feet (Building 1). Building 1 is a standalone structure that stands a minimum of 22 feet, four inches from the closest structure, another agricultural processing building on the same parcel that is not currently in use (Building 2). Our site is 1.15 miles from our nearest neighbor, Union Point Marina Bar and Grill, which lies across from Victoria Island along Middle River. Building 1 is approximately 80 feet from the nearest road, State Highway 4, at the nearest point, and is separated by a fence and dense vegetation.

Building 1 would house small-scale distilling equipment and ingredients. The distillery plans to go to market with lightly-aged spirits within the first twelve months of operations. After 12 months the company plans to begin appointment-only distillery tours and tastings within the project area, with five tours per day and a maximum of 20 participants per tour. We believe that this would add automotive traffic of up to ten vehicles per hour for around four hours per day. For the first two years of operation we foresee an average of five employee vehicles on-site per day bringing total potential daily traffic impact to around 45 total vehicles. Parking would be available in an existing parking lot that is not currently in use. In the past, this lot accommodated approximately 200 automobiles during harvest season. We plan to remodel the parking facility to accommodate paved parking for up to 50 automobiles during the first phase. Parking facilities are approximately 150 feet from the distillery building and pedestrians would walk along a paved path from the parking lot to Building 1. We would also add accessible parking spaces adjacent to building 1.

We aim to begin the second phase of the project within three years of initial business activities. This would involve a remodel of the parking area to accommodate up to 150 vehicles, using the existing dimensions and infrastructure. It would also involve the expansion of distillery operations into Building 2, which is approximately 54,425 square feet in size. Building 2 would include a bonded barrel-aging room using existing storage facilities. It would also include distilling equipment, a bottling line, and would utilize existing shipping and receiving facilities with two loading docks. This building has two ADA compliant multi-stall restrooms for customer and employee use. The building also has existing pressurized fire hose and fire sprinklers.

At a time, Victoria Island was amongst the largest vertically-integrated asparagus growers and processors in California. Changes in the marketplace have forced asparagus production out of the area, and Victoria Island halted asparagus operations in 2015. The crops now grown on Victoria Island are not generally processed or marketed in San Joaquin County and the farm has downsized employee headcounts significantly. We see the distillery as one way to bring skilled jobs back to our community, to improve the brand awareness of the fertile Delta area, to restore facilities to productive use, and to leverage decades of related experience in agricultural management into a new industry for San Joaquin County in a way that aligns with the County's General Plan and the Delta Plan. The project would at no time remove land from Agricultural use and would utilize only existing structures for the foreseeable future.

The owners of Victoria Island Farms have formed a new company, Edge of Cultivation LLC, as an investment vehicle for the distillery business. The landholding company, Victoria Island LP, is family-owned, while the goal is to create an employee-owned distillery. The farming entity will lease facilities and provide professional services to the distillery and will engage in custom farming for the distillery's ingredients.

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## **Community Development Department**

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# **Attachment G**

## **Previously Approved Delta Protection Commission Land Use Resource Management Plan Findings**

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## Previously Approved Delta Protection Commission's Land Use Resource Management Plan (LURMP) Findings

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1. The development will not result in wetland or riparian loss.
  - **The proposed project area is within an existing 7-acre developed portion of two (2) parcels totaling 6,933.1 acres. The remainder of the parcels are currently in agricultural production. The proposed conversion of 59,225 square feet of existing buildings will not result in wetland or riparian loss.**
2. The development will not result in the degradation of water quality.
  - **The proposed project includes the conversion of existing buildings totaling 59,225 square feet within an existing 7-acre disturbed portion of two parcels totaling 6,933.1 acres. Public services for water, sewer, and storm water are not available to the subject parcel. Sewer service will be through a septic system, and storm water drainage will be retained on-site with a retention basin. As a Condition of Approval, the applicant will also be required to provide a public water system for the use. The Environmental Health Department and Department of Public Works will determine the feasibility of these systems. The proposed project will be subject to the rules and regulations the Environmental Health Department and the Department of Public Works and is not anticipated to result in a degradation of water quality.**
3. The development will not result in increased nonpoint source pollution or soil erosion, including subsidence or sedimentation.
  - **The proposed project will be required to submit a grading plan as a Condition of Approval, and will not result in increased nonpoint source pollution or soil erosion including subsidence or sedimentation.**
4. The development will not result in degradation or reduction of Pacific Flyway habitat.
  - **Referrals have been sent to the San Joaquin Council of Governments (SJCOG) for review. If SJCOG determines the underlying project sponsor may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and if the underlying project sponsor chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the *Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)*, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the underlying project to a level of less-than-significant. If the underlying project sponsor chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation. In either case, the proposed project will not result in degradation or reduction of Pacific Flyway habitat.**
5. The development will not result in reduced public access, provided that access does not infringe upon private property rights.
  - **The subject parcel does not currently provide public access, and the proposed project is for a private craft distillery operation. The proposed project will utilize**

**only existing structures, within an existing disturbed area. As such, the development will not result in reduced public access.**

6. The development will not expose the public to increase flood hazards.
  - **The project site is located in the 100-year AE flood designation, and includes the conversion of existing buildings totaling 59,225 square feet within an existing 7-acre disturbed portion of two (2) parcels totaling 6,933.1 acres. No new buildings are proposed. If approved, any new development, including conversion of existing structures in the 100-year AE flood designation area will have to comply with Development Title Section 9-1605 regarding flood hazards. Compliance with this section will be reviewed by the Department of Public Works.**
7. The development will not adversely impact agricultural lands or increase the potential for vandalism, trespass, or the creation of public or private nuisances on private or public land.
  - **The proposed project site is located within a 7-acre existing developed area, north of State Route 4 within two (2) parcels totaling 6933.1 acres. The remainder of the parcel is currently in agricultural production, which will remain. The conversion of the existing structures totaling 59,225 square feet is not anticipated to adversely impact agricultural lands or be a nuisance. In addition, the project area will be fenced so as not to increase the potential for vandalism or trespass.**
8. The development will not result in the degradation or impairment of levee integrity.
  - **The proposed project area is located within Reclamation District 2040 (Victoria Island) property. The proposed project includes the conversion of existing structures, totaling 59,225 square feet. The previous asparagus packing facility will be replaced by the distillery. Therefore, the proposed project will not result in the degradation or impairment of levee integrity.**
9. The development will not adversely impact navigation.
  - **The proposed project will not be located in an area that impacts access to the adjacent levee or nearby waterways, and will not adversely impact navigation.**
10. The development will not result in any increased requirements or restrictions upon agricultural practices in the primary zone.
  - **The subject parcel has a General Plan designation of General Agriculture (A/G), and a zoning of AG-80 (General Agriculture with an 80-acre minimum). The Agricultural Processing - Food Manufacturing use type may be conditionally permitted in the AG-80 zone subject to a Use Permit application. As such, the proposed project will not impact the current zoning or General Plan designation. Furthermore, the San Joaquin County Right-To-Farm Ordinance (Section 6-9004[3]) recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs, practices, and standards; and has determined that inconveniences or discomforts associated with such agricultural operations or activities shall not be considered a nuisance. As a result, the proposed project will not result in any increased requirements or restrictions upon agricultural practices in the Primary Zone.**



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## **Community Development Department**

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# **Attachment H**

## **Updated Conditions of Approval**

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## UPDATED CONDITIONS OF APPROVAL

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PA-1800071  
VICTORIA ISLAND, LP / EDGE OF CULTIVATION, LLC

**A one-year Time Extension application for Use Permit Application No. PA-1800071 was approved by the Planning Commission on. The original effective date of approval is June 31, 2018. This approval will expire on December 31, 2019 2020, which is 48 30 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.**

**Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to 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 (Staff Contact: Stephanie Stowers, [209] 468-9653)

- 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 a craft distillery to be established in two (2) phases over ~~three (3)~~ four (4) years, as shown on the site plan dated March 23, 2018. (Use Type: Produce Sales - Agricultural Processing - Food Manufacturing)

Phase 1 (with building permits to be issued within ~~eighteen (18)~~ thirty (30) months of the original effective date of approval), includes the conversion of an existing 4,800 square foot agricultural processing building into a distillery building.

Phase 2 (with building permits to be issued within ~~three (3)~~ four (4) years of the effective date of approval), includes the conversion of 54,425 square foot existing agricultural processing building into a distillery multi-purpose building including barrel-aging room, distilling area, bottling line, tasting room, and shipping and receiving area.

The existing truck scale is for private use only. Remaining existing agricultural structures are to be utilized for private agricultural use only and are not tied to this application.

- 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. **PARKING:** Off-street parking shall be provided and comply with the following:
- (1) All parking spaces, driveways, and maneuvering areas shall be surfaced and

permanently maintained with asphalt concrete or Portland cement concrete to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1070.5[h])

- (2) A total of 134 parking spaces shall be provided at full buildout. (Development Title Section 9-1015.3[b])

Phase 1: A minimum of twelve (12) parking spaces shall be provided.

Phase 2: A minimum of 122 parking spaces shall be provided.

- (3) Parking spaces for persons with disability shall be provided as required by Chapters 11A and 11B of the California Building Code.
- (4) Each parking stall shall be an unobstructed rectangle, minimum nine (9) feet wide and twenty (20) feet long. (Development Title Section 9-1015.5[b])
- (5) All parking stalls and directional arrows must be delineated with paint. (Development Title Section 9-1015.5[d])

- e. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:

- (1) Access driveways shall have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than twenty (20) feet wide. (Development Title Section 9-1015.5[f][1])

- f. **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])

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

- (1) This project will be required to comply with the Model Water Efficient Landscape Ordinance Requirement per California Code of Regulations, Title 23, Division 2, Chapter 2.7.

- h. **SCREENING:** Screening shall be provided and comply with the following:

- (1) All storage materials and related activities, including storage areas for trash, shall be screened so as not to be visible from adjacent properties and public rights-of-way. Screening shall be six (6) to seven (7) feet in height. Outside storage is not permitted in front yards, street side yards, or in front of main buildings. (Development Title Section 1022.4[d][2])

- i. **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 (Staff contact: Alex Chetley, [209] 468-3023)

- a. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
- b. The Traffic Impact Mitigation Fee shall be required for any incremental traffic resulting from 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)
- c. The Regional Transportation Impact Fee shall be required for any incremental traffic resulting from 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)
- d. A copy of the Final Site Plan shall be submitted prior to release of building permit.
- e. 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. Contact SWRCB at (916) 341-5537 for further information. Coverage under the SWRCB General Construction Permit Order 2009-0009-DWQ shall be maintained throughout the duration of all phases of the project.
- f. All new construction and the substantial improvements of any structures, including conversion of existing structures, shall meet the flood requirements contained in Development Title Section 9-1605 as applicable. The final site plan shall be submitted for review and approval by the Flood Management Division of the Department of Public Works (209) 953-7612.

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: (Staff contact: Jeffrey Wong, [209] 468-0335)

- a. An application for Waste Discharge Requirements must be submitted to the Central Valley Regional Water Quality Control Board prior to development (California Water Code, Article 4, Section 13260).
- b. 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(s). (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test 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. The fee will be based on the current schedule at the time of payment.

- c. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).

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

Applicant shall contact Robert McClellon, Program Coordinator, Small Public Water System Program, at (209) 468-0332, to determine if the existing Transient Non-community water well can be permitted as a public water system prior to final occupancy.

- d. 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.

- 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/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- f. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report to the California Environmental Reporting System (CERS) which can be found at [cers.calepa.ca.gov/](http://cers.calepa.ca.gov/) for the following:

- (1) Any amount of hazardous waste (for distribution centers this may include broken or damaged pallets (or individual containers) of hazardous materials, soaps, perfumes, cleaners, dyes, nicotine, over the counter medicines, or other household items packaged for sale that have been damaged; used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc.) –Hazardous Waste Program.
  - (2) Onsite treatment of hazardous waste – Hazardous Waste Treatment Tiered Permitting Program.
  - (3) Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – Hazardous Materials Business Plan Program.
  - (4) Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program.
  - (5) Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – Aboveground Petroleum Storage Program.
  - (6) Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program.
- g. If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin. Additionally, an EHD permit to operate the UST is required once the UST system is installed.
  - h. If 1,320 gallons or more of petroleum is to be stored aboveground then a Spill Prevention, Countermeasures and Control (SPCC) Plan is required. If any amount of petroleum is to be stored in a below grade vault, an SPCC plan is required.
4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Staff contact: Laurel Boyd, [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. CALIFORNIA DEPARTMENT OF TRANSPORTATION (Staff contact: Joshua Swearingen, [209] 948-7142)
    - a. All work done within State Right of Way will require an Encroachment Permit.



**Planning Commission Staff Report  
Item #3, May 7, 2020  
Time Extension No. PA-1600266  
Prepared by: Giuseppe Sanfilippo**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** Phrabuddhivongsamunee Buddhist Temple  
**Project Applicant:** Sombun Laxsanaamporn

**Project Site Information**

**Project Address:** 11253 North Thornton Road, Stockton  
**Project Location:** On the west side of North Thornton Road, 2,630 feet north of Eight Mile Road, Stockton

<b>Parcel Number (APN):</b>	055-200-03	<b>Water Supply:</b>	Private (Well)
<b>General Plan Designation:</b>	A/UR	<b>Sewage Disposal:</b>	Private (Septic)
<b>Zoning Designation:</b>	AG-40	<b>Storm Drainage:</b>	Private (On-site)
<b>Project Size:</b>	1.5-acres	<b>100-Year Flood:</b>	No
<b>Parcel Size:</b>	4.6-acres	<b>Williamson Act:</b>	No
<b>Community:</b>	Stockton	<b>Supervisory District:</b>	3

**Environmental Review Information**

**CEQA Determination:** Notice of Exemption (Attachment C, Environmental Document)

**Project Description**

This project is a one-year Time Extension application for a previously approved Use Permit application to expand an existing neighborhood religious assembly facility with a maximum seating capacity of 120 people. The expansion includes the construction of a 4,183-square-foot dormitory building with a kitchen and fellowship hall for visiting monks, and the addition of two (2) 400-square-foot storage containers. The project also includes three (3) temporary tents totaling 4,420 square feet to be used seasonally, for accessory events only. The approved maximum number of attendees will not change. (Use Type: Religious Assembly-Neighborhood).

With the original approval, building permits for the projects were to be issued within eighteen (18) months from the effective date of approval. If approved, this Time Extension will extend the project approval by one (1) year. If approved, the new expiration date for the project will be February 25, 2021.

## **Recommendation**

1. Adopt the previously approved Findings for Use Permit (Attachment D, Findings);
2. Approve the Time Extension for Use Permit No. PA-1600266 with the attached previously approved Findings and Updated Conditions of Approval (Attachment E, Updated Conditions of Approval).

## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

**Legal ad for the public hearing published in the Stockton Record:** April 27, 2020.

**Number of Public Hearing notices:** 16

**Date of Public Hearing notice mailing:** April 24, 2020

### Referrals and Responses

- **Project Referral with Environmental Determination Date:** February 7, 2020
- **OPR State Clearinghouse #:**  
N/A

Agency Referrals	Response Date - Referral
<b>County Departments</b>	
Ag Commissioner	2/11/2020
Assessor	
Board of Supervisors- District 3	
Building Division	
Fire Prevention Bureau	
Public Works	2/18/2020
Environmental Health	2/12/2020
General Services	
Sheriff Office	
Mosquito & Vector Control	
<b>State Agencies</b>	
A.B.C.	
Department of Transportation	
District 10	
Division of Aeronautics	
C.H.P.	
C.R.W.Q.C.B.	
C.V.F.P.B.	
Fish & Wildlife, Division: 2	
Department of Conservation	
<b>Federal Agencies</b>	
F.A.A.	
F.E.M.A.	2/18/2020
U.S. Fish and Wildlife	

Agency Referrals	Response Date - Referral
<b>Local Agencies</b>	
A.L.U.C.	
City of Lodi	
City of Stockton	
Delta Protection Commission	
Lodi Unified School District	
S.J.C.O.G.	2/24/2020
San Joaquin Farm Bureau	2/26/2020
San Joaquin Air Pollution Control District	
Woodbridge Irrigation District	
Lincoln Fire District	
<b>Miscellaneous</b>	
A.T.&T.	
B.I.A.	
Builders Exchange	
King-Lodi Airport	
Haley Flying Service	
North Valley Yokuts Tribe	
P.G.&E.	2/24/2020
Precissi Flying Service	
Sierra Club	

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## ANALYSIS

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### **Background**

On August 16, 2018, the Planning Commission approved Use Permit No. PA-1600266 to expand an existing neighborhood religious assembly facility with a maximum seating capacity of 120 people. The expansion includes the construction of a 4,183-square-foot dormitory building with a kitchen and fellowship hall for visiting monks, and the addition of two (2) 400-square-foot storage containers.

Pursuant to Development Title Section 9-220.13(b), approved applications shall lapse and become void eighteen (18) months after the effective date of approval if a required building permit is not issued or has lapsed. As a result, the expiration date for this planning application was February 25, 2020.

On November 19, 2019, the applicant submitted plans for the dormitory expansion (BP-1905051), and the plans required corrections. On January 29, 2020, the applicant filed a one-year Time Extension application. If this Time Extension application is approved, the new expiration date for will be February 25, 2021.

### **Agricultural Commissioner**

The Community Development Department received an e-mail dated February 11, 2020, from the Agricultural Commissioner's office regarding concerns about the compatibility of the religious assembly facility and farming operations surrounding the property. The project site is surrounded by actively farmed vineyards to the north, west, and south and the concern is that that pesticide applications for the farming operations have the potential to impact the religious assembly. Therefore, the Agricultural Commissioner's office requests that the applicants install a solid fence or a living fence (vegetation) around the parcel as a mitigation measure to reduce these potential impacts to a less than significant level. The Community Development Department has reviewed this request, and concurs that a solid fence or living fence is required. The applicant has agreed to this condition of approval and as a result, a solid fence or living fence has been added to the recommended Conditions of Approval.

### **Farm Bureau**

The Community Development Department has received one (1) letter dated February 26, 2020, in opposition of the project from the San Joaquin Farm Bureau Federation stating land use compatibility concerns, and acknowledgement of the Right to Farm ordinance. The San Joaquin Farm Bureau Federation previously commented on the project with the same comments, and the comments were previously addressed.

**Land use compatibility:** The letter states concerns regarding land use compatibility for Religious Assembly - Neighborhood uses in the AG-40 (General Agriculture, 40-acre minimum) zone, and the potential impact on agricultural operations.

The Religious Assembly - Neighborhood Use Type is a conditionally permitted use in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Use Permit application, which, if approved, will be subject to the attached updated Conditions of Approval that provide requirements for development including providing adequate parking and setbacks and installation of a solid fence or living fence to ensure land use compatibility

**Right to Farm:** The San Joaquin Farm Bureau Federation letter also states that "should this project move forward the applicants must acknowledge the Right to Farm ordinance and provide adequate parking and setbacks to minimize disruption to the commercial agricultural production in the vicinity of the project site."

All uses in the agricultural zone are subject to the San Joaquin County Right-to-Farm Ordinance (Ordinance Code of San Joaquin County Section 6-9004[C]), which states that San Joaquin County recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs, practices, and standards. The Right-to-Farm Ordinance states, "Residents of property on or near agricultural land should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities. Such inconveniences or discomforts shall not be considered to be a nuisance". Therefore, the proposed religious assembly is subject to the Right-to-Farm Ordinance and must accept any inconveniences related to agricultural operations or activities as a normal and necessary aspect of operating the religious assembly in an agricultural area.

### **CEQA Exemption**

This application is a one-year Time Extension, which will add one (1) year to the project. No other changes are proposed with this application, and no additional Conditions of Approval are recommended for adoption. CEQA Guidelines Section 15061(b)(3), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Community Development Department determined that the proposed one-year Time Extension will not cause a significant effect on the environment.

## **RECOMMENDATION**

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It is recommended that the Planning Commission:

1. Adopt the previously approved Findings for Use Permit (Attachment D, Previously Approved Findings);
2. Approve the Time Extension for Use Permit No. PA-1600266 with the attached Updated Conditions of Approval (Attachment E, Updated Conditions of Approval).

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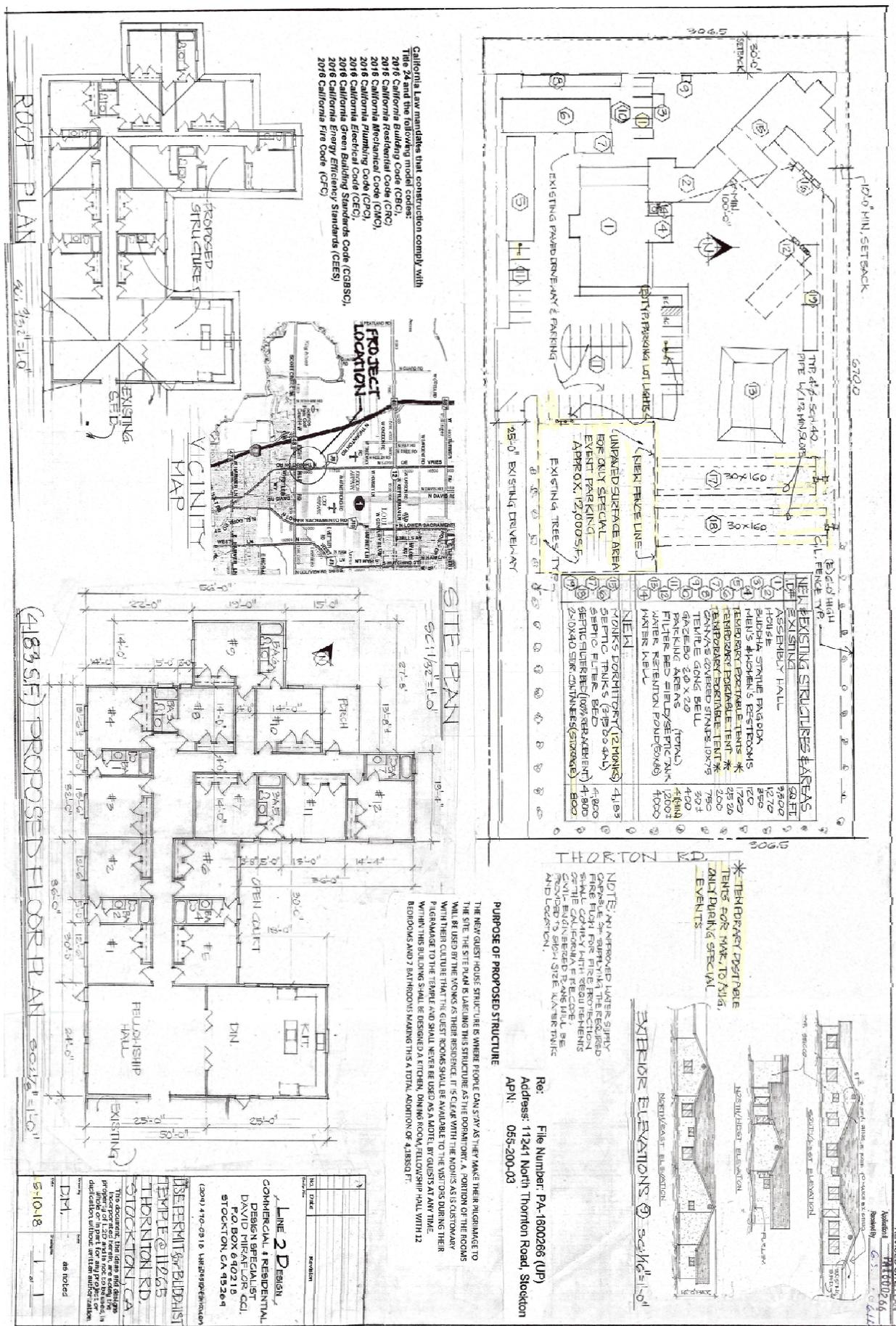
**SAN JOAQUIN**  
— COUNTY —  
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# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment A Site Plan

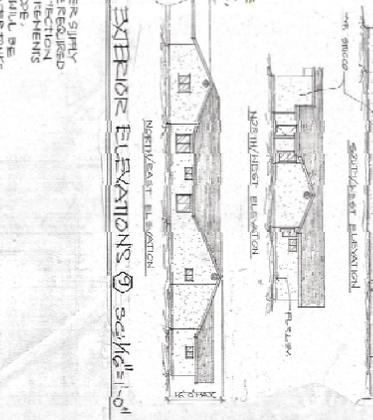
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California Law mandates that construction comply with the following codes:  
 2016 California Building Code (CBC),  
 2016 California Residential Code (CRC),  
 2016 California Mechanical Code (CMC),  
 2016 California Plumbing Code (CPC),  
 2016 California Electrical Code (CEC),  
 2016 California Energy Efficiency Standards Code (CEES),  
 2016 California Fire Code (CFC).

ITEM	DESCRIPTION	QTY	UNIT PRICE	TOTAL
1	NEW EXISTING STRUCTURES & AREAS			
1	EXISTING HOUSE	1	1,270	1,270
2	ASSEMBLY HALL	1	850	850
3	STUDIO STRIKE PAD/DA	1	1,270	1,270
4	MEN'S & WOMEN'S RESTROOMS	2	250	500
5	RECREATION EXERCISE TENNIS	1	250	250
6	TEMPORARY PORTABLE TOILET	1	250	250
7	TEMPORARY PORTABLE TOILET	1	250	250
8	TEMPORARY PORTABLE TOILET	1	250	250
9	TEMPORARY PORTABLE TOILET	1	250	250
10	PACKING AREAS	1	400	400
11	FLUTE PAD AIRLIFT/SEPTIC TANK	1	200	200
12	WATER RESTRICTION PUMP/BOX	1	400	400
13	WATER LABEL	1	400	400
14	NEW			
15	NEW DOORWAY (12 HOLES)	4	1,125	4,500
16	NEW STAIRS (3 UP 3 DN)	1	4,800	4,800
17	SEPTIC FILTER BED	1	4,800	4,800
18	SEPTIC PUMP/BOX (100% SCHEDULE)	1	4,800	4,800
19	250x400 SINK CHAINES (SCHEDULE)	1	4,800	4,800

\*TEMPORARY OPEN PILE  
 TENTS FOR MARK TO 2016,  
 ZONE PARKING SPECIAL  
 EVENTS



NOTE: AN APPROVED WATER SUPPLY  
 CONNECTION IS REQUIRED FOR THE REQUIRED  
 FIRE FIGHT FOR FIRE PROTECTION  
 OF THE CALIFORNIA FIRE CODE  
 CIVIL ENGINEERED PLANS WILL BE  
 AND LOCATION.

THE NEW GUEST HOUSE STRUCTURE IS WHERE PEOPLE CAN STAY AS THEIR RIGHTS ARE TO  
 THE SITE. THE SITE PLAN IS DRAWING THIS STRUCTURE AS THE DOWN SIDE, A PORTION OF THE ROOMS  
 WILL BE THE SITE PLAN. THE ROOMS WILL BE THE DOWN SIDE, A PORTION OF THE ROOMS  
 WITH THEIR CULTURE THINGS IN THEIR RESIDENCE. IT IS CLEAR WITH THE ROOMS AS IS USUALLY  
 FIGURED TO THE TENT, AND ALL ROOMS WILL BE AVAILABLE TO THE VISITORS DURING THEIR  
 VISIT. THE BUILDING SHALL BE DESIGNED A KITCHEN, DINING ROOM, BATHROOM, AND A  
 BEDROOMS AND 2 BATHROOMS MAKING THIS A TOTAL ADDITION OF 4,183 S.F.

PURPOSE OF PROPOSED STRUCTURE  
 THE NEW GUEST HOUSE STRUCTURE IS WHERE PEOPLE CAN STAY AS THEIR RIGHTS ARE TO  
 THE SITE. THE SITE PLAN IS DRAWING THIS STRUCTURE AS THE DOWN SIDE, A PORTION OF THE ROOMS  
 WILL BE THE SITE PLAN. THE ROOMS WILL BE THE DOWN SIDE, A PORTION OF THE ROOMS  
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 VISIT. THE BUILDING SHALL BE DESIGNED A KITCHEN, DINING ROOM, BATHROOM, AND A  
 BEDROOMS AND 2 BATHROOMS MAKING THIS A TOTAL ADDITION OF 4,183 S.F.

NO.	DATE	REVISION
1	5-10-18	as noted

LINE 2D DESIGN  
 COMMERCIAL & RESIDENTIAL  
 DESIGN SPECIALIST  
 DAVID MERRILLIST  
 8100 N. 11TH ST.  
 STOCKTON, CA 95210  
 (209) 470-0918

DEBERMIT & BUDALIST  
 TEMP # @ 11265  
 THORNTON RD.  
 STOCKTON, CA

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# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment B Response Letters

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**Department of Public Works**

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Jim Stone, Deputy Director/Operations

Najee Zarif, Interim Deputy Director/Engineering

Kristi Rhea, Manager of Strategic Initiatives

February 18, 2020

MEMORANDUM

TO: Community Development Department  
 CONTACT PERSON: Giuseppe Sanfilippo

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

SUBJECT: PA-1600266; A One-Year Time Extension application for a previously approved Use Permit application for the expansion of an existing 4,311 square foot neighborhood religious assembly facility for a maximum of 120 attendees. The project includes the construction of a 4,183 square foot dormitory building with a kitchen and fellowship hall for visiting monks and the addition two (2) 400 square foot storage containers. The project also includes three (3) temporary tents totaling 4,420 square feet to be used seasonally; located on the west side of Thornton Road, 2,630 feet north of Eight Mile Road, Stockton. (Supervisorial District 3)

PROPERTY OWNER: Phrabuddhivongsamunee  
 Buddhist Temple

APPLICANT: David Miraflor

ADDRESS: 11241 North Thornton Road, Stockton

APN: 055-200-03

INFORMATION:

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

Thornton Road has an existing right-of-way width of 95 feet (55 feet west of centerline) and a planned right-of-way width of 110 feet.

RECOMMENDATIONS:

1. None. All previous conditions apply.

AC:CH

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FEB 20 2020

San Joaquin County  
 Community Development

1810 East Hazelton Avenue | Stockton, California 95205 | T 209 468 3000 | F 209 468 2999

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— COUNTY —

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## Environmental Health Department

**Kasey Foley**, REHS, Interim Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Michael Kith, REHS

Melissa Nissim, REHS

02/12/2020

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

From: Aaron Gooderham; (209) 468-3442 ✓  
Environmental Health Specialist

RE: **PA-1600266 (UP), Referral (Time Extension), SU0013027**  
**11241 North Thornton Road, Stockton**

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All conditions of approval, dated May 16, 2018, are still in effect.

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | [www.sjgov.org/ehd](http://www.sjgov.org/ehd)



## S J C O G, Inc.

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

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

### Certificate of Payment CP-19-80

*This Certificate of Payment serves as acknowledgement for payment of development fees pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan. The project and fee amount paid are provided below.*

**Project:** Monk's Dormitory Project (PA-1600266)

**Project Jurisdiction:** San Joaquin County

**Assessor Parcel Number(s):** 055-200-03

**Project Impact(s):** 0.11 acres of Agricultural (C34) Habitat

**Payment Date:** July 17, 2019

**Fee Amount:** 0.11 acres x \$13,399.00 per acre = \$1,473.89

**Total Amount Paid= \$1,473.89**

**Certificate Prepared By:** Laurel Boyd

**Payment Received By Signature:**

**Print Name:** Laurel K Boyd **Date:** July 17, 2019

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San Joaquin County  
Community Development

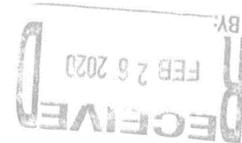
U.S. Department of Homeland Security  
FEMA Region IX  
1111 Broadway, Suite 1200  
Oakland, CA. 94607-4052



FEMA

February 18, 2020

Giuseppe Sanfilippo, Project Planner  
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 Application Number PA 1600266 (UP, TE), (APN/Address: 055-200-03/11241 North Thornton Road, Stockton) (Supervisorial District 3).

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 Stockton (Community Number 060302), Maps revised October 16, 2009. Please note that the City of Stockton, 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.

[www.fema.gov](http://www.fema.gov)

Giuseppe Sanfilippo, Project Planner  
Page 2  
February 18, 2020

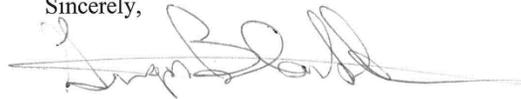
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than 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 Stockton floodplain manager can be reached by calling David Kwong, Director, Community Development Department, at (209) 937-8444. 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 Patricia Rippe at (510) 627-7015 or Julia Gillespie at (510) 627-7248, of the Mitigation staff.

Sincerely,



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

cc:

David Kwong, Director, Community Development Department, City of Stockton  
John Maguire, Engineering Services Manager, Flood Management Division, Public Works  
Department, San Joaquin County  
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region  
Office  
Patricia Rippe, Senior Floodplain Management Specialist, DHS/FEMA Region IX  
Julia Gillespie, Floodplain Management Specialist, DHS/FEMA Region IX  
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

[www.fema.gov](http://www.fema.gov)



# SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

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MAR 06 2020

San Joaquin County  
Community Development

February 26, 2020

Attn: Giuseppe Sanfilippo  
San Joaquin County Community Development Department  
Development Services Division  
1810 East Hazleton Avenue  
Stockton, CA 95205  
**Re: PA- 1600266 (UP)**

Dear Mr. Sanfilippo:

The San Joaquin Farm Bureau Federation is a private, not for profit organization dedicated to the advancement of the agricultural industry within San Joaquin County. The protection of our increasingly threatened agricultural land remains one of our highest priorities. Because of the unique nature of this invaluable resource, we oppose the use of agricultural land for religious assembly.

We respect the right of individuals to worship however they choose, the issue is the location of where the worship occurs. Uses that will be open to the general public and are not agricultural in nature are disruptive to adjacent agricultural uses because of traffic and parking, setbacks, and event concerns. Non- agricultural uses on agriculturally zoned property presents many challenges and conflicts for existing, commercially productive agricultural operations that neighbor these sites. We are specifically concern with the seasonal tents. Agricultural operations vary with different times of the year, which non-rural visitors may not be use to and find inconvenient to themselves without regard to the necessity of the timing and procedure for the grower to produce quality and safe food. Growers are under tremendous pressure from various regulatory agencies because of the integration of public uses in rural, agricultural areas.

Should this project move forward, the applicants must acknowledge the Right to Farm ordinance and minimize disruption to the commercial agricultural production in the vicinity of the project site.

We appreciate the opportunity to comment on this application, please keep us apprised of its status.

Sincerely,

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

David Strecker  
President

3290 NORTH AD ART ROAD • (209) 931-4931 • STOCKTON, CALIFORNIA 95215

**Sanfilippo, Giuseppe [CDD]**

---

**From:** Fowler, Jessica  
**Sent:** Tuesday, February 11, 2020 3:10 PM  
**To:** Sanfilippo, Giuseppe  
**Subject:** PA-1600266 (UP, TE)

Hi, Giuseppe:

In regards to application PA-1600266 (UP, TE) for the expansion of existing facilities at APN 055-200-03, our office has reviewed the application plan proposal and found that the site is situated directly adjacent to actively farmed vineyards to the west, south, and north. Due to the pesticide applications that farming operations, like vineyards, require and the potential impacts a home(s) would pose, we request that the project managers/property owners implement a solid fence and/or living fence (hedge) around the parcel as part of their mitigating measures.

Sincerely,

*Jesse Fowler*

Jessica Fowler  
Deputy Agricultural Commissioner  
San Joaquin County Department of Agriculture  
2101 East Earhart Avenue, Suite 100, Stockton, CA 95206  
Phone: (209)953-6000  
Fax: (209)953-6022  
[jfowler@sjgov.org](mailto:jfowler@sjgov.org)

February 24, 2020

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

Ref: Gas and Electric Transmission and Distribution

Dear Mr. Sanfilippo,

Thank you for submitting 11241 North Thornton Rd - PA-1600266 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

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

Below is additional information for your review:

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

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

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

Sincerely,

Plan Review Team  
Land Management

### Attachment 1 – Gas Facilities

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

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

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

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

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

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 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 ( $90^\circ \pm 15^\circ$ ). 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/sb55g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

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

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

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# Community Development Department

Planning · Building · Neighborhood Preservation

## **Attachment C** **Environmental Document**

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**NOTICE OF EXEMPTION**

TO:  Office of Planning & Research  
P. O. Box 3044, Room 212  
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:** One-Year Time Extension No. PA-1600266

**Project Location - Specific:** The project site is on the west side of Thornton Road, 2,630 feet north of Eight Mile Road, Stockton. (APN/Address: 055-200-03/11241 North Thornton Road, Stockton) (Supervisorial District: 3)

**Project Location – City:** Stockton

**Project Location – County:** San Joaquin County

**Project Description:** A One-Year Time Extension application for a previously approved Use Permit application for the expansion of an existing 4,311 square foot neighborhood religious assembly facility for a maximum of 120 attendees. The project includes the construction of a 4,183 square foot dormitory building with a kitchen and fellowship hall for visiting monks, and the addition of two (2) 400 square foot storage containers. The project also includes three (3) temporary tents totaling 4,420 square feet to be used seasonally. No change is proposed to the maximum number of attendees. This parcel is not under a Williamson Act contract.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/UR (Agriculture Urban Reserve).

**Project Proponent(s):** Phrabuddhivongsamunee Buddhist Temple / Sombun Laxsanaamporn

**Name of Public Agency Approving Project:** San Joaquin County Community Development Department

**Name of Person or Agency Carrying Out Project:** Giuseppe Sanfilippo, Associate Planner  
San Joaquin County Community Development Department

**Exemption Status:**  
General Exemptions. (Section 15061(b)(3))

**Exemption Reason:**  
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Domenico Martorella Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: \_\_\_\_\_

*Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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## **Community Development Department**

Planning · Building · Neighborhood Preservation

### **Attachment D Previously Approved Findings**

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## Previously Approved Findings

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1. The proposed use 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 Religious Assembly-Neighborhood use type is consistent with the General Plan's General Agriculture (A/G) designation and in turn may be conditionally permitted with a Use Permit application in the General Agriculture, 40 acre minimum (AG-40) zone. The proposed expansion of an existing neighborhood religious assembly is consistent with the goals, policies, standards, and maps of the General Plan, and there are no Master Plans or Special Purpose Plan applicable to this site.**
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 necessary facilities and improvements are existing or proposed. The Environmental Health Department is requiring a soil suitability/nitrate loading study that incorporates the proposed expansion to determine the area suitable for septic tank usage. The construction of an individual sewage disposal system under permit and inspection by the Environmental Health Department is required at the time of development based on the San Joaquin County Sewage Standards and proposed population served. Also as a Condition of Approval, the Department of Public Works is requiring the developer to provide drainage facilities that meet the requirements of San Joaquin County Development Standards for any additional runoff attributed to this project development.**
3. The site is physically suitable for the type of development and for the intensity of development.
  - **This finding can be made because the 4.6-acre parcel is of adequate size and shape to accommodate the proposed expansion to the existing neighborhood religious assembly facility and all necessary improvements. The site plan shows that there is sufficient area for parking and circulation, in compliance with Standards of the Development Title. The access driveway meets the twenty-five (25) foot minimum requirement for two-way access.**
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. Outdoor events shall comply with the noise performance standards for stationary noise to assure any impacts are less than significant.**
5. The use is compatible with adjoining land use.
  - **This finding can be made because the proposed use will not interfere with nor alter the current land uses on adjacent properties. The surrounding parcels are agricultural with scattered residences. The proposed use may be conditionally permitted in the AG-40 zone with an approved Use Permit application.**

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# **Community Development Department**

Planning · Building · Neighborhood Preservation

## **Attachment E**

### **Updated Conditions of Approval**

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## Updated Conditions of Approval

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**A one-year Time Extension for Use Permit Application No. PA-1600266 was approved by the Planning Commission on April 2, 2020. The effective date of approval is August 25, 2018. This approval will expire on February 25, 2020 2021, which is 48 30 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.**

**Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to 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). A fee is required for the Site Plan review. (Development Title Section 9-884)
- b. **APPROVED USE:** This approval is for an expansion of an existing neighborhood religious assembly facility for a maximum seating capacity of 120 people as shown on the revised site plan dated June 1, 2018. (Use Type: Religious Assembly-Neighborhood).
  - A. This project includes the construction of the following structures:
    - 4,183-square-foot dormitory building.
    - Two (2) 400-square-foot storage containers.
    - Three (3) temporary tents totaling 4,420 square feet for events only.
  - B. The existing structures include:
    - 3,911 square foot assembly hall.
    - 400 square foot detached bathrooms.
    - 1,269 square foot single family residence.

These Conditions of Approval supersede the Conditions of Approval for Site Approval application No. PA-0900291.

- 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. **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 base material of appropriate depth and asphalt concrete to provide a durable, dust free surface. Bumper guards shall be provided where necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])

2. A minimum of forty (40) parking spaces shall be provided. (0.33 spaces are required per seat.) (Development Title Section 9-1015.3)
  3. Each 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. All parking stalls and directional arrows must be delineated with paint. (Development Title Section 9-1015.5[d])
  5. Parking spaces for persons with disability shall be provided as required by Chapters 11A and 11B of the California Building Code.
- e. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:
1. Access driveways shall have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than twenty (20) feet wide. (Development Title Section 9-1015.5[f][1])
- f. **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 no cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])
- g. **LANDSCAPING:** Landscaping shall be provided and comply with the following:
1. A minimum ten (10) foot wide landscaped strip, respecting the ultimate right-of-way with of Thornton Road, shall be installed across the frontage of the project site (Development Title Section 9-1020.5[c]).  
  
The existing landscaping meets this requirement.
  2. Areas of the property which are not part of the project shall be barricaded from traffic and kept mowed and dust free.
- h. **SCREENING:** Screening shall be provided and comply with the following:
1. All storage materials and related activities, including storage areas for trash, shall be screened so as not to be visible from adjacent properties and public right-of-ways. Screening shall be six (6) to seven (7) feet in height. Outside storage is not permitted in front yards, street side yards, or in front of main buildings. (Development Title Section 9-1022.4[d][2])
  2. A six (6) to seven (7) foot tall solid or living fence shall be installed along the north, west, and south property line of parcel 055-200-03.

- i. **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])
- j. **SPECIAL OUTDOOR EVENTS:** The New Year and Katin celebration do not require a Special Outdoor Event application.
- k. **BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:
  - 1. A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with the 2016 California Building, Existing Building, Mechanical, Plumbing, Electrical, Energy and Fire Codes as may be applicable. Plans for the different buildings or structures may be combined into a single set of construction documents.
  - 2. A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.
  - 3. The required plans must be complete at the time of submittal for a building permit. Plans must address building design and construction, fire and life safety requirements, accessibility and show compliance with the current California codes and San Joaquin County ordinances. A complete set of plans must include fire sprinkler plans, truss design submittals, metal building shop drawings, structural plans and calculations, plumbing, electrical and mechanical drawings and energy report.
  - 4. For each proposed new building, provide the following information on the plans:
    - A. Description of proposed use
    - B. Existing and proposed occupancy Groups
    - C. Type of construction
    - D. Sprinklers (Yes or No)
    - E. Number of stories
    - F. Building height
    - G. Allowable floor area
    - H. Proposed floor area
    - I. Occupant load based on the CBC
    - J. Occupant load based on the CPC
  - 5. Accessible routes shall be provided per CBC § 11B-206. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B- 206.2.1

6. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
7. Parking spaces will be required to accommodate persons with disabilities in compliance with Chapter 11B of the California Building Code. Note that accessible parking spaces are required for each phase of the project. These parking space(s) shall be located as close as possible to the primary entrance to the building.
8. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
9. Pursuant to Section 422.4 of the California Plumbing Code, toilet facilities shall be accessible to employees at all times, should not be more than 500 feet from where employees are regularly employed and accessible by not more than one (1) flight of stairs. The plans shall indicate the location of the toilet facilities and the travel distance from work areas.
10. This project will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2, Chapter 2.7
11. Permits for temporary tents shall be obtained from City of Stockton Fire Department.

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

- a. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 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. (Development Title Section 9-1135)
- b. 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)
- c. 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)
- d. A copy of the Final Site Plan shall be submitted prior to release of building permit.
- e. The proposed project disturbs less than one (1) acre of ground and is not part of a larger plan of common development. The construction phase of the proposed project shall follow best management practices as may be appropriate to minimize the discharge and transport of pollutants. (Title 5-Health and Sanitation, Division 10-Storm Water Management and Discharge Control)

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

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test 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. The fee will be based on the current schedule at the time of payment.

- b. The existing private water well shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory. (San Joaquin County Development Title, Section 9-1115.7).
- c. Submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)). Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- d. Applicant shall contact Robert McClellon, Program Coordinator, Small Public Water System Program, at (209) 468-0332, to determine if the existing well can be permitted as a public water system prior to issuance of building permit(s).

- e. Destroy the abandoned well, which was identified on EHD well permit 79-1210 dated November 1, 1979, under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-1115.5(e).
- 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).
- g. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at [cers.calepa.ca.gov/](http://cers.calepa.ca.gov/) and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases).
  1. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – Hazardous Waste Program (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)
  2. Onsite treatment of hazardous waste – Hazardous Waste Treatment Tiered Permitting Program (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
  3. Reportable quantities of hazardous materials-reportable quantities are fifty-five 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – Hazardous Materials Business Plan Program (HSC Sections 25508 & 25500 et sec.)
  4. Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.)
    - If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.
    - Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
  5. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – Aboveground Petroleum Storage Program (HSC Sections 25270.6 & 25270 et sec.)
    - Spill Prevention, Countermeasures and Control (SPCC) Plan requirement
  6. Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.
    - Risk Management Plan requirement for covered processes

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.



**Planning Commission Staff Report**  
**Item #4, May 7, 2020**  
**Use Permit No. PA-1900127**  
**Prepared by: Alisa Goulart**

**PROJECT SUMMARY**

**Applicant Information**

**Property Owner:** Gurdwara Gur Nanak Parkash, Inc.  
**Project Applicant:** Sukhjot "Tony" Singh

**Project Site Information**

**Project Address:** 16101 West Grant Line Road, Tracy  
**Project Location:** On the north side of West Grant Line Road, 985 feet east of South Hansen Road, northwest of Tracy

<b>Parcel Number (APN):</b>	209-190-33	<b>Water Supply:</b>	Private (Well)
<b>General Plan Designation:</b>	A/G	<b>Sewage Disposal:</b>	Private (Septic)
<b>Zoning Designation:</b>	AG-40	<b>Storm Drainage:</b>	On-site
<b>Project Size:</b>	13 acres	<b>100-Year Flood:</b>	No
<b>Parcel Size:</b>	20 acres	<b>Williamson Act:</b>	No
<b>Community:</b>	Tracy	<b>Supervisory District:</b>	5

**Environmental Review Information**

**CEQA Determination:** Mitigated Negative Declaration (See Attachment C, Environmental Document)

**Project Description**

This project is a Use Permit application to expand an existing religious assembly in two (2) phases over four (4) years. The proposal includes increasing the maximum seating capacity from 170 to 700. Phase 1 includes the construction of a 28,965 square foot assembly hall, a 250 square foot well house, a 700 square foot fire suppression water pump house, a 6,453 square foot porch and hallway structure to connect the proposed assembly hall with a future social hall, and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase 2 includes the construction of a 17,715 square foot social hall with a kitchen, dining area, and retreat area. (Use Type: Religious Assembly – Regional) (See Attachment A, Site Plan)

**Recommendation**

1. Adopt the Mitigated Negative Declaration (Attachment C, Environmental Document);
2. Adopt the Findings for Use Permit (Attachment D, Findings); and
3. Approve Use Permit No. PA-1900127 with the attached Conditions of Approval (Attachment E, Conditions of Approval)

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## NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

### Public Hearing Notices

**Legal ad for the public hearing published in the Stockton Record:** April 27, 2020

**Number of Public Hearing notices:** Thirty-one (31)

**Date of Public Hearing notice mailing:** April 24, 2020

### Referrals and Responses

- **Early Consultation Date:** June 14, 2019
- **Project Referral with Environmental Determination Date:** January 24, 2020
- **Mitigated Negative Declaration Posting Date:** January 21, 2020
- **OPR State Clearinghouse #:** 2020019058

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
<b>County Departments</b>		
Ag Commissioner		
Assessor		
Building Division	6/27/2019	
Fire Prevention Bureau		
Public Works	12/23/2019	1/29/2020
Environmental Health	7/23/2019	9/17/2019
General Services		
Sheriff Office		
Supervisor District 5		
Delta Commission		
<b>State Agencies</b>		
Caltrans District 10		
C.H.P.		
C.R.W.Q.C.B.	7/3/2019	
C.V.F.P.B.		
Fish & Wildlife, Division: 3		2/11/2020
Department of Conservation		
<b>Federal Agencies</b>		
F.E.M.A.		
US Fish & Wildlife		
Army Corps of Engineers		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
<b>Local Agencies</b>		
Delta Stewardship Council		
South San Joaquin Co. Fire Authority	7/18/2019	
Mosquito & Vector Control		
S.J.C.O.G.	10/3/2019	
San Joaquin Farm Bureau	6/26/2019	
San Joaquin Air Pollution Control District	7/2/2019	12/13/2019
West Side Irrigation District		
Lammersville Unified School District		
<b>Miscellaneous</b>		
A.T.&T.		
Delta Keeper		
Union Pacific Railroad		
Sierra Club		
Haley Flying Service		
CA Native American Heritage Commission		
P.G.&E.		
Precissi Flying Service		
Sierra Club		
CA Tribal TANF Partnership		
CA Valley Miwok Tribe		
CA Valley Yokuts Tribe		

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# ANALYSIS

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## **Background**

On October 31, 1994, the Community Development Department approved Site Approval No. SA-94-0040 for agricultural truck parking for two (2) trucks and four (4) trailers on the project site. This Site Approval will remain in effect and permits agricultural truck parking on this parcel with the condition that the truck owner-operator must reside on site. (Development Title 9-605.6[f][3]) The applicant states that, currently, the agricultural truck parking is not being used but the conditions for its use are understood.

On January 9, 1997, the Planning Commission approved Use Permit No. UP-96-0006 for a religious assembly with a maximum seating capacity of 170. The approval included the conversion of an existing 3,200 square foot agricultural truck parking maintenance building into a religious assembly building, the conversion of an existing 1,000 square foot garage into a kitchen and restrooms, and the use of an existing residence as a clergy house. This use has since been established. (Use Type: Religious Assembly – Neighborhood)

On April 19, 2001, the Planning Commission approved a Revisions of Approved Actions application for Use Permit No. UP-96-0006 to expand the religious assembly parking lot to allow for the temporary parking of two (2) trucks as an accessory use to the religious assembly. The purpose was to provide truck drivers visiting the gurdwara with an adequate place to temporarily park their trucks during their visits. Overnight truck parking was specifically prohibited with this permit.

In 2011 and 2016, the Planning Commission approved new Use Permit applications to expand the existing religious assembly. However, on both occasions, the applicant was unable to fulfill the Conditions of Approval prior to the expiration dates of the Use Permits. The same applicant has submitted this subject application to expand the religious assembly.

## **Traffic**

The Department of Public Works had previously required a full traffic study for the 2011 Use Permit. The traffic study was completed by TJKM Traffic Consultants (TJKM) and concluded that there was sufficient roadway capacity to accommodate the proposed project trips based on the roadway analysis of peak hour volumes. TJKM recommended mitigation measures to reduce potential traffic-related impacts to a less than significant level. The recommendations were included with the previously approved conditions of approval.

The recommended mitigation measures included the following:

- Construct a 580 foot long eastbound left-turn lane on W. Grant Line Road approaching the main project entry.
- Construct a two-way left-turn lane on W. Grant Line Road extending easterly from the project's main entrance and continuing 450 feet easterly from the east entrance.
- Construct a westbound right-turn lane from the west entrance and continuing 100 feet easterly from the east entrance.
- Stripe and sign the west entrance access to indicate the following movements are allowed: Right in, Right out.

- Provide an overflow parking lot that can accommodate 100 additional parking spots for occasional high parking demand. The overflow parking lot shall, at a minimum, be graded soil that will accommodate storm drainage runoff.

The Department of Public Works required an update to the 2011 Traffic Impact Analysis to determine if the previous analysis was still adequate. The update, dated November 8, 2019, concluded that the project as proposed will require the same recommended mitigation measures listed above. The mitigation measures are included in the recommended conditions of approval for this Use Permit.

### **San Joaquin Farm Bureau Federation**

The Community Development Department received a letter from the San Joaquin Farm Bureau Federation dated June 26, 2019 stating that the use of agricultural land for religious assemblies is not agricultural in nature and is disruptive to adjacent agricultural uses due to traffic, parking, proximity to agricultural uses, and events.

**Land Use:** The Development Title Table 9-605.2, permits the Religious Assembly use type in the AG zone with an approved Use Permit. The subject property is zoned AG-40, therefore the proposed use may be conditionally permitted provided all of the required findings can be made in the affirmative.

**Traffic and Parking:** A traffic impact study and supplemental update, concluded that there is sufficient roadway capacity to accommodate the proposed project expansion. Additionally, roadway improvements are required that will reduce impacts resulting from the increased traffic to a less than significant level. The project is also conditioned to provide an overflow parking lot to accommodate an additional 100 vehicles for occasions when attendance is greater than usual. These mitigation measures reduce any potentially significant traffic related impacts to a less than significant level.

**Proximity:** The minimum building setback for the side yards in the AG-40 zone is ten (10) feet and the rear setback is thirty (30) feet. (Development Title Section 9-610.5) All of the existing buildings meet the minimum setback requirements. The proposed buildings also meet the minimum setback requirements as the proposed buildings are setback one-hundred (100) feet or more from the property lines. Additionally, the site has an existing solid, six-foot high perimeter wall separating it from adjacent parcels and providing an additional buffer from surrounding agricultural uses.

### **California Department of Fish & Wildlife**

The San Joaquin Council of Governments (SJCOG) is the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP). SJCOG has determined that the project is subject to the plan and the applicant has agreed to participate in the plan. The Community Development Department (CDD) received a comment letter from the California Department of Fish & Wildlife dated February 11, 2020 stating that revisions may be needed to the mitigation measures proposed in the Initial Study in order to lessen impacts to special-status plants and animal species. CDD forwarded the letter to SJCOG and SJCOG, after reviewing the comments from the California Department of Fish & Wildlife, confirmed that the items discussed in the letter will be addressed through the SJMSCP. Participation in the plan will be required prior to issuance of a building permit.

## **RECOMMENDATION**

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It is recommended that the Planning Commission:

1. Adopt the Mitigated Negative Declaration (Attachment C, Environmental Document);
2. Adopt the Findings for Use Permit (Attachment D, Findings); and
3. Approve Use Permit No. PA-1900127 with the attached Conditions of Approval (Attachment E, Conditions of Approval)

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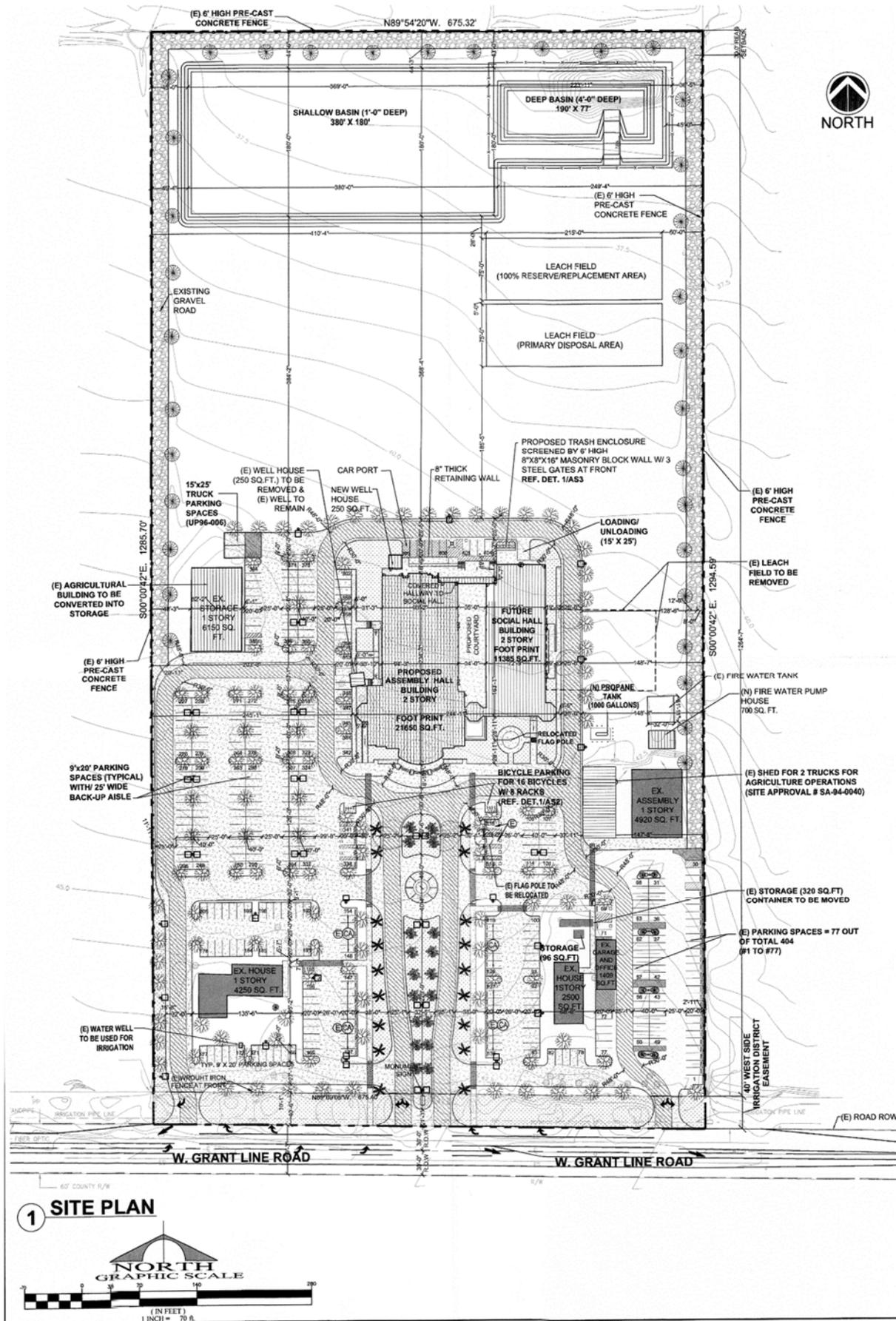
# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment A Site Plan

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# Community Development Department

Planning · Building · Neighborhood Preservation

## Attachment B Response Letters

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**DATE: June 27, 2019**

**PA-1900127 (UP)**

**Property owner: DHARM SINGH**

**Applicant: DHARM SINGH**

**APN / Address: 209-190-33, 16151 W GRANT LINE RD TRAC**

**Planner: Alisa Goulart**

**Project Description:**

**Building Conditions By: Mark Fine Deputy Director (Building Official) (209) 468-3180**

**BUILDING CODE REQUIREMENTS:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:

1. A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with The 2016 California Building, Existing Building, Mechanical, Plumbing, Electrical, Energy and Fire Codes as may be applicable. Plans for the different buildings or structures may be combined into a single set of construction documents.
2. A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.
3. The required plans must be complete at the time of submittal for a building permit. Plans must address building design and construction, fire and life safety requirements, accessibility and show compliance with the current California codes and San Joaquin County ordinances. A complete set of plans must include fire sprinkler plans, truss design submittals, metal building shop drawings, structural plans and calculations, plumbing, electrical and mechanical drawings and energy report.
4. A soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report shall be incorporated into the construction drawings.
5. For each proposed new building, provide the following information on the plans:
  - a. Description of proposed use
  - b. Existing and proposed occupancy Groups
  - c. Type of construction
  - d. Sprinklers (Yes or No
  - e. Number of stories
  - f. Building height

- g. Allowable floor area
  - h. Proposed floor area
  - i. Occupant load based on the CBC
  - j. Occupant load based on the CPC
6. The proposed conversion of an existing agricultural building to a storage building will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by an architect or engineer in accordance with the California Existing Building Code. The report and plans shall identify existing conditions, propose alterations necessary to bring the building in compliance with the current code and include the following:
- a. Description of proposed use
  - b. Existing and proposed Occupancy Groups
  - c. Type of construction
  - d. Sprinklers (Yes or No)
  - e. Number of stories
  - f. Building height
  - g. Allowable floor area
  - h. Proposed floor area
  - i. Occupant load based on the CBC for the new use
  - j. Occupant load based on the CPC for the new use
  - k. Risk Category analysis. (Agricultural Buildings are allowed to be constructed to Risk Category I, whereas other occupancies require Risk Category II or II.)
7. Modifications to existing buildings are required to include upgrades related to disability access pursuant to the California Existing Building Code. Plans showing these upgrades must be prepared by a registered engineer or licensed architect and shall be submitted for review and approval prior to issuance of a building permit.
8. Accessible routes shall be provided per CBC § 11B-206. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B- 206.2.1
9. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
10. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4
11. Parking spaces will be required to accommodate persons with disabilities in compliance with Chapter 11B of the California Building Code. Note that accessible parking spaces are required for each phase of the project. These parking space(s) shall be located as close as possible to the primary entrance to the building.
12. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
13. This project will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, Title 22, Division 2, Chapter 2.7



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## South San Joaquin County Fire Authority

Community Risk Reduction Division

835 Central Avenue

Tracy, CA 95376

PH: (209) 831-6707

FAX: (209) 831-6703

[fire.prevention@cityoftracy.org](mailto:fire.prevention@cityoftracy.org)

Date: 7/18/2019

Project #: PA-1900127 (UP)

Project Description: Use Permit for Sikh Place of Worship/Proposed Assembly Hall Bldg.

Project Address: 16151 W. Grant Line Rd.

This project has been reviewed based on the California Fire Code and Tracy Municipal Code.

**At this time, project is conditionally approved subject to satisfying the following requirements:**

1. Prior to approval of building construction permit, applicant shall incorporate the following into construction documents:
  - a. New and existing buildings shall have approved address numbers and addressing scheme that is placed in a position that is plainly legible and visible from the street or road fronting the property.
  - b. Fire sprinklers and fire alarms shall be installed, in accordance with 2016 CFC Chapter 9, NFPA 13 & NFPA 72. These items may be listed as a deferred submittal on the construction documents, and shall be submitted separately from the building construction submittal.
  - c. Fire Department Connection (FDC) shall be located towards the front of the building or at the fire pump, based on the conversation with Fire Marshal Ray, May 2019. Provide a hydrant with 100' of FDC.
  - d. Provide civil drawings demonstrating the sprinkler system and the hydrant loop are separated from each other to prevent pressurization of hydrants during firefighting operations.
  - e. Water tanks shall be installed in accordance with 2016 California Fire Code, NFPA 22, NFPA 24. Provide calculations which demonstrates a minimum amount of fire suppression water supply per 2016 NFPA 1142. This can be listed as a deferred submittal on the construction documents, and shall be submitted separately from the building construction submittal.
  - f. Provide access in accordance with 2016 CFC Section 503 and San Joaquin County's Fire Apparatus Access Road Standards.
  - g. Electric gates shall be equipped with traffic preempting optical signal receivers compatible with the emitters used by the Fire Department, which will activate the gates and override

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South San Joaquin County Fire Authority



all command functions of the gate controller. Electric gate operators shall be listed in accordance with UL 325 and ASTM F2200. Knox switches shall be provided on both sides of the gates unless an exit loop is provided at automatic gates. The automatic gates shall have a battery back-up or a manual mechanical disconnect readily accessible to emergency personnel in case of power failure.

- h. Prior to approval of building construction permit, applicant shall submit construction documents to the South San Joaquin County Fire Authority for review and approval. Electronic submittal is encouraged, but not mandatory.
2. At time of application to South San Joaquin County Fire Authority, additional requirements may be required based on submittal and review.
3. Prior to final inspection, emergency radio responder coverage shall be tested for each building in accordance with 2016 CFC Section 510. If adequate coverage is not available, applicant shall apply for a construction permit for installation.

Plans Reviewed by:  
Courtney Wood, Plans Examiner  
(209) 831-6707  
[courtney.wood@cityoftracy.org](mailto:courtney.wood@cityoftracy.org)

- End -



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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

July 23, 2019

MEMORANDUM

**RECEIVED**

**TO:** Community Development Department  
 CONTACT PERSON: Alisa Goulart

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

**JUL 24 2019**

**San Joaquin County  
 Community Development**

**SUBJECT:** PA-1900127; A Use Permit application for a 60,233 square foot expansion to an existing 13,495 square foot neighborhood religious assembly facility with a maximum of 170 members. This project will increase the number of members to a maximum 700 members and will be completed in two (2) phases over a four (4) year period. Phase one to include construction of a 28,965 square foot assembly hall for religious and educational activities, a 250 square foot wellhouse, a 700 square foot fire water pumphouse, a 6,453 square foot hallway structure to connect the proposed assembly hall and social hall and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase Two, with building permits to be issued within four (4) years, to include the construction of a 17,715 square foot social hall to include a kitchen, dining area and retreat area; located on the north side of West Grant Line Road, approximately 985 feet east of Hansen Road, Tracy.  
 (Supervisorial District 5)

**PROPERTY OWNER:** Dharm Singh

**APPLICANT:** Sukhjot Singh

**ADDRESS:** 16151 W. Grant Line Road, Tracy

**APN:** 209-190-33

**INFORMATION:**

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

Grant Line has an existing right-of-way width of 60 feet and a planned right-of-way width of 84 feet.

**REQUIREMENTS:**

The applicant shall complete the following requirements before the Department of Public Works can support or deem complete the application for this project:

1. The previous Traffic Impact Study shall be updated or re-certified to verify that the previous findings are still adequate based on current roadway volumes.

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RECOMMENDATIONS:

1. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
2. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
3. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. 17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
4. Dedication to result in a 42 foot wide right-of-way from the centerline of W. Grant Line Road to the property line shall be required across the parcel's frontage. (Development Title Section 9-1150.5) (Fees are required for processing dedications per Development Title Table 9-240.2 in addition to copies of the Grant Deeds.) (The fees will be based on the current schedule at the time of payment.)
5. A copy of the Final Site Plan shall be submitted prior to release of building permit for both phases of the project.
6. 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)
7. 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)
8. Permit Registration Documents (PRD's) shall be filed with the State Water Resources Control Board (SWRCB) to comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification (WDID) Number issued by SWRCB shall be submitted to the Department of Public Works for the file. Contact SWRCB at (916) 341-5537 for further information. Coverage under the SWRCB General Construction Permit Order 2009-0009-DWQ shall be maintained throughout the duration of all phases of the project.

AT:CH



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**Department of Public Works**

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Jim Stone, Deputy Director/Operations

Najee Zarif, Interim Deputy Director/Engineering

Kristi Rhea, Manager of Strategic Initiatives

January 29, 2020

RECEIVED

FEB - 1 2020

MEMORANDUM

TO: Community Development Department  
CONTACT PERSON: Alisa Goulart

San Joaquin County  
Community Development

FROM: Alex Chetley, Engineering Services Manager  
Development Services Division

AC

SUBJECT: PA-1900127; A Use Permit application for a 60,233 square foot expansion to an existing 13,495 square foot neighborhood religious assembly facility with a maximum of 170 members. This project will increase the number of members to a maximum 700 members and will be completed in two (2) phases over a four (4) year period. Phase one to include construction of a 28,965 square foot assembly hall for religious and educational activities, a 250 square foot wellhouse, a 700 square foot fire water pumphouse, a 6,453 square foot hallway structure to connect the proposed assembly hall and social hall and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase Two, with building permits to be issued within four (4) years, to include the construction of a 17,715 square foot social hall to include a kitchen, dining area and retreat area; located on the north side of West Grant Line Road, approximately 985 feet east of Hansen Road, Tracy. (Supervisorial District 5)

PROPERTY OWNER: Dharm Singh

APPLICANT: Sukhjit Singh

ADDRESS: 16151 W. Grant Line Road, Tracy

APN: 209-190-33

INFORMATION:

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

Grant Line has an existing right-of-way width of 60 feet and a planned right-of-way width of 84 feet.

REQUIREMENTS:

The applicant shall complete the following requirements before the Department of Public Works can support or deem complete the application for this project:

1. The previous Traffic Impact Study shall be updated or re-certified to verify that the previous findings are still adequate based on current roadway volumes.

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Community Development Department  
PA-1900127 (UP)

RECOMMENDATIONS:

1. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
2. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
3. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. 17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
4. Dedication to result in a 42 foot wide right-of-way from the centerline of W. Grant Line Road to the property line shall be required across the parcel's frontage. (Development Title Section 9-1150.5) (Fees are required for processing dedications per Development Title Table 9-240.2 in addition to copies of the Grant Deeds.) (The fees will be based on the current schedule at the time of payment.)
5. A copy of the Final Site Plan shall be submitted prior to release of building permit for both phases of the project.
6. 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)
7. 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)
8. Permit Registration Documents (PRD's) shall be filed with the State Water Resources Control Board (SWRCB) to comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification (WDID) Number issued by SWRCB shall be submitted to the Department of Public Works for the file. Contact SWRCB at (916) 341-5537 for further information. Coverage under the SWRCB General Construction Permit Order 2009-0009-DWQ shall be maintained throughout the duration of all phases of the project.
9. The frontage improvements for Grant Line Road shall be constructed in conformance with the standards for one-half of a fifty-foot wide right of way rural road as shown on San Joaquin County Standards Drawing No. R-3 and also include mitigations as detailed below. All improvements shall be in conformance with the current Improvement Standards and Specifications of the County of San Joaquin. The improvement plans and specifications are subject to plan check and field inspection fees. The

Community Development Department  
PA-1900127 (UP)

improvements must be completed prior to issuance of the certificate of occupancy for phase one of the project. (Development Title Section 9-1150.2)

- a) Provide an overflow parking lot that can accommodate 100 additional parking spots for occasional high parking demand. The overflow parking lot shall at a minimum be graded soil that will accommodate storm drainage runoff.
- b) Construct a 580 foot long eastbound left-turn lane on W. Grant Line Road approaching the main project entry.
- c) Construct a two-way left-turn lane on W. Grant Line Road extending easterly from the project's main entrance and continuing 450 feet easterly from the east entrance.
- d) Construct a westbound right-turn lane from the west entrance and continuing 100 feet easterly from the east entrance.
- e) Stripe and sign the west entrance access to indicate the following movements are allowed:
  - i. Right in.
  - ii. Right out.

AC:CH



## 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

July 23, 2019

To: San Joaquin County Community Development Department  
Attention: Alisa Goulart

From: Steven Shih; (209) 468-9850  
Lead Senior Registered Environmental Health Specialist

RE: **PA-1900127 (UP), Early Consultation, SU0012397**  
**16151 W. Grant Line Rd, Tracy**

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

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

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

- B. Submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
- C. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- D. Open, pump, and backfill the septic tank, seepage pit or excavation under permit and inspection by the Environmental Health Department for the two septic system that are

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associated with house that is located southwest of the parcel and septic system that is associated with house that is located east of the parcel. (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).

- E. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to issuance of building permit(s). Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-1115.7).
- F. Destroy the abandoned well located at house 16105 Grant Line Rd under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-1115.5(e).
- G. Applicant shall contact Robert McClellon, Program Coordinator, Small Public Water System Program, at (209) 468-0332, to determine if a permit amendment application is required for the existing small public water system prior to issuance of building permits.
- H. 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).



**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

September 17, 2019

To: San Joaquin County Community Development Department  
Attention: Alisa Goulart

From: Michael Kith; (209) 468-3444 ✓  
Program Coordinator, REHS

RE: **PA-1900127 (UP), Early Consultation, SU0012397**  
**16151 W. Grant Line Rd, Tracy**

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

- A. Submit to the Environmental Health Department revised site plans showing the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
- B. An Onsite Wastewater Treatment System (OWTS) permit for the installation of an engineered system was issued on October 3, 2018 and will expire October 3, 2019 but can be extended to October 3, 2020. This OWTS must be installed per approved plans prior to final occupancy (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- C. The onsite wastewater treatment system (OWTS) shall be designed to receive all domestic sewage and wastewater from the property. Only domestic sewage is allowed to discharge into the OWTS. No basement, footing or surface drainage or discharge from water softener, iron filter, pool filters, or water treatment systems shall be permitted to enter any part of the OWTS. The floor drain in trash enclosure area shall not be plumbed into the OWTS as indicated on the OWTS plans (San Joaquin County OWTS Standards 1.10.1).
  - a. Prohibited discharges into OWTS include: automobile and garage waste, storm drainage, solvents and toxics, solids, garbage, kitchen wastewater from restaurant or bar, air conditioners, hazardous wastes, backwash, truck terminal wastes, recreational vehicle holding tank waste, industrial and manufacturing waste, and food processing wastes (San Joaquin County Development Title, Section 9-1110.7 and San Joaquin County OWTS 1.14).
- D. Open, pump, and backfill the two septic tanks under permit and inspection by the Environmental Health Department that are associated with two houses located on this

property as per approved OWTS permit (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).

- E. The existing private water well located on the southwest corner of the parcel is proposed to be used for irrigation. However, the site plan shows this well to be in a future parking lot. Provide a description of how this well will be maintained in conformance with ordinance and Well Standards requirements and protected from damage and contamination from vehicles. Please be advised that well pits (wells completed below grade) are prohibited (San Joaquin County Development Title, Section 9-1115.8(a)).
- F. Destroy the abandoned well located at the house at 16105 Grant Line Rd under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-1115.5(e).
- G. The following information related to the Small Public Water System must be submitted to the EHD prior to final occupancy:
  - a. The Technical, Managerial, and Financial documentation
  - b. The source capacity and demand usage report
  - c. A diagram of the water distribution system
  - d. A site map showing the location of the OWTS and all associated piping

Applicant shall contact Robert McClellon, Program Coordinator, Small Public Water System Program, at (209) 468-0332, for more information. A permit amendment application may be required.

- H. 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).



## SJCOG, Inc.

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

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

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

**To:** Alisa Goulart, San Joaquin County, Community Development Department  
**From:** Laurel Boyd, SJCOG, Inc.  
**Date:** October 3, 2019  
**Local Jurisdiction Project Title:** PA-1900127 (UP)  
**Assessor Parcel Number(s):** 209-190-33  
**Local Jurisdiction Project Number:** PA-1900127 (UP)  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Agricultural Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Ms. Goulart:

SJCOG, Inc. has reviewed the application referral for PA-1900127 (UP). This project consists of a Use Permit application for a 60,233 square foot expansion to an existing 13,495 square foot neighborhood religious assembly facility with a maximum of 170 members. This project will increase the number of members to a maximum of 700 members and will be completed in two (2) phases over a four (4) year period. Phase One to include construction of a 28,965 square foot assembly hall for religious and educational activities, a 250 square foot wellhouse, a 700 square foot fire water pumphouse, a 6,453 square foot hallway structure (to connect the proposed assembly hall and social hall), and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase Two, with building permits to be issued within four (4) years, to include the construction of a 17,715 square foot social hall to include a kitchen, dining area, and retreat area. There are currently seventy-seven (77) parking spaces onsite with 404 additional parking spaces proposed. The project will be served by a private well, a private septic system and a storm drainage will be retained onsite. Access to the project site will be from two (2) existing driveways and one (1) proposed new driveway located on West Grant Line Road. The project site is located on the north side of West Grant Line Road, 985 feet east of Hansen Road, Tracy (APN/Address: 209-190-33/16151 West Grant Line Road, Tracy).

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 | S J C O G , I n c .

2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
  - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
  - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
  - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
  - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
  - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - c. Purchase approved mitigation bank credits.

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

- Receive your Certificate of Payment and release the required permit

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

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



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

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

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

**SJMSCP HOLD**

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

**FROM:** Laurel Boyd, S J C O G , I n c .

**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, S J C O G , I n c . 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-1900127 (UP)

Landowner: Dharm Singh                      Applicant: Sukhjit 'Tony' Singh

Assessor Parcel #s: 209-190-33

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

Local Jurisdiction Contact: Alisa Goulart

**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.**



## SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

June 26, 2019

Attn: Alisa Goulart  
San Joaquin County Community Development Department  
Development Services Division  
1810 East Hazelton Avenue  
Stockton, CA 95205  
**Re: PA- 1900127 (UP)**

Dear Ms. Goulart:

The San Joaquin Farm Bureau Federation is a private, not for profit organization dedicated to the advancement of the agricultural industry within San Joaquin County. The protection of our increasingly threatened agricultural land remains one of our highest priorities. Because of the unique nature of this invaluable resource, we oppose the use of agricultural land for religious assembly.

We respect the right of individuals to worship however they choose; the issue is the location of where the worship occurs. Uses that are open daily to the general public are not agricultural in nature and are disruptive to adjacent agricultural uses because of traffic and parking, setbacks, and event concerns. Non-agricultural uses on agriculturally zoned property presents many challenges and conflicts for existing, commercially productive agricultural operations that neighbor these sites. Agricultural operations vary with different times of the year, which non-rural visitors may not be use to and find inconvenient to themselves without regard to the necessity of the timing and procedure for the grower to produce quality and safe food. Growers are under tremendous pressure from various regulatory agencies because of the integration of public uses in rural, agricultural areas. Greater buffer zones on the subject parcel are needed to avoid any restrictions on agricultural practices for surrounding properties.

In addition, we are concern with now two large religious expansions (PA-1900085 and PA-1900127) with large increases in the number of members and vehicles within a 2.5 mile range. Traffic in this small area will greatly impact and hinder the agricultural operations and community residents.

Should this project move forward, the applicants must acknowledge the Right to Farm ordinance and minimize disruption to the commercial agricultural production in the vicinity of the project site. In addition, adequate setbacks should be required to limit potential impacts to those neighboring agricultural production in regard to food safety and restrictions on normal farming practices.

We appreciate the opportunity to comment on this application, please keep us apprised of its status.

Sincerely,

David Strecker  
President

3290 NORTH AD ART ROAD • (209) 931-4931 • STOCKTON, CALIFORNIA 95215



July 2, 2019

Alisa Goulart  
County of San Joaquin  
Community Development Department  
Development Services Division  
1810 East Hazelton Avenue  
Stockton, CA 95205

**Project: PA-1900127 (UP) – Early Consultation**

**District CEQA Reference No: 20190832**

Dear Ms. Goulart:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project consisting of a Use Permit application for a 60,233 square foot expansion to an existing religious facility (Project). The Project will be completed in two (2) phases over a four (4) year period. Phase One to include construction of a 28,965 square foot (sf) assembly hall, a 250 sf well house, a 700 sf fire water pump house, a 6,453 sf hallway structure to connect the proposed assembly hall and social hall, and conversion of an existing 6,150 sf agricultural building into a storage building. Phase Two, with building permits to be issued within four (4) years, to include construction of a 17,715 sf social hall. The Project site is located on the north side of West Grant Line Road (APN/address: 209-190-33, 16151 West Grant Line Road, Tracy) in San Joaquin County. The District offers the following comments:

1. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.

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

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6476

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-8000 FAX: (559) 230-6061

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

2. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. The Project is subject to District Rule 9510 as it exceeds 9,000 square feet of educational space. When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project level approval from a public agency. In this case, if not already done, the project proponent is to immediately submit an AIA application to the District to comply with District Rule 9510.

The District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

3. The proposed Project may require District permits. Per the Use Permit application, the Project includes a well house and a fire water pump house. The application does not indicate if an emergency internal combustion engine(s) powering an electrical generator for the well pump and/or the firewater pump will be installed. Prior to the start of construction the Project proponent should contact the District's Small Business Assistance Office at (209) 557-6446 to determine if an Authority to Construct (ATC) is required.
4. The proposed Project may be subject to 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 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).
5. The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm).
6. The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please call Georgia Stewart at (559) 230-5937 or e-mail Georgia.Stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20190832.

Sincerely,

Arnaud Marjollet  
Director of Permit Services



Brian Clements  
Program Manager

AM: gs



**DEC 13 2019**

Planning Department  
County of San Joaquin  
1810 East Hazelton Avenue  
Stockton, CA 95205

**Re: Air Impact Assessment (AIA) Application Approval**  
**ISR Project Number: C-20190451**  
**Land Use Agency: County Of San Joaquin**  
**Land Use Agency ID Number: PA-1900127**

To Whom It May Concern:

The San Joaquin Valley Air Pollution Control District (District) has approved the Air Impact Assessment (AIA) application for the Gurdwara Gur Nanak Prakash project located at 16151 W. Grant Line Road in San Joaquin, California. Pursuant to District Rule 9510, Section 8.4, the District is providing the County of San Joaquin with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- A summary of project emissions and emission reductions
- A summary of the off-site fees
- A copy of the Air Impact Assessment application
- An approved Monitoring and Reporting Schedule

Certain emission mitigation measures proposed by the applicant may be subject to approval or enforcement by the County of San Joaquin. No provision of District Rule 9510 requires action on the part of the County of San Joaquin; however, please review the enclosed list of mitigation measures and notify the District if the proposed mitigation measures are inconsistent with your agency's requirements for this project. The District can provide the detailed emissions analysis upon request.

Samir Sheikh  
Executive Director/Air Pollution Control Officer

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

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

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

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

Printed on recycled paper. 

Page 2

If you have any questions, please contact Mr. Eric S McLaughlin at (559) 230-5808.

Sincerely,

Arnaud Marjollet  
Director of Permit Services



Robert Gilles  
Program Manager

AM: em

Enclosures

Emissions Estimator Worksheet

Applicant/Business Name:	Gurdwara Gur Nanak Parkash, Inc.
Project Name:	Gurdwara Gur Nanak Parkash
Project Location:	16151 W. Grant Line Road, Tracy, CA
District Project ID No.:	20194451

Project Construction Emissions															
If applicant selected Construction Clean Fleet Mitigation Measure - Please select: "Yes" from dropdown menu															
Project Phase Name	ISR Phase	Construction Start Date	NOx				PM10				Emission Reductions Required by Rule <sup>(1)</sup>	PM10			
			Unmitigated Baseline <sup>(2)</sup> (TPY)	Mitigated Baseline <sup>(2)</sup> (TPY)	Achieved On-site Reductions <sup>(3)</sup> (tons)	Required Off-site Reductions <sup>(4)</sup> (tons)	Total Emission Reductions Required by Rule <sup>(5)</sup>	Unmitigated Baseline <sup>(2)</sup> (TPY)	Mitigated Baseline <sup>(2)</sup> (TPY)	Achieved On-site Reductions <sup>(3)</sup> (tons)			Required Off-site Reductions <sup>(4)</sup> (tons)		
Phase 1 (23,995 SF)	1	0/07/2020	2,341	2,341	0.0000	0.6275	0.4629	0.1116	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	2	0/10/2021	2,402	2,402	0.0000	0.4674	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	3	0/09/2021	0,726	0,726	0.0000	0.1426	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	4	0/10/2022	0,623	0,623	0.0000	0.1554	0.1654	0.0434	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	5	0/10/2022	1,925	1,925	0.0000	0.5159	0.7199	0.0542	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	6	0/10/2023	0,416	0,416	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	7	0/10/2023	0,416	0,416	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	8	0/10/2023	0,416	0,416	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	9	0/10/2023	0,416	0,416	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	10	0/10/2023	0,416	0,416	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>			<b>7,873</b>	<b>7,873</b>	<b>0.0000</b>	<b>1,574</b>	<b>0.4167</b>	<b>0.4167</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.1875</b>	<b>0.1875</b>	<b>0.0000</b>	<b>0.0000</b>

Project Operations Emissions (Area + Mobile)															
Project Phase Name	ISR Phase	Operation Start Date	NOx				PM10				Total Emission Reductions Required by Rule <sup>(5)</sup>	Average Annual Emission Reductions Required by Rule <sup>(6)</sup>			
			Unmitigated Baseline <sup>(2)</sup> (TPY)	Mitigated Baseline <sup>(2)</sup> (TPY)	Achieved On-site Reductions <sup>(3)</sup> (tons)	Required Off-site Reductions <sup>(4)</sup> (tons)	Total Emission Reductions Required by Rule <sup>(5)</sup>	Unmitigated Baseline <sup>(2)</sup> (TPY)	Mitigated Baseline <sup>(2)</sup> (TPY)	Achieved On-site Reductions <sup>(3)</sup> (tons)			Required Off-site Reductions <sup>(4)</sup> (tons)		
Phase 1 (23,995 SF)	1	0/07/2020	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	2	0/10/2021	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	3	0/09/2021	1,000	1,000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	4	0/10/2022	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	5	0/10/2022	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	6	0/10/2023	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	7	0/10/2023	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	8	0/10/2023	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 2 (17,715 SF)	9	0/10/2023	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 1 (23,995 SF)	10	0/10/2023	3,800	3,800	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<b>Total</b>			<b>37,600</b>	<b>37,600</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>	<b>0.0000</b>

**Notes:**  
 (1) Unmitigated Baseline: The project's baseline emissions generated with no on-site emission reduction measures achieved On-site Reductions: The project's remaining emissions after on-site emission reduction measures have been applied. (2) Total Emission Reductions Required by Rule: The project's total emission reduction for operations required by Rule 95.0 divided by 10 years.  
 (3) Average Annual Emission Reductions Required by Rule: The project's total emission reduction for operations required by Rule 95.0 divided by 10 years.  
 (4) Unmitigated Baseline: The project's baseline emissions generated with no on-site emission reduction measures achieved On-site Reductions: The project's remaining emissions after on-site emission reduction measures have been applied.  
 (5) Total Emission Reductions Required by Rule: The project's total emission reduction for operations required by Rule 95.0 divided by 10 years.  
 (6) Average Annual Emission Reductions Required by Rule: The project's total emission reduction for operations required by Rule 95.0 divided by 10 years.





**San Joaquin Valley Air Pollution Control District**  
**Indirect Source Review (ISR) - Air Impact Assessment (AIA)**  
**Residential/Non-Residential/Mixed-Use Application Form**



<b>A. Applicant Information</b>			
Applicant/Business Name: Gurdwara Gur Nanak Parkash, Inc. (Deep Singh)			
Mailing Address: 16101 W Grant Line Road	City: Tracy	State: CA	Zip: 95304
Contact: Deep Singh	Title: Secretary		
Is the Applicant a licensed state contractor? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please provide State License number:			
Phone: (702)287-0347	Fax:	Email: tony@continentalde.com ; TracyGurdwara@hotmail.com	
<b>B. Agent Information (if applicable):</b> If an Agent is signing the Air Impact Assessment Application on behalf of the Applicant, a signed letter from the Applicant giving the Agent authorization is required.			
Agent/Business Name:			
Mailing Address:	City:	State:	Zip:
Contact:	Title:		
Phone:	Fax:	Email:	
<b>C. Project Information</b>			
Project Name: GURDWARA GUR NANAK PRAKASH		Tract Number(s) (if known):	
Project Location	Street: 16151 W. GRANT LINE ROAD	City: TRACY	Zip: 95304
Cross Streets: HANSEN		County: SAN JOAQUIN	
Permitting Agency: SAN JOAQUIN COUNTY BLDG. DEPT.		Planner: ALISA GOULART	
Mailing Address: 16101 W. GRANT LINE ROAD	City: TRACY	State: CALIFORNIA	Zip: 95304
Permit Type and Number (if known): PA-1900127	Subject to Project-Level Discretionary Approval? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	Last Project-Level Discretionary Approval Date: _____		
	Last Project-Level Ministerial Approval Date: _____		
<b>D. Project Description</b>			
Please briefly describe the project (e.g.: 300 multi family residential units apartments and 35,000 square feet of commercial uses):			
1. CONSTRUCTION OF 28,965 SQ.FT. MAIN ASSEMBLY HALL ALONG WITH PARKING LOT & DRAINAGE IMPROVEMENTS			
2. CONSTRUCTION OF PAD FOR FUTURE SOCIAL HALL. FUTURE SOCIAL HALL TO BE CONSTRUCTED IN PHASE-II, UNDER SEPARATE PERMIT.			
Please check the box next to each applicable land use below:			Select land use setting below:
<input type="checkbox"/> Commercial / Retail	<input type="checkbox"/> Educational	<input type="checkbox"/> Office	<input type="checkbox"/> Warehouse
<input type="checkbox"/> Residential	<input type="checkbox"/> Government	<input type="checkbox"/> Industrial	<input type="checkbox"/> Distribution Center
<input type="checkbox"/> Recreational (e.g. park)	<input type="checkbox"/> Medical	<input type="checkbox"/> Manufacturing	<input checked="" type="checkbox"/> Other: PLACE OF WORSHIP
<input type="checkbox"/> Urban		<input checked="" type="checkbox"/> Rural	
<b>E. Notice of Violation</b>		<b>F. Voluntary Emission Reduction Agreement</b>	
Is this application being submitted as a result of receiving a Notice of Violation (NOV) from the District?		Is this project part of a larger project for which there is a Voluntary Emission Reduction Agreement (VERA) with the District?	
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, NOV # _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, VERA # _____	
<b>G. Optional Section</b>			
Do you want to receive information about the Healthy Air Living Business Partners Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>FOR APCD USE ONLY</b>			
Filing Fee Received: 841.00	Check #: 1923	Date Stamp: Finance	Date Stamp: Permit
Date Paid: 10/2/19	Project #: C-20190451		OCT - 2 2019
Applicant #: C-303198			Permit Services SIV-870

H. Parcel and Land Owner Information			
	APN (000-000-00 Format)	Gross Acres	Land Owner
1.	#209-190-33	20 ACRES	GURDWARA GUR NANAK PRAKASH
2.			
3.			
4.			

Additional sheets for listing APN numbers can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

**I. Project Development and Operation**

Will the project require demolition of existing structures?  Yes, complete I-1  No, complete I-2

**I-1. Demolition**

Total square feet of building(s) footprint to be demolished: \_\_\_\_\_ Number of Building Stories: \_\_\_\_\_

Demolition Start Date (Month/Year): \_\_\_\_\_ Number of Days for Demolition: \_\_\_\_\_

**I-2. Timing**

Expected number of work days per week during construction?  5 days  6 days  7 days

Will the project be developed in multiple phases?  Yes, complete I-3  No, complete I-4

**I-3. Phased Site Development and Building Construction**

In addition to the information below the applicant may submit a phase specific activity timeline. The phase specific activity timeline form can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

1	Start of Construction (Month/Year):	JUNE 2020	Gross Acres:	11 ACRES
	End of Construction (Month/Year):	JUNE 2022	Net Acres (area devoted to buildings/structures):	0.66 acre
	First Date of Occupation (Month/Year):	JULY 2022	Paved Parking Area (# of Spaces):	404
	Building Square Footage:	28,965 SQ.FT.	Number of Dwelling Units:	NIL
2	Start of Construction (Month/Year):	JUNE 2021	Gross Acres:	02.6 Acre- BUILDING PAD ONLY,
	End of Construction (Month/Year):	JUNE 2023	Net Acres (area devoted to buildings/structures):	0.26 Acre
	First Date of Occupation (Month/Year):	JULY 2023	Paved Parking Area (# of Spaces):	UNDER PHASE-I
	Building Square Footage:	17,715 SQ.FT.	Number of Dwelling Units:	●
3	Start of Construction (Month/Year):		Gross Acres:	
	End of Construction (Month/Year):		Net Acres (area devoted to buildings/structures):	
	First Date of Occupation (Month/Year):		Paved Parking Area (# of Spaces):	
	Building Square Footage:		Number of Dwelling Units:	
4	Start of Construction (Month/Year):		Gross Acres:	
	End of Construction (Month/Year):		Net Acres (area devoted to buildings/structures):	
	First Date of Occupation (Month/Year):		Paved Parking Area (# of Spaces):	
	Building Square Footage:		Number of Dwelling Units:	

Additional sheets for phasing information can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

<b>I-4. Single Phase Developm</b>	
Start of Construction (Month/Year):	Gross Acres:
End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
Building Square Footage:	Number of Dwelling Units:
<b>J. On-Site Air Pollution Reductions (Mitigation Measures)</b>	
Listed below are categories of possible mitigation measures that will reduce a project's impact on air quality. If a category is applicable to the project, check "Yes", and please complete the corresponding page to identify specific mitigation measures within that category. If a category is not applicable to the project, check "No".	
1. Construction Clean Fleet (making a commitment to using a construction fleet that will achieve the emission reductions required by District Rule 9510) <input type="checkbox"/> Yes, please complete mitigation measure 1 <input checked="" type="checkbox"/> No	
2. Land Use/Location (e.g. increased density, improve walkability design, increase transit, etc.) <input type="checkbox"/> Yes, please complete applicable mitigation measures 2a through 2f <input checked="" type="checkbox"/> No	
3. Neighborhood/Site Enhancements (e.g. improve pedestrian network, traffic calming measures, NEV network, etc.) <input type="checkbox"/> Yes, please complete applicable mitigation measures 3a through 3c <input checked="" type="checkbox"/> No	
4. Parking Policy/Pricing (e.g. parking cost, on-street market pricing, limit parking supply, etc.) <input type="checkbox"/> Yes, please complete applicable mitigation measure 4a through 4e <input checked="" type="checkbox"/> No	
5. Commute Trip Reduction Programs (e.g. workplace parking charge, employee vanpool/shuttle, ride sharing program, etc.) <input type="checkbox"/> Yes, please complete applicable mitigation measures 5a through 5f <input checked="" type="checkbox"/> No	
6. Building Design (e.g. woodstoves or fireplaces) <input type="checkbox"/> Yes, please complete mitigation measure 6 <input checked="" type="checkbox"/> No	
7. Building Energy (e.g. exceed title 24, electrical maintenance equipment) <input checked="" type="checkbox"/> Yes, please complete applicable mitigation measures 7a through 7b <input type="checkbox"/> No	
8. Solar Panels (e.g. incorporate solar panels in the project) <input type="checkbox"/> Yes, please complete applicable mitigation measure 8 <input checked="" type="checkbox"/> No	
9. Electric Vehicle (EV) Charger (e.g. incorporate EV charger(s) in the project) <input checked="" type="checkbox"/> Yes, please complete applicable mitigation measure 9 <input type="checkbox"/> No	
<b>K. Review Period</b>	
You may request a five (5) day period to review a draft of the District's analysis of your project before it is finalized. However, if you choose this option, it will delay the project's finalization by five (5) business days. <input type="checkbox"/> I request to review a draft of the District's analysis.	

**L. Fee Deferral Schedule**

If the project's on-site air pollution reductions (mitigation measure) insufficiently reduced air pollution as outlined in Rule 9510, an off-site fee is assessed based on the excess air pollution. The money collected from this fee will be used by the District to reduce air pollution emissions 'off-site' on behalf of the project.

An Applicant may request a deferral of all or part of the 'off-site' fees up to, but not to exceed, the start date of construction. The start of construction is any of the following, whichever occurs first: start of grading, start of demolition, or any other site development activities not mentioned above.

I request a Fee Deferral Schedule, and have enclosed the Fee Deferral Schedule Application.

The Fee Deferral Schedule Application, can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

**M. Change of Project Developer**

The Applicant assumes all responsibility for ISR compliance for this project. If the project developer changes, the Applicant must notify the Buyer, and both Buyer and Applicant must file a 'Change of Project Developer' form with the District. If there is a change of project developer, and a 'Change of Project Developer' form is not filed with the District, the Applicant will remain liable for ISR compliance.

NOTED

The Change of Project Developer form can be found on the District's website at [www.valleyair.org](http://www.valleyair.org).

**N. Attachments**

Required:	If applicable:
<input checked="" type="checkbox"/> Tract Map or Project Design Map	<input type="checkbox"/> Letter from Applicant granting Agent authorization
<input checked="" type="checkbox"/> Vicinity Map	<input type="checkbox"/> Fee Deferral Schedule Application
<input checked="" type="checkbox"/> Application Filing Fee \$841.00 for mixed use and non-residential projects OR \$562.00 for residential projects only	<input type="checkbox"/> Monitoring & Reporting Schedule
	<input type="checkbox"/> Supporting documentation for selected Mitigation Measures

**O. Certification Statement**

I certify that I have reviewed and completed the entire application and hereby attest that the information relayed within is true and correct to the best of my knowledge. I commit to implementation of those on-site mitigation measures that I have selected above. I am responsible for notifying the District if I will be unable to implement these mitigation measures. If a committed mitigation measure is not implemented, the project may be re-assessed for air quality impacts.

(An authorized Agent may sign the form in lieu of the Applicant if an authorization letter signed by the Applicant is provided).

Name (printed): <u>Deep Singh</u>	Title: <u>Secretary</u>
Signature: <u>Deep Singh</u>	Date: <u>9/19/19</u>

## Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Project Name:	GURDWARA GUR NANAK PRAKASH
Applicant Name:	GURDWARA GUR NANAK PARKASH, INC.
Project Location:	16151 W. GRANT LINE ROAD HANSEN APN(s): 209-190-33
Project Description:	LAND USE: Educational Facilities - 28965 Square Feet - Place of Worship Educational Facilities - 28965 Square Feet - Place of Worship Educational Facilities - 17715 Square Feet - Place of Worship Educational Facilities - 28965 Square Feet - Place of Worship Educational Facilities - 17715 Square Feet - Place of Worship Educational Facilities - 28965 Square Feet - Place of Worship Educational Facilities - 17715 Square Feet - Place of Worship Educational Facilities - 17715 Square Feet - Place of Worship ACREAGE: 20
ISR Project ID Number:	C-20190451
Applicant ID Number:	C-303198
Permitting Public Agency:	COUNTY OF SAN JOAQUIN
Public Agency Permit No.	PA-1900127

### Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

### Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
There are no Non-District Enforced Measures for this project.			

### District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing

## Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Install Electric Vehicle (EV) Chargers	Install electric vehicle chargers with 15 outlets total	(Compliance Dept. Review)	When operational

Number of District Enforced Measures: 3



**Central Valley Regional Water Quality Control Board**

3 July 2019

Alisa Goulart  
San Joaquin County  
Community Development Department  
1810 East Hazelton Avenue  
Stockton, CA 95205

**CERTIFIED MAIL**  
7017 2620 0001 1359 1120

**COMMENTS TO REQUEST FOR REVIEW FOR THE EARLY CONSULTATION,  
PA-1900127 (UP) PROJECT, SAN JOAQUIN COUNTY**

Pursuant to the San Joaquin County Community Development Department's 14 June 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-1900127 (UP) 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

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](http://www.waterboards.ca.gov/centralvalley)



of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

**Antidegradation Considerations**

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

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_201805.pdf](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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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/](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](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](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

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<sup>1</sup> 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.

is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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

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

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

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

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

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

**Waste Discharge Requirements – Discharges to Land**

Pursuant to the State Board’s Onsite Wastewater Treatment Systems Policy, the regulation of the septic system may be regulated under the local agency’s management program.

For more information on waste discharges to land, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_land/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land/index.shtml)

**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](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](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/](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](mailto: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](mailto: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](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](mailto:Jordan.Hensley@waterboards.ca.gov).



Jordan Hensley  
Environmental Scientist



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Bay Delta Region  
 2825 Cordelia Road, Suite 100  
 Fairfield, CA 94534  
 (707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
 CHARLTON H. BONHAM, Director



February 11, 2020

Ms. Alisa Goulart  
 San Joaquin County  
 Community Development Department  
 1810 East Hazelton Avenue  
 Stockton, CA 95205

Subject: PA-1900127 (UP) Use Permit Religious Assembly Expansion Project, Initial Study/Mitigated Negative Declaration, SCH #2020019058, City of Tracy, San Joaquin County

Dear Ms. Goulart:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from the San Joaquin County Community Development Department for the PA-1900127 (UP) Use Permit Religious Assembly Expansion Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

**CDFW ROLE**

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. [Fish and Game Code, §§ 711.7, subd. (a) and 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish and Game Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 2

Endangered Species Act (CESA) (Fish and Game Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

#### **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Dharm Singh/Sukhjot "Tony" Singh

**Location:** 16151 W. Grant Line Road in the City of Tracy, San Joaquin County, California, Assessor's Parcel Number(s) 209-190-33 and 209-190-40. The Project is located on the north side of W. Grant Line Road, 985 feet east of S. Hansen Road, northwest of the City of Tracy.

**Timeframe:** Two (2) construction phases over four (4) years.

**Description:** The Project proposes to expand an existing religious assembly from a maximum of 170 members to a maximum of 700 members in two phases over four years. Phase 1 includes the construction of a 28,965-square-foot (sf) assembly hall, a 250 sf well house, a 700 sf water pump house for fire, a 6,453 sf porch and hallway structure to connect the proposed assembly hall with a future social hall, and the conversion of an existing 6,150 sf agricultural building into a storage building. Phase 2 includes the construction of a two-story, 17,715 sf social hall with a kitchen and dining area, and an upstairs area for retreat and guest preachers. The site plan proposes three driveways off West Grant Line Road. Currently, the religious assembly utilizes, and will continue to utilize, a 4,920 sf assembly hall, a 2,500 sf office and visitor's quarters, a 1,409 sf garage and office, a 4,250 sf parsonage, and a 96 sf storage building.

#### **COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist San Joaquin County Community Development Department in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

##### **Comment 1: Revision needed to mitigate impacts from Project phasing to less-than-significant**

The IS/MND does not include a description of timeframe or period during which construction will occur. Project activities may have additional significant biological impacts due to Project phasing over time. Phasing and the additional impacts from phasing are not discussed, analyzed, or mitigated for in the IS/MND. Projects that include multiple phases with different sections or parcels built out at different time periods or phasing that includes whole-site grading with separate sections or parcels developed at later dates have impacts over a period longer than one year. This delay in full build out of a Project allows wildlife to utilize resources that develop post-grading on vacant sections or parcels. These resources include, but are not limited to;

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 3

ruderal grassland and brush that provide nesting habitat for passerine birds and burrowing owls; infrastructure installed but not utilized that provide burrowing habitat for ground squirrels, burrowing owls, and short-eared owls; additional indirect impacts to nesting and foraging raptors with roost and nest trees adjacent to the Project site; and pooling of rainwater on parcels that provide temporary habitat for amphibians. CDFW is unable to analyze these impacts without inclusion of a description of the project's timing and implementation in relation to site preparation, infrastructure installation, and complete buildout.

To correct this, please revise and recirculate the IS/MND with a description of the Project's phasing and estimated timeframes from start of construction to complete buildout. If the Project's timeframe from start of construction to complete build out includes breaks in construction longer than 15 days or periods of inactivity that could allow establishment of habitat elements such as burrows and vegetation, then impacts to wildlife utilizing vacant sections or parcels of the Project not built out must be included in the impacts analysis to ensure the Project mitigates impacts to a level of less-than-significant. To ensure the Project is mitigating to a level of less-than-significant, CDFW recommends revising the IS/MND to include a mitigation measure for each phase of the Project that meets the following criteria: 1) a qualified biologist shall conduct a habitat assessment survey to determine what potential wildlife and habitat elements are present that may be utilizing the vacant sections and/or parcels prior to Project-related activities taking place when there is a break in these activities greater than 15-days; 2) if unbuilt or fallow sections and/or parcels are being utilized by special-status species or communities then avoidance and minimization measures (including the measures discussed in this letter) shall be used to prevent impacts and take, and 3) if impacts and take are not fully avoidable then additional compensatory mitigation shall be required in the form of permanent habitat preservation protected by a Conservation Easement with an endowment for managing the lands for the benefit of the conserved species in perpetuity, and a long-term management plan should be prepared and implemented by a land manager. The Grantee of the Conservation Easement should be an entity that has gone through the due diligence process for approval by CDFW to hold or manage conservation lands.

**Comment 2: Revision needed to mitigate to a level of less-than-significant in the event the San Joaquin Multi-Species Conservation Plan (SJMSCP or Plan) does not approve coverage**

The statement presented in the Impact Discussion in Section IV. Biological Resources of the IS/MND does not mitigate potential impacts to a level of less-than-significant. The IS/MND states that the San Joaquin Council of Governments (SJCOG) responded to the Project referral saying that the Project is subject to the Plan and that the Proponent has confirmed participation in the Plan; however, this information is not stated as an enforceable mitigation measure within the section. The IS/MND also does not propose or identify specific, sufficient, and enforceable mitigation in the event the SJMSCP does not approve coverage or the Proponent chooses to not participate based on this lack of an enforceable measure. Because participation in the Plan is voluntary, the IS/MND must include 1) an evaluation and discussion of potential direct and indirect impacts of the Project to biological resources including fish, wildlife, and their habitats, 2) avoidance and minimization mitigation measures to decrease those impacts, and 3) specific and sufficient compensatory mitigation in the event the avoidance and minimization measures

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 4

do not mitigate to less-than-significant or in the event the SJMSCP does not approve coverage of the Project in whole or part to mitigate to less-than-significant.

To correct this, please update the IS/MND to include an impacts analysis that provides an evaluation and discussion of potential quantified impacts of the Project to biological resources including fish, wildlife, and their habitats. Based on this impact analysis, please update the section to include mitigation measures that will ensure Project impacts are less-than-significant in the event SJMSCP does not approve of coverage of the Project in whole or part, or in the event the Proponent opts-out of participation in the SJMSCP.

If the impacts analysis indicates there will be direct or indirect take of CESA-listed species, and the Project cannot fully avoid take of CESA-listed species and SJMSCP does not offer take coverage, then CDFW recommends the IS/MND include language defining the Project's obligation to obtain take coverage through an Incidental Take Permit (ITP) issued by CDFW.

**Comment 3: Revision needed to mitigate impacts to special-status plants to less-than-significant**

The IS/MND identifies caper-fruited tropidocarpum (*Tropidocarpum capparideum*) as a special-status plant with the potential to occur on the Project site, but does not define avoidance measures in the event they or other special-status plants are discovered or reduce impacts to a level of less-than-significant by identifying compensatory mitigation in the event impacts to special-status plants cannot be fully avoided. CDFW recommends the IS/MND adhere to the definitions in SJMSCP by defining the Project's habitat types using the same terms used by the SJMSCP in section 2.2 of the Plan, and inclusion of a habitat map of the Project as an exhibit within a revised IS/MND. CDFW also recommends the addition of a mitigation measure in the revised IS/MND with the following language:

*"Special-Status Plant Assessment and Avoidance: A Qualified Botanist shall conduct a minimum of two (2) surveys for each special-status plant species with potential to occur within the Project Site prior to initiation of Project Activities during the appropriate blooming period in accordance with CDFW's Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities (<https://www.wildlife.ca.gov/conservation/survey-protocols>). Report of survey findings shall be done in accordance to the guidance in these protocols and submitted to CDFW prior to Project construction."*

CDFW also recommends the measure state the following:

*"A Qualified Botanist shall develop and implement a restoration/remediation and mitigation plan according to CDFW guidelines and in coordination with CDFW. At a minimum, the plan shall include collection of reproductive structures from affected plants, a full description of microhabitat conditions necessary for each affected species, seed germination requirements, restoration techniques for temporarily disturbed occurrences, assessments of potential transplant and enhancement sites, success and performance criteria, and monitoring programs, as well as measures to ensure long-term sustainability."*

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 5

In addition, the measure should be revised to require conservation and management in perpetuity through recordation of conservation easements on lands where mitigation occurs to ensure impacts to special-status plant species are mitigated to a level of less-than-significant. Conservation lands should be placed under a Conservation Easement, an endowment should be funded for managing the lands for the benefit of the conserved species in perpetuity, and a long-term management plan should be prepared and implemented by a land manager. The Grantee of the Conservation Easement should be an entity that has gone through the due diligence process for approval by CDFW to hold or manage conservation lands.

**Comment 4: Section IV. Biological Resources does not define floristic survey protocol**

Section IV of the IS/MND does not include defined survey protocols for floristic surveys or require a qualified botanist to conduct the surveys.

To correct this, CDFW recommends Section IV. Biological Resources be revised to include adherence to CDFW's *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities* (2018), including the reporting requirements contained in those protocols, and to indicate a qualified botanist shall conduct the surveys according to the protocols. See <https://wildlife.ca.gov/conservation/survey-protocols#377281280-plants>.

**Comment 5: Revision needed to mitigate impacts to San Joaquin kit fox to a level of less-than-significant**

The IS/MND does not mitigate potential impacts to San Joaquin kit fox (*Vulpes macrotis mutica*) to a level of less-than-significant because the IS/MND lacks an evaluation of impacts to San Joaquin kit fox and does not include either a mitigation measure that requires full avoidance of take of San Joaquin kit fox or their habitats. The IS/MND does not define avoidance measures in the event San Joaquin kit fox are discovered or reduce impacts from permanent loss of open space and movement corridors and foraging habitats or indirect impacts to foraging and denning impacts from increased construction activity to a level of less-than-significant as it does not offset those impacts with compensatory mitigation requirements. San Joaquin kit fox are designated as a State of California Endangered Species. The loss of valley and foothill grasslands due to conversion to agriculture and urbanization is the primary threat to San Joaquin kit fox populations throughout California. The U.S. Fish and Wildlife Service's *Recovery Plan for Upland Species of the San Joaquin Valley, California* (1998) states connectivity between the sub-populations of the kit fox are essential for recovery of the species. The Project's potential impacts to connectivity and permanent loss of habitat requires an impacts evaluation in a revised and recirculated IS/MND. Given the severe population declines of the species and magnitude of historic habitat loss, any impacts identified can be considered as significant and even more so when evaluated in a cumulative manner.

To correct this, CDFW recommends the IS/MND be revised and recirculated to include an impacts analysis that provides an evaluation and discussion of potential impacts of the Project to San Joaquin kit fox and their habitats. If the impacts analysis indicates there will be direct or indirect take and the Project cannot fully avoid impacts to and take of San Joaquin kit fox,

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 6

CDFW recommends the IS/MND be revised to include a measure requiring participation in the SJMSCP, or in the event SJMSCP does not cover the Project or the Proponent elects to not participate in the Plan, then CDFW recommends the IS/MND include language defining the Project's obligation to obtain take coverage through an ITP issued by CDFW.

**Comment 6: Revision needed to mitigate impacts to Swainson's hawks to a level of less-than-significant**

The IS/MND does not mitigate potential impacts to Swainson's hawk (*Buteo swainsoni*) to less-than-significant because the IS/MND lacks an evaluation of impacts to Swainson's hawks and does not include mitigation measures requiring 1) pre-construction surveys conducted according to CDFW's *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2000) (see <https://wildlife.ca.gov/conservation/survey-protocols#377281284-birds>), 2) avoidance measures determined by CDFW if and when Swainson's hawks are discovered at or within a half-mile of the Project site, and 3) a measure requiring participation in SJMSCP. The IS/MND does not define avoidance measures in the event Swainson's hawks are discovered or reduce impacts from permanent loss of foraging habitats or indirect impacts to nesting hawks from increased construction activity to a level of less-than-significant as it does not offset those impacts with a compensatory mitigation requirement. Swainson's hawks are designated as a State of California Threatened Species and impacts to the species and its habitat is prohibited without meeting certain conditions. The loss and conversion of native grasslands and agricultural lands to urbanization and orchard and vineyard agriculture is the primary threat to Swainson's hawk populations throughout California, and about 80 percent of the Central Valley population of Swainson's hawks are located with the Sacramento, San Joaquin, and Yolo counties region. The Project's potential impacts to this historically denser population is a significant impact that warrants mitigation to less-than-significant through the IS/MND.

To correct this, CDFW recommends the IS/MND be revised and recirculated to include an impacts analysis that provides an evaluation and discussion of potential impacts of the Project to Swainson's hawks and their habitats according to CDFW's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California* (1994). If impacts are identified, CDFW recommends the IS/MND be revised to include adherence to the mitigation strategies defined in the *Staff Report* in addition to adherence to CDFW's *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2000) survey protocol, or require participation in the SJMSCP. If the IS/MND does not include a measure that requires participation in the SJMSCP, CDFW recommends the IS/MND be updated to include a measure requiring compensatory mitigation for impacts to Swainson's hawk nesting and foraging habitat at a minimum of a 3:1 mitigation ratio (conserved habitat to impacted habitat) for permanent impacts and a 1:1 ratio for temporary impacts, as well as language defining the project's obligation to obtain take coverage through an ITP issued by CDFW.

In the event SJMSCP does not cover the Project or the Proponent elects to not participate in the SJMSCP, CDFW recommends the following specific and enforceable measures for Swainson's hawk be incorporated into a revised and recirculated IS/MND to minimize and avoid impacts:

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 7

*"Pre-Construction Surveys for Swainson's Hawk: If work is to be conducted during the nesting season, focused surveys for active Swainson's hawk nests shall be conducted by a qualified biologist in a manner consistent with the Recommended Timing and Methodology of Swainson's Hawk Nesting Surveys in California's Central Valley (2000). At least two surveys shall be completed within two survey periods immediately prior to the Project's initiation. If a lapse in project-related work of 15 days or longer occurs, another focused survey shall be performed, and the results sent to CDFW prior to resuming work. Surveys shall be conducted in all suitable habitat located at the Project work site, in staging, storage, and stockpile areas, and along transportation routes. Surveys shall be conducted within ½-mile of the Project area. If any active Swainson's hawk nests are found within ½-mile of the Project site, CDFW shall immediately be contacted and additional survey measures may be required for Project activities."*

**Comment 7: Revise ISMND to include Burrowing Owl**

Although not identified in the IS/MND, burrowing owl has the potential to occur within the vicinity of the proposed Project. The burrowing owl is listed by the State of California to be a Species of Special Concern, defined as a species with declining population levels, limited ranges, and/or continuing threats which make them vulnerable to extinction (<https://wildlife.ca.gov/Conservation/SSC>). Habitat loss, degradation, and fragmentation are the greatest threats to burrowing owls in California. Loss of agricultural and other open lands (such as grazed landscapes) also negatively affect burrowing owl populations. Because of their need for open habitat with low vegetation, burrowing owls are unlikely to persist in agricultural lands dominated by vineyards and orchards or urbanized lands. Also, fossorial mammal burrows are important habitat to burrowing owl.

The Project has the potential to adversely impact the species through permanent and temporary losses of nesting and foraging habitat. The Project may also result in additional impact to burrowing owl through nest abandonment, loss of young, and reduced health and vigor of chicks (resulting in reduced survival rates) and breeding and foraging disturbance through Project activities. The IS/MND should evaluate the potential for burrowing owls to be present within and adjacent to the Project area by documenting the extent of fossorial mammals that may provide burrows used by owls during the nesting and/or wintering seasons. Burrowing owls may also use unnatural features such as debris piles, culverts and pipes for nesting, roosting or cover. If potential burrowing owl habitat is present, CDFW recommends that surveys be conducted following the methodology described in *Appendix D: Breeding and Non-breeding Season Surveys* of the CDFW Staff Report on *Burrowing Owl Mitigation* (Staff Report), which is available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>.

Burrowing owl surveys should be conducted by a qualified CDFW-approved biologist. In accordance with the Staff Report, a minimum of four survey visits should be conducted within 500 feet of the Project area during the owl breeding season which is typically between February 1 and August 31. A minimum of three survey visits, at least three weeks apart, should be conducted during the peak nesting period, which is between April 15 and July 15, with at least one visit after June 15. Pre-construction surveys should be conducted no-less-than 14 days prior to ground disturbance with a final survey conducted within 24 hours prior to ground

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 8

disturbance. Any impacts to burrowing owl and occupied burrows during the breeding season must be avoided. CDFW recommends that any burrows occupied during the non-breeding season by migratory or non-migratory resident burrowing owls also be avoided. CDFW recommends the IS/MND be revised to update the IS/MND with burrowing owl habitat assessment/survey results.

If suitable burrowing owl nest sites are present within or adjacent to the Project area, then the IS/MND should include "take" avoidance and minimization measures for the owl. Please refer to the Staff Report, section on *Mitigation Methods*, on avoiding disturbance of occupied burrows through establishment of exclusion zones. Please be advised that CDFW does not consider exclusion of burrowing owls or "passive relocation" as a "take" avoidance, minimization or mitigation method, and considers exclusion as a significant impact. The long-term demographic consequences of exclusion techniques have not been thoroughly evaluated, and the survival rate of evicted or excluded owls is unknown. All possible avoidance and minimization measures should be considered before temporary or permanent exclusion and closure of burrows is implemented in order to avoid "take." While active relocation is not considered "take" avoidance, minimization, or mitigation, if avoiding impacts to burrowing owls is not possible, active relocation of burrowing owls can be performed as a tool in conjunction with mitigation. Active relocation will require a relocation plan that includes owl banding, success criteria, long-term monitoring, management, and reporting in order to evaluate the success of this technique and determine the survival rate of relocated owls.

To ensure impacts to burrowing owls are mitigated to less-than-significant, the IS/MND should incorporate specific and enforceable avoidance and minimization measures to avoid and minimize take of burrowing owls, eggs, chicks, and nesting and foraging habitat. These measures should include: a restricted work window; biological monitoring throughout the course of the Project; and inclusion of compensatory mitigation in the form of conserved lands for burrowing owl habitat impacts. At a minimum, mitigation ratios for these habitat impacts should be at 3:1 (conservation to loss) for permanent impacts, and a 1:1 ratio for temporary impacts. Conserved lands for owls should include presence of burrowing owls and ground squirrel burrows, well-drained soils, abundant and available prey within proximity to burrows, as well as foraging, wintering, and dispersal areas. The location of mitigation areas for burrowing owls should be approved by CDFW prior to the start of project-related activities. Conservation lands should be placed under a Conservation Easement with CDFW listed as a third-party beneficiary and an endowment should be funded for managing the lands for the benefit of the species in perpetuity. Additionally, a long-term management plan should be prepared and implemented by a land manager and approved by CDFW. The Grantee of the Conservation Easement should be an entity that has gone through the due diligence process for approval by CDFW to hold or manage conservation lands.

**Comment 8: Revision needed to mitigate impacts to nesting birds to a level of less-than-significant**

Section IV. Biological Resources does not include nesting survey protocols or avoidance measures for nesting birds that may be utilizing the Project site prior to start of Project activities.

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 9

To ensure impacts to nesting birds are mitigated to a level of less-than-significant, CDFW recommends that the IS/MND be revised to include the addition of the following specific and enforceable nesting bird assessment and avoidance mitigation measure in the event nesting birds are detected:

*"Nesting Bird Assessment and Avoidance: Prior to the initiation of Project activities, including ground disturbing activities scheduled to occur between February 15 and September 15, a Qualified Biologist shall conduct a habitat assessment and nesting survey for nesting bird species no more than five days prior to the initiation of work. Surveys shall encompass all potential habitats (e.g., grasslands and tree cavities) within 250 feet of the Project site. The Qualified Biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures for birds known to nest in the Project vicinity. Surveys shall be conducted during periods of peak activity (early morning, dusk) and shall be of sufficient duration to observe movement patterns. Survey results, including a description of timing, duration and methods used, shall be submitted to CDFW for review 48 hours prior to the initiation of the Project. If a lapse in Project activity of seven days or more occurs, the survey shall be repeated, and no work shall proceed until the results have been submitted to CDFW.*

*If nesting birds are found, then no work shall be initiated until nest-specific buffers have been established with written approval from CDFW. The buffer area(s) shall be fenced off from work activities and avoided until the young have fledged, as determined by the qualified biologist. Active nests within or adjacent to the Project site shall be monitored by the qualified biologist daily throughout the duration of Project activities for changes in bird behavior or signs of distress related to Project activities. If nesting birds are showing signs of distress or disruptions to nesting, then that nest shall have the buffer immediately increased by the qualified biologist until no further interruptions to breeding behavior are detectable.*

*The Permittee or representatives of the Permittee shall not disturb or destroy the nests or eggs of fully protected species or of other birds as per Fish and Game Code section 3503."*

**Comment 9: CDFW recommends additional general measures be included in IS/MND**

CDFW also recommends the following avoidance and minimization measures to be included in the IS/MND:

*"Open Pipes Restriction: All pipes, culverts, or similar structures that are stored at the construction site (either vertically or horizontally) for one or more overnight periods will be securely capped on both ends prior to storage and thoroughly inspected for wildlife prior to implementation by a Qualified Biologist."*

*"Fence and Signpost Restriction: Any fencing posts or signs installed, temporarily or permanently, throughout the course of the Project shall have the top three post holes covered or filled with screws or bolts to prevent the entrapment of wildlife, specifically birds of prey."*

Ms. Alisa Goulart  
San Joaquin County Community Development Department  
February 11, 2020  
Page 10

CDFW has attached a Mitigation and Monitoring Reporting Program (MMRP) with the recommended measures that should be included in the Lead Agency's revised IS/MND and MMRP.

#### ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or emailed to CNDDDB at the following email address: [cnddb@wildlife.ca.gov](mailto:cnddb@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

#### CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist San Joaquin County Community Development Department in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Ms. Andrea Boertien, Environmental Scientist, at (209) 234-3449 or [Andrea.Boertien@wildlife.ca.gov](mailto:Andrea.Boertien@wildlife.ca.gov); or to Ms. Melissa Farinha, Senior Environmental Scientist (Supervisory), at (707) 944-5579.

Sincerely,



Gregg Erickson  
Regional Manager  
Bay Delta Region

Attachment

cc: Office of Planning and Research, State Clearinghouse, Sacramento  
Steve Mayo, San Joaquin County – [Mayo@sjcoq.org](mailto:Mayo@sjcoq.org)

**Attachment 1**

**Mitigation Monitoring and Reporting Program for California Department of Fish and  
Wildlife's Recommended Mitigation Measures Under the California Environmental Quality  
Act: PA-1900127 (UP) Use Permit Religious Assembly Expansion Project**

**STATE CLEARINGHOUSE NO.:** 2020019058

**PROJECT PROPONENT:** Dharm Singh/Sukhjit "Tony" Singh

**PROJECT:** PA-1900127 (UP) Use Permit Religious Assembly Expansion Project

Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
<b>BEFORE DISTURBING SOIL OR VEGETATION</b>				
1 Special-Status Plant Assessment and Avoidance: A Qualified Botanist shall conduct a minimum of two (2) surveys for each special-status plant species with potential to occur within the Project Site prior to initiation of Project Activities during the appropriate blooming period in accordance with CDFW's Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities ( <a href="https://www.wildlife.ca.gov/conservation/survey-protocols">https://www.wildlife.ca.gov/conservation/survey-protocols</a> ). Report of survey findings shall be done in accordance to the guidance in these protocols and submitted to CDFW prior to Project construction.	CDFW CEQA Comment Letter	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Project Proponent	
2 Restoration/Remediation and Mitigation Plan: A Qualified Botanist shall develop and implement a restoration/remediation and mitigation plan according to CDFW guidelines and in coordination with CDFW. At a minimum, the plan shall include collection of reproductive structures from affected plants, a full description of microhabitat conditions necessary for each affected species, seed germination requirements, restoration techniques for temporarily disturbed occurrences, assessments of potential transplant and enhancement sites, success and performance criteria, and monitoring programs, as well as measures to ensure long-term sustainability.	CDFW CEQA Comment Letter	Before commencing ground- or vegetation-disturbing activities	Project Proponent	
3 Pre-Construction Surveys for Swainson's Hawk: If work is to be conducted during the nesting season, focused surveys for active Swainson's hawk nests shall be conducted by a qualified biologist in a manner consistent with the Recommended Timing and Methodology of Swainson's Hawk Nesting Surveys in California's Central Valley (2000). At least two surveys shall be completed within two survey periods immediately prior to the Project's initiation. If a lapse in project-related work of 15 days or longer occurs, another focused survey shall be performed, and the results sent to CDFW prior to resuming work. Surveys shall be conducted in all suitable habitat located at the Project work site, in staging, storage, and stockpile areas, and along transportation routes. Surveys shall be conducted within 1/2-mile of the Project area. If any active Swainson's hawk nests are found within 1/2-mile of the Project site, CDFW shall immediately be contacted and additional survey measures may be required for Project activities.	CDFW CEQA Comment Letter	Before commencing ground- or vegetation-disturbing activities/ Entire Project	Project Proponent	

Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date / Initials
<p>4</p> <p><b>Nesting Bird Assessment and Avoidance:</b> Prior to the initiation of Project activities, including ground disturbing activities scheduled to occur between February 15 and September 15, a Qualified Biologist shall conduct a habitat assessment and nesting survey for nesting bird species no more than five (5) days prior to the initiation of work. Surveys shall encompass all potential habitats (e.g., grasslands and tree cavities) within 250 feet of the Project site. The Qualified Biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures for birds known to nest in the Project vicinity. Surveys shall be conducted during periods of peak activity (early morning, dusk) and shall be of sufficient duration to observe movement patterns. Survey results, including a description of timing, duration and methods used, shall be submitted to CDFW for review forty-eight (48) hours prior to the initiation of the project. If a lapse in Project activity of seven days (7) or more occurs, the survey shall be repeated, and no work shall proceed until the results have been submitted to CDFW.</p> <p>If nesting birds are found, then no work shall be initiated until nest-specific buffers have been established with written approval from CDFW. The buffer area(s) shall be fenced off from work activities and avoided until the young have fledged, as determined by the qualified biologist. Active nests within or adjacent to the Project site shall be monitored by the qualified biologist daily throughout the duration of Project activities for changes in bird behavior or signs of distress related to Project activities. If nesting birds are showing signs of distress or disruptions to nesting, then that nest shall have the buffer immediately increased by the qualified biologist until no further interruptions to breeding behavior are detectable.</p> <p>The Permittee or representatives of the Permittee shall not disturb or destroy the nests or eggs of fully protected species or of other birds as per Fish and Game Code section 3503.</p>	<p>CDFW CEQA Comment Letter</p>	<p>Before commencing ground- or vegetation-disturbing activities/ Entire Project</p>	<p>Project Proponent</p>	
<p><b>DURING CONSTRUCTION</b></p>				
<p>5</p> <p><b>Open Pipes Restriction:</b> All pipes, culverts, or similar structures that are stored at the construction site (either vertically or horizontally) for one or more overnight periods will be securely capped on both ends prior to storage and thoroughly inspected for wildlife prior to implementation by a Qualified Biologist.</p>	<p>CDFW CEQA Comment Letter</p>	<p>Entire Project</p>	<p>Project Proponent</p>	
<p>6</p> <p><b>Fence and Signpost Restriction:</b> Any fencing posts or signs installed, temporarily or permanently, throughout the course of the Project shall have the top three post holes covered or filled with screws or bolts to prevent the entrapment of wildlife, specifically birds of prey.</p>	<p>CDFW CEQA Comment Letter</p>	<p>Entire Project</p>	<p>Project Proponent</p>	

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

# **Community Development Department**

Planning · Building · Neighborhood Preservation

## **Attachment C Environmental Review**

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**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:** Use Permit No. PA-1900127 (UP)

**PROJECT LOCATION:** The project site is located on the north side of West Grant Line Road, 985 feet east of South Hansen Road, northwest of Tracy, San Joaquin County. (APN/Address: 209-190-33 and 209-190-40/16151 West Grant Line Road, Tracy) (Supervisory District: 5)

**PROJECT DESCRIPTION:** A Use Permit application to expand an existing religious assembly from a maximum of 170 members to a maximum of 700 members in two (2) phases over four (4) years. Currently, the religious assembly utilizes, and will continue to utilize, a 4,920 square foot assembly hall, a 2,500 square foot office and visitor's quarters, a 1,409 square foot garage and office, a 4,250 square foot resident parsonage, and a 96 square foot storage building. Phase 1 includes the construction of a 28,965 square foot assembly hall, a 250 square foot well house, a 700 square foot water pump house for fire, a 6,453 square foot porch and hallway structure to connect the proposed assembly hall with a future social hall, and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase 2 includes the construction of a two-story, 17,715 square foot social hall with a kitchen and dining area, and an upstairs area for retreat and guest preachers. The project will be served by a private well and a private septic system; storm drainage will be retained on site. The site plan proposes three (3) driveways off of W. Grant Line Road.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

**PROPONENT:** Dharm Singh / Sukhjit 'Tony' Singh

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](http://www.sjgov.org/commdev) under Active Planning Applications.

Date: January 21, 2020

Contact Person:  
 Alisa Goulart Phone: (209) 468-0222 FAX: (209) 468-3163 Email: [alisa.goulart@sjgov.org](mailto:alisa.goulart@sjgov.org)

Filed Doc #: 39-01232020-026  
 01/23/2020 11:48:49 AM  
 Steve J. Bestolarides  
 San Joaquin County Clerk

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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: Sukhjit "Tony" Singh

PROJECT TITLE/FILE NUMBER(S): PA-1900127

PROJECT DESCRIPTION: This project is a Use Permit to expand an existing religious assembly from a maximum of 170 members to a maximum of 700 members in two (2) phases over four (4) years. Currently, the religious assembly utilizes, and will continue to utilize, a 4,920 square foot assembly hall, a 2,500 square foot office and visitor's quarters, a 1,409 square foot garage and office, a 4,250 square foot resident parsonage, and a 96 square foot storage building. Phase 1 includes the construction of a 28,965 square foot assembly hall, a 250 square foot well house, a 700 square foot water pump house for fire, a 6,453 square foot porch and hallway structure to connect the proposed assembly hall with a future social hall, and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase 2 includes the construction of a two-story, 17,715 square foot social hall with a kitchen and dining area, and an upstairs area for retreat and guest preachers. The project will be served by a private well and a private septic system; storm drainage will be retained on site. The site plan proposes three (3) driveways off of W. Grant Line Road.

The project site is located on the north side of W. Grant Line Road, 985 feet east of S. Hansen Road, northwest of Tracy.

ASSESSORS PARCEL NO.: 209-190-33 and 209-190-40

ACRES: 20.0

GENERAL PLAN: A/G

ZONING: AG-40

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):  
Religious assembly with structures totaling 73,728 square feet and a maximum of 700 members and a 3,200 square foot building for truck parking.

**SURROUNDING LAND USES:**

NORTH: Agricultural with scattered residences  
SOUTH: Agricultural with scattered residences  
EAST: Agricultural with scattered residences  
WEST: Agricultural with scattered residences

**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 date); 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: Tracy

**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.

Alisa Goulart  
Signature

1-21-2020  
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.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>I. AESTHETICS.</b>					
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a-c) The proposed project is located on W. Grant Line Road, east of the city of Tracy. Pursuant to San Joaquin County General Plan 2035 Natural and Cultural Resources Element Figure NCR-1 (page 3.4-13), W. Grant Line Road is not designated as a Scenic Route. Therefore, the project will not impact, or substantially damage, a scenic vista or resources, nor will it affect other regulations governing scenic quality.
- d) The proposed project is an expansion to an existing religious assembly. The expansion will require outdoor parking area lighting if the parking area is to be used at night, but the outdoor lighting will be conditioned to be designed to confine direct rays to the premises, allowing no spillover beyond the property lines. Currently, there are 77 parking spaces on site. The expansion will add 327 parking spaces for a total of 404 spaces, however, with the outdoor lighting conditions, the project is expected to have a less than significant impact on day or nighttime views in the area.

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

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

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

**Impact Discussion:**

- a) The project parcel is not designated as Prime Farmland pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, therefore, the project will not convert Prime, Unique, or Statewide Importance Farmland to nonagricultural uses.
- b) The Religious Assembly use type can be conditionally permitted in the AG-40 (General Agriculture, 40 acre minimum) zone with an approved Use Permit application, therefore, the project does not conflict with existing zoning. The project parcel is not under a Williamson Act contract.
- c-d) The subject property is not located in an area of forest land, timberland, or Timberland Production as defined by Public Resources Code and Government Code, therefore, the project will have no impact on corresponding zoning or conversion of such land.

- e) The proposed project, an expansion of an existing Religious Assembly, does not conflict with any existing uses as the zoning and General Plan designations will remain the same. The expansion will not interfere with any agricultural activity on the parcel. Furthermore, it has been previously determined that a religious assembly is a conditionally permitted use the AG-40 zone.

	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:**

- a-d) The proposed project is an expansion of an existing religious assembly. The San Joaquin Valley Air Pollution Control District (APCD) has been established by the State in an effort to control and minimize air pollution. The project was referred to the APCD for review on June 14, 2019. A response from APCD dated July 2, 2019, stated that the District concluded that the project would have a less than significant impact on air quality when compared to significance thresholds. The applicant was required to demonstrate compliance with District Rule 9510, intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees, with completion of an Air Impact Assessment (AIA) application. The AIA was submitted by the applicant and approved by the APCD. Compliance with the requirements of APCD are expected to lessen any impacts on air quality 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a) The California Department of Fish and Wildlife Natural Diversity Database lists *Vulpes macrotis mutica* (San Joaquin Kit Fox), *Buteo swainsoni* (Swainson's Hawk), and *Tropidocarpum capparideum* (caper-fruited tropidocarpum) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

SJCOG responded to this project referral that the project is subject to the SJMSCP. The applicant has confirmed that he will participate in SJMSCP. With the applicant's participation, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

b-c) The subject property has no riparian habitat or wetlands located within its boundaries, therefore the proposed project, an expansion to a previously-approved religious assembly, will not have an impact on riparian habitat or wetlands.

- d-f) This application, an expansion of an existing religious assembly, will be conditioned to participate in the SJMSCP. With the applicant's participation in the SJMSCP, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

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

**Impact Discussion:**

- a-b) The proposed project is an expansion of an existing religious assembly. The project will have no impact on Cultural Resources as there are no resources on the project site that are listed or are eligible for listing on a local register, the California Register of Historic Places, or National Register of Historic Places.
- c) In the event human remains are encountered during any portion of the 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**). Following health and safety codes will ensure that any impact to human remains 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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**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. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>VII. GEOLOGY AND SOILS.</b>					
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The project will have to comply with the California Building Code (CBC) which includes provisions for soils reports for grading and foundations as well as design criteria for seismic loading and other geologic hazards based on fault and seismic hazard mapping. All recommendations from a soils report must be incorporated into the construction plans. Therefore, impacts to seismic-related (or other) landslide hazards will be less than significant.
- b) The project will not result in substantial soil erosion or the loss of topsoil because the project will require a grading permit and the grading will be done under permit and inspection by the San Joaquin County Community Development Department's Building Division. As a result, impacts to soil erosion or loss of topsoil will be less than significant.
- c-d) The project site is relatively flat terrain where landslides have not historically been an issue. A soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction

plans. Therefore, any risks resulting from being located on an unstable unit will be reduced to less than significant.

- e) The project will be served by an onsite septic tank or alternative wastewater disposal system for the disposal of waste water. The Environmental Health Department is requiring a soil suitability/nitrate loading study to determine the appropriate system and design prior to issuance of building permit(s). The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County. 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 systems is required for each parcel. With these standards in place, only soils capable of adequately supporting the use of septic tanks will be approved for the septic system.
- f) The project area has not been determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by project construction, therefore, damage to unique paleontological resources or sites or geologic features is anticipated to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

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

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.<sup>11</sup> The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific 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. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

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<sup>11</sup> San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

**IX. HAZARDS AND HAZARDOUS MATERIALS.**

Would the project:

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

**Impact Discussion:**

- a-c) The project includes the development of an assembly hall, a social hall, and porch/hallway connecting addition for an existing religious assembly. The proposed use does not include the use, transport, or disposal of hazardous materials nor could there be an accidental release of hazardous materials, therefore, the project will have a less than significant impact on the environment due to hazardous materials.
- d) The project site is not included on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will have not create a significant hazard to the public or the environment.
- e) The project site is not located within an airport land use plan or within two miles of a public airport or public use airport, therefore, the project is not expected to result in a safety hazard or in excessive noise for people residing or working in the project area.
- f) The project site is currently developed with a religious assembly. The project, an expansion of an existing religious

assembly, will increase the maximum seating capacity from 170 to 700. The site plan depicts two (2) driveways for ingress/egress. Any roadway improvements required by the Department of Public Works will be conditions of approval for the project. Therefore, the project's impact on emergency plans is expected to be less than significant.

- g) The project location is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b><u>X. HYDROLOGY AND WATER QUALITY.</u></b>					
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The proposed project's impact on hydrology and water is expected to be less than significant. The project will be served by an onsite well and septic system. Construction of an individual domestic water well will be under permit and inspection by the Environmental Health Department. The sewage disposal system must comply with the onsite wastewater treatment systems standards of San Joaquin County. Therefore, the proposed project's impact on these resources will be less than significant.
- b) The project, an expansion of an existing religious assembly on a twenty (20) acre parcel, will not create a demand for water that will significantly decrease the supply of groundwater nor will it interfere with groundwater recharge. After implementation of the project, thirty-nine percent (39%) of the surface area of the twenty (20) acre parcel will remain pervious for groundwater discharge.
- c-e) The proposed project does not propose any substantial alteration to a drainage pattern, stream or river. All development projects are required by the Development Title to provide drainage facilities to contain the storm water runoff on site and to prevent offsite sediment transport. The project will be conditioned by the Department of Public Works to provide

drainage facilities in accordance with the San Joaquin County Development Standards.

The proposed project plan calls for storm water to be retained in on-site retention basins. Public Works requires that retention basin capacity be calculated and submitted along with a drainage plan for review and approval, prior to release of a building permit. Additionally, the Public Works department requires that the applicant submit a "Storm Water Pollution Prevention Plan" (SWPPP) to Public Works for review. A copy of the approved SWPPP and all required records, updates, test results and inspection reports must be maintained on the construction site and be available for review upon request. The applicant will also be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter must also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants.

With the project thus conditioned, impacts from drainage 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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**XI. LAND USE AND PLANNING.**

Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) This project is an expansion of an existing religious assembly. The existing assembly is located in a rural agricultural area. The site is adjacent to agricultural lands with scattered residences. The proposed expansion is to provide additional assembly and social space for the congregation. No part of the expansion would present barriers to the site or in surrounding areas. Therefore, the project will not divide an established community.
- b) This project is an expansion of an existing religious assembly. The project parcel is zoned General Agriculture, 40-acre minimum, (AG-40) and the project use type, Religious Assembly – Regional, may be conditionally permitted in the AG-40 zone with an approved Use Permit application. The proposed project does not conflict with any existing or planned land uses, therefore, the project's impact on the environment due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect is 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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**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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

- a-b) The proposed project, an expansion to an existing religious assembly will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. 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 in Tracy has been classified as MRZ-1. The San Joaquin County General Plan 2035 Volume II, Chapter 10-Mineral Resources, Table 10-7, defines MRZ-1 as "Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." Therefore, the project will not result in the loss of mineral resources or mineral resource recovery sites within the region and in the Tracy community.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b>XIII. NOISE.</b>					
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The nearest residence is located approximately 790 feet west of the project site. Development Title Section 9-1025.9 lists the residential use type as a noise sensitive land use. Development Title Section Table 9-1025.9 Part II states that the maximum sound level for stationary noise sources during the daytime is 70 dB and 65dB for nighttime. This applies to outdoor activity areas of the receiving use, or applies at the lot line if no activity area is known. The proposed project would be subject to these Development Title standards. The project will not exceed the Development Title noise standards with the proposed operation because all activities associated with the new buildings will take place indoors, therefore impacts from the proposed project are expected to be less than significant.
- b) The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels therefore, the project will not have any impact on vibrations or other noise levels.
- c) The project site is not located within the vicinity of a private airstrip, an airport land use plan, or within two miles of a public airport or public use airport, therefore, the project is not expected to expose people residing or working in the project area to excessive noise levels.

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

**Impact Discussion:**

- a-b) The proposed project will not induce substantial population growth in the area either directly or indirectly because the project does not propose new homes or businesses. The project is an expansion of an existing religious assembly. Therefore, the proposed project will not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because the project site is currently vacant. Therefore, the project will have no impact on population and housing.

	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"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

a) The proposed project is an expansion of an existing religious assembly. The project site is located in the Tracy Rural Fire District and the Lammersville School District. Both agencies were provided with the project proposal and invited to respond with any concerns or conditions. A response was not received from the school district. The South San Joaquin County Fire Authority responded in a letter dated July 18, 2019, with requirements that are to be incorporated into construction documents prior to approval of building construction permits. These requirements included providing a Fire Department Connection located towards the front of the building or at the fire pump, providing a fire hydrant, installing water tanks in accordance with 2016 California Fire Code, NFPA 22, NVPA 24, and providing access in accordance with San Joaquin County's Fire Apparatus Access Road Standards. The project site is served by the San Joaquin County Sheriff's Office. The office was provided with the project proposal and invited to respond with any concerns or conditions. A response was not received from that office. As proposed, and with the requirements from the fire district, the project is not anticipated to result in a need for a substantial change 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:**

a-b) This project will not 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, because the project will not generate any new residential units. This project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment, because the type of project proposed, an expansion to an existing religious assembly, will not result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) This project is an expansion of an existing religious assembly that will increase the number of members from 170 to 700 members. There was a previous application to expand the religious assembly to 800 members that expired (Use Permit PA-1000217). The Department of Public Works required a traffic study for PA-1000217 and a technical memorandum to update the traffic study for the currently proposed expansion. As a result, the following mitigation measures are recommended to reduce the impact to the existing roads by the proposed project:

Mitigation 1: Provide an overflow parking lot that can accommodate 100 additional parking spots for occasional high parking demand. The overflow parking lot shall, at a minimum, be graded soil that will accommodate storm drainage runoff.

Mitigation 2: Construct a 580 foot long eastbound left-turn lane on W. Grant Line Road approaching the main project entry.

Mitigation 3: Construct a two-way left-turn lane on W. Grant Line Road extending easterly from the project's main entrance and continuing 450 feet easterly from the east entrance.

Mitigation 4: Construct a westbound right-turn lane from the west entrance and continuing 100 feet easterly from the east entrance.

Mitigation 5: Stripe and sign the west entrance access to indicate the following movements are allowed: Right in, Right out.

These mitigation measures will be included in the conditions of approval to mitigate any impacts to roads and traffic resulting from the project to less than significant.

- b) N/A
- c) Required road improvements to W. Grant Line Road listed above are recommendations from a traffic impact study (TIS) performed by TJKM Transportation Consultants, dated July 25, 2011, and updated November 8, 2019. All road improvements must be constructed in conformance with the current Improvement Standards and Specifications of the County of San Joaquin. Therefore, the proposed project's impact on transportation hazards is expected to be mitigated to less than significant. Additionally, because the proposed project, an expansion to an existing religious assembly, can be permitted in the AG-40 zone with an approved Use Permit, hazards due to incompatibility are expected to be less than significant.
- d) A traffic impact study (TIS), dated July 25, 2011, and updated November 8, 2019, was performed by TJKM Transportation Consultants. The study concluded that, based on the proposed site plan and the design for entering and

PA-1900127 – Initial Study

26

exiting volumes, the three (3) driveways proposed for the 700 person capacity design will operate satisfactorily from the standpoint of motorist delays, level of service, and available queuing space (p. 3, Update 2019). Pursuant to Development Title Section 9-1015.5(h)(1), access driveways must 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. Additionally, the required road improvements for the project include widening W. Grant Line Road to allow constructing turn lanes into the facility. With these proposed improvements, the project is not expected to result in inadequate emergency access.

	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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

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

a) The project site is located in an agricultural area north of the city of Tracy. The nearest waterway is Old River located 1.5 miles to the northeast. The project is an expansion of an existing religious assembly. Additionally, the site is surrounded by development such as streets, sidewalks, and public water and sewer infrastructure.

Referrals were sent June 14, 2019 to the California Tribal TANF Partnership, the California Native American Heritage Commission, the California Valley Miwok Tribe, the North Valley Yokuts Tribe, and the United Auburn Indian Community. No responses or requests for consult were received as a result of the referral, therefore any possible disruption to a potential site is 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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**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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

- a) The project will utilize an onsite well and a private septic system as well as retention ponds for stormwater, therefore the project will not require new public facilities. The well and septic system will be installed and maintained privately.
- b) The project will utilize an individual domestic water well which will be constructed under permit and inspection by the San Joaquin County Environmental Health Department at the time of development.
- c) The project will utilize an onsite sewage disposal system constructed under permit from the Environmental Health Department and subject to the onsite wastewater treatment system regulations that will comply with the standards of San Joaquin County.
- d) The project site is served by the Lovelace Materials Recovery Facility and Transfer Station and the Foothill Sanitary Landfill, which, according to the current permit, is projected to be in operation until 2082, providing adequate capacity for the proposed project.
- e) The proposed project will be required to comply with state and local statutes and regulations related to solid waste so there will be no significant impact in this area.

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

**Impact Discussion:**

- a-d) The project location is in the urban community of Tracy, which is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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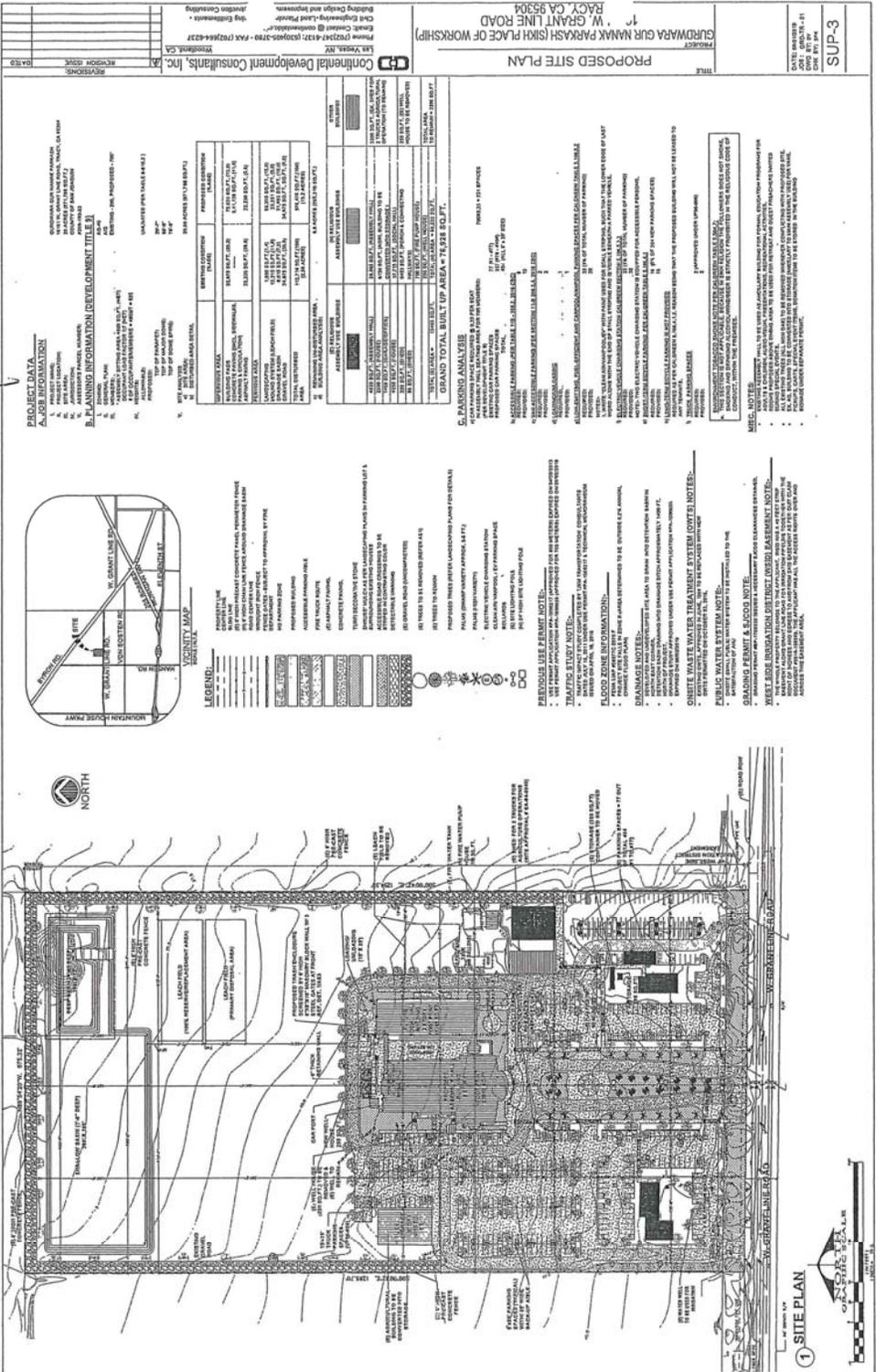
**Impact Discussion:**

a-c) Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures have reduced these impacts to a less than significant level.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

SITE PLAN  
 Application # PA1900127

Received By [Signature] On 6/7/19



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**SAN JOAQUIN**  
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# Community Development Department

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## Attachment D Findings

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## FINDINGS FOR USE PERMIT

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1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
  - **This Finding can be made because the expansion of a Religious Assembly – Regional use type may be conditionally permitted in the AG-40 (General Agriculture, 40 acre minimum) zone with an approved Use Permit application. The project site has a General Plan designation of A/G (General Agriculture), and the AG-40 zone is an implementing zone for this designation. The proposed religious assembly expansion is consistent with the goals, policies, standards and maps of the General Plan, and there are no Master Plans or Specific Plans 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 adequate utilities, access roads, sanitation, drainage, and other necessary facilities have been provided and the proposed improvements are properly related to existing and proposed streets and highways. The project site is already served by an on-site well. Construction of an onsite wastewater treatment system is required, under permit and inspection by the Environmental Health Department, as a Condition of Approval. The Department of Public Works is requiring the developer to provide drainage facilities that meet the requirements of San Joaquin County Development Standards for the runoff attributed to this application.**

In addition, a traffic study and subsequent technical memorandum were performed and, as a result, the Department of Public Works is requiring mitigation measures in the form of road improvements to improve the project entrance to reduce impacts resulting from the project's driveway turning movement volumes.
3. The site is physically suitable for the type of development and for the intensity of development.
  - **This Finding can be made because the property is twenty (20) acres and of adequate size and shape to accommodate the proposed use and all yards, building coverage, setbacks, parking areas and other requirements of the Development Title.**
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 an Initial Study prepared for this project found no potentially significant environmental 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 adjacent parcels are primarily agricultural with scattered residences, and the nearest residence is located 880 feet west of the project site. The proposed use may be conditionally permitted in the AG-40 (General Agriculture, 40 acer minimum) zone subject to an approved Use Permit application.**

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# **Community Development Department**

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## **Attachment E** **Conditions of Approval**

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# CONDITIONS OF APPROVAL

PA-1900127

GURDWARA GUR NANAK PARKASH, INC.

Use Permit Application No. PA-1900127 was approved by the Planning Commission on . The effective date of approval is . This approval will expire on , which is 18 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to 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 expansion of an existing religious assembly in two (2) phases over four (4) years. The proposal includes increasing the maximum seating capacity from 170 to 700. (Use Type: Religious Assembly – Regional)

1. Phase 1 - Includes the following:

- construction of a 28,965 square foot assembly hall
- construction of a 250 square foot well house
- construction of a 700 square foot fire suppression water pump house
- construction of a 6,453 square foot porch and hallway structure to connect the proposed assembly hall with a future social hall
- conversion of an existing 6,150 square foot agricultural building into a storage building.

2. Phase 2 - Includes the following:

- construction of a 17,715 square foot social hall with a kitchen, dining area, and retreat area.

These Conditions of Approval supersede the Conditions of Approval for Use Permit No. UP-96-0006 and are in addition to the Conditions of Approval for SA-94-0040.

Previously Constructed Approved Structures:

- 4,920 square foot assembly hall
- 1,409 square foot office/garage
- 2,500 square foot residence (priest's house)

- 4,250 square foot residence
  - 320 square foot shed
  - 96 square foot shed
- 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. **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 base material of appropriate depth and asphalt concrete or Portland cement concrete to provide a durable, dust free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])
  2. A minimum total of 178 parking spaces, in addition to the 56 previously required parking spaces (UP-96-0006), are required for Phase 1, for a total of 234 parking spaces. No additional parking spaces are required for Phase 2. (0.33 spaces per seat/occupancy) (Development Title Section 9-1015.3)
  3. Each 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 maximum of two (2) truck parking spaces shall be provided (UP-96-0006[RA]).
  6. All parking spaces for trucks and all major truck circulation lanes shall be surfaced and permanently maintained with asphalt concrete or Portland cement concrete. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])
  7. Truck parking spaces shall be a minimum of twenty-five (25) feet in length and fifteen (15) feet in width and shall have a minimum height clearance of fourteen (14) feet. (Development Title Section 9-1015.6[c][1])
- e. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:
1. Access driveways shall have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than twenty (20) feet wide. (Development Title Section 9-1015.5[h][1])
- f. **LIGHTING:** Lighting shall be provided and comply with the following:
1. If the parking area is to be used at night, parking lot 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])

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

1. This project will be required to comply with the Model Water Efficient Landscape Ordinance Requirement per California Code of Regulations, Title 23, Division 2, Chapter 2.7.
2. A minimum ten (10) foot wide landscaped strip, respecting the ultimate right-of-way width of W. Grant Line Road, shall be installed across the frontage of the project site. (Development Title Section 9-1020.7[a])

The existing landscaping meets this requirement.

3. The parking area shall be landscaped as specified in Section 9-1020.5 of the Development Title. The parking area shall be provided with a minimum of five percent (5%) of landscaping within the perimeter of the parking area, not including landscaping along the street frontage. One (1) tree for each five (5) parking stalls shall be planted, evenly spaced throughout the parking lot.
4. All areas not used for buildings, parking, driveways, walkways, approved outdoor storage areas, or other permanent facilities shall be landscaped. (Development Title Section 9-1020.7[a])
5. Areas of the property which are not part of the project shall be barricaded from traffic and kept mowed and dust free.

h. **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 (7) feet in height. Outside storage is not permitted in front yards, street side yards, or in front of main buildings. (Development Title Section 9-1022.4[d][2])

i. **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])

j. **BUILDING CODE:** The following California Building Code (CBC) and San Joaquin County Ordinance requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:

1. A building permit for each separate structure or building is required. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with The 2016 California Building, Existing Building, Mechanical, Plumbing, Electrical, Energy and Fire codes as may be applicable. Plans for the different buildings or structures may be combined into a single set of construction documents.
2. A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill,

prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the code.

3. The required plans must be complete at the time of submittal for a building permit. Plans must address building design and construction, fire and life safety requirements, accessibility and show compliance with the current California codes and San Joaquin County ordinances. A complete set of plans must include fire sprinkler plans, truss design submittals, metal building shop drawings, structural plans and calculations, plumbing, electrical and mechanical drawings and energy report.
4. A soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report shall be incorporated into the construction drawings.
5. For each proposed new building, provide the following information on the plans:
  - A. Description of proposed use
  - B. Existing and proposed occupancy Groups
  - C. Type of construction
  - D. Sprinklers (Yes or No)
  - E. Number of stories
  - F. Building height
  - G. Allowable floor area
  - H. Proposed floor area
  - I. Occupant load based on the CBC
  - J. Occupant load based on the CPC
6. The proposed conversion of an existing agricultural building to a storage building will constitute a change of occupancy. A change of occupancy will require a code analysis report and necessary plans prepared by an architect or engineer in accordance with the California Existing Building Code. The report and plans shall identify existing conditions, propose alterations necessary to bring the building in compliance with the current code and include the following:
  - A. Description of proposed use
  - B. Existing and proposed occupancy Groups
  - C. Type of construction
  - D. Sprinklers (Yes or No)
  - E. Number of stories
  - F. Building height
  - G. Allowable floor area
  - H. Proposed floor area
  - I. Occupant load based on the CBC for the new use
  - J. Occupant load based on the CPC for the new use
  - K. Risk Category analysis. (Agricultural Buildings are allowed to be constructed to Risk Category I, whereas other occupancies require Risk Category II or III)
7. Modifications to existing buildings are required to include upgrades related to disability access pursuant to the California Existing Building Code. Plans showing these upgrades must be prepared by a registered engineer or licensed architect and shall

be submitted for review and approval prior to issuance of a building permit.

8. Accessible routes shall be provided per CBC § 11B-206. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B-206.2.4
  9. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
  10. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path. §11B-206.2.4
  11. Parking spaces will be required to accommodate persons with disabilities in compliance with Chapter 11B of the California Building Code. Note that accessible parking spaces are required for each phase of the project. These parking space(s) shall be located as close as possible to the primary entrance to the building.
  12. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
  13. This project will be required to comply with the Model Water Efficiency Landscape Ordinance requirements of the California Code of regulations, Title 22, Division 2, Chapter 2.7
2. SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY (Contact: [209] 831-6707)
- a. Prior to approval of building construction permit, applicant shall incorporate the following into construction documents:
    1. New and existing buildings shall have approved address numbers and addressing scheme that is placed in a position that is plainly legible and visible from the street or road fronting the property.
    2. Fire sprinklers and fire alarms shall be installed, in accordance with 2016 CFC Chapter 9, NFPA 13 & NFPA 72. These items may be listed as a deferred submittal on the construction documents, and shall be submitted separately from the building construction submittal.
    3. Fire Department Connection (FDC) shall be located towards the front of the building or at the fire pump, based on the conversation with Fire Marshal Ray, May 2019. Provide a hydrant with 100' of FDC.
    4. Provide civil drawings demonstrating the sprinkler system and the hydrant loop are separated from each other to prevent pressurization of hydrants during firefighting operations.
    5. Water tanks shall be installed in accordance with 2016 California Fire Code, NVPA 22, NVPA 24. Provide calculations which demonstrates a minimum amount of fire suppression water supply per 2016 NFPA 1142. This can be listed as a deferred submittal on the construction documents, and shall be submitted separately from the building construction submittal.

6. Provide access in accordance with 2016 CFC Section 503 and San Joaquin County's Fire Apparatus Access Road Standards.
  7. Electric gates shall be equipped with traffic preempting optical signal receivers compatible with the emitters used by the Fire Department, which will activate the gates and override all command functions of the gate controller. Electric gate operations shall be listed in accordance with UL 325 and ASTM F2200. Knox switches shall be provided on both sides of the gates unless an exit loop is provided at automatic gates. The automatic gates shall have a battery back-up or a manual mechanical disconnect readily accessible to emergency personnel in case of power failure.
  8. Prior to approval of building construction permit, applicant shall submit construction documents to the South San Joaquin County Fire Authority for review and approval. Electronic submittal is encouraged, but not mandatory.
- b. At the time of application to South San Joaquin County Fire Authority, additional requirements may be required based on submittal and review.
  - c. Prior to final inspection, emergency radio responder coverage shall be tested for each building in accordance with 2016 CFC Section 510. If adequate coverage is not available, applicant shall apply for a construction permit for installation.
3. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)
- a. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-1135)
  - b. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)
  - c. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. 17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
  - d. Dedication to result in a 42 foot wide right-of-way from the centerline of W. Grant Line Road to the property line shall be required across the parcel's frontage. (Development Title Section 9-1150.5) (Fees are required for processing dedications per Development Title Table 9-240.2 in addition to copies of the Grant Deeds.) (The fees will be based on the current schedule at the time of payment.)
  - e. A copy of the Final Site Plan shall be submitted prior to release of building permit for both phases of the project.
  - f. 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)

- g. 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)
- h. Permit Registration Documents (PRD's) shall be filed with the State Water Resources Control Board (SWRCB) to comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification (WDID) Number issued by SWRCB shall be submitted to the Department of Public Works for the file. Contact SWRCB at (916) 341-5537 for further information. Coverage under the SWRCB General Construction Permit Order 2009-0009-DWQ shall be maintained throughout the duration of all phases of the project.
- i. The frontage improvements for Grant Line Road shall be constructed in conformance with the standards for one-half (½) of a fifty (50) foot wide right-of-way rural road as shown on San Joaquin County Standards Drawing No. R-3 and also include mitigations as detailed below. All improvements shall be in conformance with the current Improvement Standards and Specifications of the County of San Joaquin. The improvement plans and specifications are subject to plan check and field inspection fees. The improvements must be completed prior to issuance of the certificate of occupancy for phase one of the project. (Development Title Section 9-1150.2)
  - 1. Provide an overflow parking lot that can accommodate 100 additional parking spots for occasional high parking demand. The overflow parking lot shall at a minimum be graded soil that will accommodate storm drainage runoff.
  - 2. Construct a 580 foot long eastbound left-turn lane on W. Grant Line Road approaching the main project entry.
  - 3. Construct a two-way left-turn lane on W. Grant Line Road extending easterly from the project's main entrance and continuing 450 feet easterly from the east entrance.
  - 4. Construct a westbound right-turn lane from the west entrance and continuing 100 feet easterly from the east entrance.
  - 5. Stripe and sign the west entrance access to indicate the following movements are allowed:
    - A. Right in.
    - B. Right out.

4. ENVIRONMENTAL HEALTH DEPARMTENT (Contact: (209) 468-3420)

- a. Submit to the Environmental Health Department revised site plans showing the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on the revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-1110.4(c)(5)).
- b. An Onsite Wastewater Treatment System (OWTS) permit for the installation of an engineered system was issued on October 3, 2018 and will expire October 3, 2019 but can be extended to October 3, 2020. This OWTS must be installed per approved plans prior to final occupancy (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).

- c. The onsite wastewater treatment system (OWTS) shall be designed to receive all domestic sewage and wastewater from the property. Only domestic sewage is allowed to discharge into the OWTS. No basement, footing or surface drainage or discharge from water softener, iron filter, pool filters, or water treatment systems shall be permitted to enter any part of the OWTS. The floor drain in trash enclosure area shall not be plumbed into the OWTS as indicated on the OWTS plans (San Joaquin County OWTS Standards 1.10.1).
    - 1. Prohibited discharges into OWTS include: Automobile and garage waste, storm drainage solvents and toxics, solids, garbage, kitchen wastewater from restaurant or bar, air conditioners, hazardous wastes, backwash, truck terminal wastes, recreational vehicle holding tank waste, industrial and manufacturing waste, and food processing wastes (San Joaquin County Development Title, Section 9-1110.7 and San Joaquin County OWTS 1.14).
  - d. Open, pump, and backfill the two septic tanks under permit and inspection by the Environmental Health Department that are associated with two houses located on this property as per approved OWTS permit (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
  - e. The existing private water well located on the southwest corner of the parcel is proposed to be used for irrigation. However, the site plan shows this well to be in a future parking lot. Provide a description of how this well will be maintained in conformance with ordinance and Well Standards requirements and protected from damage and contamination from vehicles. Please be advised that well pits (wells completed below grade) are prohibited (San Joaquin County Development Title, Section 9-1115.8(a)).
  - f. Destroy the abandoned well located at the house at 16105 Grant Line Road under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-1115.5(e).
  - g. The following information related to the Small Public Water System must be submitted to the EHD prior to final occupancy:
    - 1. The Technical, Managerial, and Financial documentation
    - 2. The source capacity and demand usage report
    - 3. A diagram of the water distribution system
    - 4. A site map showing the location of the OWTS and all associated piping
  - h. 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).
5. 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) and is located within the unmapped land use area. 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.

6. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (Contact: [559] 230-6000)
  - a. For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.
  - b. For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.
  - c. Install electric vehicle chargers with 15 outlets total.