



Planning Commission Staff Report

Item # 2, May 20, 2021

Use Permit No. PA-1800206

Prepared by: Frank Girardi

PROJECT SUMMARY

Applicant Information

Property Owner: Alice L. Kidd Trust
Project Applicant: Mark Kid

Project Site Information

Project Address: 706 West Lucas Road, Lodi
Project Location: On the south side of Lucas Road, 1,800 feet east of Davis Road, northeast of Lodi.

Parcel Number (APN):	015-040-67	Water Supply:	Private (Well)
General Plan Designation:	A/G; OS/RC	Sewage Disposal:	Private (Septic)
Zoning Designation:	AG-40	Storm Drainage:	Private (On-site drainage)
Project Size:	30.41	100-Year Flood:	Yes ([x] 500)
Parcel Size:	30.41	Williamson Act:	No
Community:	None	Supervisory District:	4

Environmental Review Information

CEQA Determination: Mitigated Negative Declaration (see Attachment C, Environmental Review)

Project Description

This project is a Use Permit application for a 20,036-square-foot commercial stable on a 30.41-acre parcel. (Use Type: Stables-Commercial). The project will include a maximum of 90 horses and the utilization of the following structures:

As-built structures requiring building permits:

- Horse shelters totaling 9,676 square-feet:
- 480-square-foot tack building
- 480-square-foot storage building
- 624-square-foot tack shed
- 836-square-foot tack up area
- 1,160-square-foot barn

Existing structures to remain in use:

- 1,300-square-foot farm labor apartment
- 900-square-foot carport
- 2,040-square-foot hay barn
- 2,400-square-foot horse barn

New Structures:

- A proposed 140-square-foot restroom.

The project will also utilize 5 existing open arenas and existing pastures for grazing. The commercial stable will operate 7 days per week from 7 a.m. to 9 p.m. with 3 employees and an average of 18 customers per day. This project also includes equine-related ancillary activities hosted by the facility which include, but are not limited to: clinics, customer appreciation events, and dressage shows with an average of 70 participants.

Recommendation

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan (Attachment C, Environmental Review);
2. Adopt the Findings for Use Permit (Attachment D, Findings for Use Permit); and
3. Approve Use Permit No. PA-1800206 with the attached Conditions of Approval (Attachment E, Conditions of Approval).

NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: May 10, 2021.

Number of Public Hearing notices: 179

Date of Public Hearing notice mailing: May 7, 2021.

Referrals and Responses

- **Early Consultation Date:** November 30, 2018
- **Project Referral with Environmental Determination Date:** February 2, 2021
- **Mitigated Negative Declaration Posting Date:** February 2, 2021
- **OPR State Clearinghouse #:** 2021020030

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
County Departments		
Ag Commissioner		
Assessor		
CDD		
Building Division	1/16/19	
Fire Prevention Bureau	12/7/18	
Public Works	1/17/19	3/2/21
Environmental Health	2/7/20	2/25/21
General Services		
Sheriff Office		
Surveyor		
State Agencies		
A.B.C.		
Department of Transportation		
District 10		
Division of Aeronautics		
C.H.P.		
C.R.W.Q.C.B.	12/20/18	3/3/21
C.V.F.P.B.		
Fish & Wildlife, Division:		
CA Food & Ag		
CA Native AHC		
Federal Agencies		
F.A.A.		
F.E.M.A.	12/18/18	
Army Corps of Engineers		
US Fish & Wildlife		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
Local Agencies		
A.L.U.C.		
CalWater		
City of Stockton		
Woodbridge Fire District		
Mosquito & Vector Control		
S.J.C.O.G.	12/14/18	2/3/21
San Joaquin Farm Bureau		
San Joaquin APCD		
W.I.D		
Lodi Unified School District		
Miscellaneous		
A.T.&T.		
B.I.A.		
Buena Vista Rancheria		2/2/21
Builders Exchange		
Carpenters Union		
CA Tribal TANF Partnership		
Haley Flying Service		
Kathy Perez		
Lodi Grape Growers Association		
North Valley Yokuts Tribe		
P.G.&E.		
Precissi Flying Service		
Sierra Club		
UAIC		2/2/21

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ANALYSIS

Background

On May 29, 2018, Enforcement Case No. EN-1800188 was opened for operating a commercial stable without a proper land use permit. On August 3, 2018, the applicant applied for Use Permit No. PA-1800206 for a commercial stable for a maximum of 90 horses that would include the utilization of 20,036 square-feet of existing structures.

The proposed project will primarily utilize existing structures, which were built without permits for private use and will need to be converted for commercial use with a building permit. Because this application is a result of an ongoing open enforcement case, the project will continue to be monitored by the Planning and Code Enforcement Divisions in order to ensure the project site either complies with the Use Permit requirements or otherwise ceases operation.

Facility Operations and Activities

The proposed project is a commercial stable for a maximum of 90 horses utilizing a combination of existing structures totaling 20,036 square-feet, and a proposed 140-square-foot restroom. The accessory activities are hosted by the facility and include equine demonstrations, horse shows, customer appreciation events, and four dressage show events annually¹.

Surfacing Modification

The site plan depicts a parking area surfaced with aggregate base. Pursuant to Development Title Section 9-1015.5(e), 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. However, Development Title Section 9-1015.9, states that requirements of the chapter may be modified by the Director in cases in which, due to the unusual nature of the establishment proposed or the development proposal submitted for it, the requirements set forth in the Development Title may be considered insufficient or excessive. The applicant submitted a modification request dated April 24, 2019, to utilize Class 2 Aggregate Base as the surfacing material for the parking areas. The applicant proposes to use Class 2 Aggregate Base because it is better suited and safer for horses, as it provides better traction than asphalt. The Community Development Department has reviewed the request and is recommends that the Planning Commission approve the surfacing modification for the parking areas.

Neighborhood Response

The Community Development Department has received 1 email in support for the project; 1 letter in opposition from a neighboring property owner; and 5 emails with concerns regarding vectors, manure management, traffic safety, manure, trespassing, and the compatibility of horses with the agricultural zoning.

Manure management and vectors: Individuals in the neighborhood expressed concerns regarding potential fly nuisances by the commercial horse stable and the impacts to surrounding residences. There are scattered residences along the perimeter of the subject parcel. The nearest residence is located 50 feet north of the project site on the adjacent parcel to the north located on the south side of W. Lucas Road.

Pursuant to Development Title Section 9-1045.4(b), "All animal enclosures, including but not limited to pens, cages, and feed areas, shall be maintained free from litter, garbage, and excessive accumulation of manure, so as to discourage the proliferation of flies, other disease vectors, and offensive odors. Premises shall be maintained in a neat and sanitary manner." The proposed commercial horse stable will be subject to this Development Title requirement regarding waste and maintenance as a recommended Condition of Approval. A Manure Management Plan (MMP) dated June 8, 2020 was prepared by Mar Val Stables (Attachment F, Approved Manure Management Plan) and was approved by the Environmental Health Department on June 30, 2020. The project will average about 80 horses onsite which is consistent with the number of animals per acre to promote appropriate waste management practices. The barn stalls and pens will be hand cleaned daily. The manure will be stock piled on the south side of the property and/or spread onsite with a manure spreader.

The Manure Management Plan is in compliance with the San Joaquin County Development Title 5, and the California Code of Regulations, Title 23, Division 3, Chapter 15, Article 6. As a Condition of Approval, a Mitigation Monitoring Reporting Plan (MMRP) (Attachment E, Conditions of Approval) will be required to ensure compliance with the Manure Management Plan.

Traffic: Neighbors also expressed concerns regarding traffic impacts. The application states that the proposed facility will operate 7 days a week: Monday through Sunday from 7:00 a.m. to 9:00 p.m. The applicant estimates an average of 18 customers per day and will have a maximum of 3 employees per day.

- Traffic impacts on roadways will be less than significant based the determination that this project will generate less than 110 automobile trips per day, and therefore, is considered a small project according to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018. According to this OPR guidance, a small project that generates or attracts “fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact” with regards to Vehicle Miles Traveled (VMT).
- The Department of Public Works determined that a traffic study is not required because the proposed project is not expected to exceed 50 vehicle trips during any hour and would have a less than significant impact on traffic.”

Trespassing: One neighbor expressed concern about the facility’s boarders trespassing onto other private properties. The approval of the project shall only apply to the project activities that occur on-site. Any off-site activities are not considered as a part of the project approval.

Land Use Compatibility: Individuals in the neighborhood expressed concerns regarding compatibility of horses with the agricultural zoning. The applicant has applied for (use type Stable – Commercial) which is a conditionally permitted use in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Use Permit application. Stables are conditionally permitted in all agricultural zones. There are only two other zones in the county where a commercial stable may be permitted including the C-RS (Commercial Rural Service) zone, and the C-R (Commercial Recreation) zone.

Right to Farm Ordinance: Individuals in the neighborhood expressed concerns regarding the project applicant accepting the inconveniences and discomforts caused by agricultural operations within proximity to the project site and the Right to Farm Ordinance. Pursuant to the Right to Farm Ordinance (Ordinance Code of San Joaquin County Section 6-9004[C]), 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 Commercial Stable 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.

¹ Events involving overnight accommodations shall not be a part of this Use Permit application and may be applied for separately under a Special Event application.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan (Attachment C, Environmental Review);
2. Adopt the Findings for Use Permit (Attachment D, Findings for Use Permit);
3. Approve Use Permit No. PA-1800206 with the attached Conditions of Approval (Attachment E, Conditions of Approval)

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Attachment A **Site Plan**

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Attachment B **Response Letters**

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**SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

1810 E. HAZELTON AVE., STOCKTON, CA 95205-6232
PHONE: 209/468-3121 FAX: 209/468-3163

DATE: December 26, 2018

PA-1800206 (UP)

Property owner: Alice L. Kidd Trust, Et. Al.

Applicant: Mark Kidd

APN / Address: 706 West Lucas Rd, Lodi

Planner: Frank Girardi

Project Description: The Use Permit application is to convert a private stable to a commercial stable for a maximum of ninety (90) horses. The stable will utilize the existing structures totaling 18,637 square feet and four existing open arenas.

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:

All existing buildings that were constructed without building permits will now require a building permit and approved plans for each structure.

1. 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. The building identified on the site plan as Office, Restroom, Farm Labor apartment and storage will change from private use to a commercial use. This change to commercial use will constitute a change of occupancy and 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:
3. For each 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

4. 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.
5. 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.
6. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.



**SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

1810 E. HAZELTON AVE., STOCKTON, CA 95205-6232
PHONE: 209/468-3121 FAX: 209/468-3163

Fire Prevention Bureau

To: Development Services:

Frank Girardi

(Contact person)

Date: 12-7-18

From: Fire Prevention:

Vic Solari

(Contact person)

209-468-3166

Subject:

PA-1800206(UP)

(Planning application referral number)

Project Summary: Convert an existing private stable to a commercial stable for a max. of 90 horses utilizing existing structures totaling 18,637 sq.ft. and 4 existing open arenas at 706 W. Lucas Rd.

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

1. CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.
2. If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
3. CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A secondary access may be required.
4. CFC, Section 906 Portable Fire Extinguishers - Provide portable fire extinguishers as required by this section.
5. CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire department's instructions. Make application for the key box at the fire district having jurisdiction of this project. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
6. CFC, Section 5001.3.3.1 Properties of Hazardous Materials - A complete list of hazardous materials used and or stored at this site shall be provided.
7. CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.



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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, Business Administrator

March 2, 2021

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Frank Girardi

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

SUBJECT: PA-1800206; A Use Permit application for a 22,340 square foot commercial stable on a 30.41-acre parcel in the AG-40 zone. The project will include a maximum of ninety (90) horses and the utilization of 22,200 square feet of existing structures and a proposed 140 square foot restroom. This project also includes equine-related ancillary activities hosted by the facility which include, but are not limited to, clinics, customer appreciation events, and dressage shows with an average of seventy (70) participants. Events involving overnight accommodations shall not be a part of this Use Permit application and will be processed separately under a Special Event Application; located on the south side of Lucas Road, 1,800 feet east of Davis Road, northeast of Lodi. (Supervisory District 4)

OWNER: Alice L. Kidd Trust et al.

APPLICANT: Mark Kidd

ADDRESS: 706 W. Lucas Road, Lodi

APN: 015-040-67

INFORMATION:

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

Lucas Road has an existing and planned right-of-way of 50 feet.

The site is within the Phase 2 area of the National Pollutant Discharge Elimination System (NPDES).

RECOMMENDATIONS:

1. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-1145.4 and 9-1145.5)

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PA-1800206 (UP)

2. 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. The driveway approach shall be designed with radii large enough to allow ingress/egress of trucks and trailers without encroaching into opposite lanes on the public roadway. (Development Title Section 9-1145.5)
3. 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 shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolution R-00-433)
4. 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)
5. 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 of the County "Small Site Storm Water Management Plan.
6. This project falls within the definition of a Priority Project as defined in either the County "Storm Water Quality Control Criteria Plan" (SWQCCP) or the County Phase II National Pollutant Discharge Elimination System (NPDES) permit and shall comply with the following conditions:
 - a) A registered professional engineer shall design a system or combination of systems to infiltrate, treat and/or filter the 85th percentile storm drainage as defined in the County's 2009 "Storm Water Quality Control Criteria Plan" (SWQCCP) or in the "California Association of Storm Water Quality Agencies" (CASQA) publications and comply with the conditions of the County Phase II National Pollutant Discharge Elimination System (NPDES) Permit. Standard "Best management Practices" for the type of development proposed shall be incorporated into the system design. CASQA documents are available at <http://www.casqa.org>. Plans and/or calculations of the proposed system shall be submitted to the County for review and approval.
 - b) Applicant shall submit a "Storm Water Pollution Prevention Plan" (SWPPP) to Public Works for review. A SWPPP preparation guide is available at the Department of Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request. The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter shall also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants. The example plans are available in the SWQCCP and CASQA handbooks.
 - c) Owner shall be responsible for providing the County with an annual report of operation and maintenance of any system. The property owner shall also be responsible for the payment to the County of an annual system inspection fee established by Resolution of the Board of Supervisors.

PA-1800206 (UP)

- d) A Maintenance Plan shall be submitted and the execution of a Maintenance Agreement with San Joaquin County will be required for the owner/operator of stormwater controls prior to the release of the building permit.
- e) Standard Best Management Practices for the type of development proposed shall be incorporated into the site storm drainage design.
- f) Wastewater shall NOT be allowed into the storm drainage system.

AC:CH




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Environmental Health Department

Jasjit Kang, REHS, Director
Muniappa Naidu, Assistant Director, REHS
PROGRAM COORDINATORS
Robert McClellon, REHS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Michael Kith, REHS
Melissa Nissim, REHS

February 25, 2021

To: San Joaquin County Community Development Department
Attention: Frank Girardi

From: Naseem Ahmed; 209-616-3018 
Senior Registered Environmental Health Specialist

RE: **PA-1800206 (UP), Referral, SU0013914**
706 W. Lucas Rd, Lodi

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

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

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

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

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

3. 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).
4. Construction of an individual sewage disposal system(s) under permit and inspection by the EHD 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).
5. Should the number of non-resident individuals exceed 24 for at least 60 days per year, or the number of service connections exceed four, a yearly permit to operate a public water system will

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be required by the Environmental Health Department (San Joaquin County Development Title, Section 9-1120.2 and 9-1115.9.).

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

6. Install an approved back-flow prevention device on all spigots with hose attached to prevent contamination to the water supply system(s) (California Code of Regulation, Title 17, Section 7603).
7. 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
8. Environmental Health Department has received a manure management dated June 8, 2020. Any modification that would affect the manure management plan should be amended to update the document. For any additional questions, the applicant shall contact Robert McClellon, Program Coordinator, Solid Waste Program, at (209) 468-0332.
9. 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/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Muniappa Naidu (209) 468-3439, with any questions.
 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 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.)
 - a. 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.
 - b. 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.)
 - a. **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.)

a. **Risk Management Plan requirement for covered processes**

Girardi, Frank [CDD]

From: Marin, Marcel [CDD]
Sent: Tuesday, June 30, 2020 9:09 AM
To: Simon toshrobb
Cc: Girardi, Frank [CDD]
Subject: Re: PA 1800206

Good Morning,

Thank you for keeping me updated, I will follow-up with our Planning Department to review the status of your application.

Marcel Marin

Senior Code Enforcement Officer
Community Development Department
Main Office: (209) 468-3121
Direct: (209) 468-8925
Fax: (209) 468-3163
Please also visit us On-line: <https://www.sjgov.org/commdev>

From: Simon toshrobb <simon@marvalstables.com>
Sent: Tuesday, June 30, 2020 9:05 AM
To: Marin, Marcel [CDD] <mmarin@sjgov.org>
Subject: FW: PA 1800206

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Marcel,
As per Robert I am forwarding his email

Yours truly

Simon Tosh-Robb
Manager
Mar Val Stables
706 Lucas Rd
Lodi CA 95242
209 607 0156 (cell)

From: McClellon, Robert [EHD] [mailto:RMcClellon@sjgov.org]
Sent: Tuesday, June 30, 2020 7:41 AM

To: Simon toshrobb
Subject: RE: PA 1800206

Simon I am okay with your Manure Management Plan. I thought that I let you know that. In any case. I have approved your plan. Please forward this to Marcel. Robert

Robert McClellon, REHS
Program Coordinator
San Joaquin County
Environmental Health Department
P(209) 468-0332
rmcclellon@sjgov.org

From: Simon toshrobb [mailto:simon@marvalstables.com]
Sent: Tuesday, June 30, 2020 7:36 AM
To: McClellon, Robert [EHD] <RMcClellon@sjgov.org>
Subject: PA 1800206

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Robert,

I hope you are well the reason for this email is, I have not heard from you since my last email that I sent you on June 8th.

I realize as we all are dealing with this virus issue that it may cause some delays in processing, I understand that.

However I received a notice of "intent to record a notice of code violation" from Marcel Marin dated June 22nd.

Is it possible for you to let her know where we currently are in the process of our use permit which is waiting on what Frank Girardi told me that "The Initial Study is pending the Manure Management Plan approval from the EHD"

Thank you

Yours truly

Simon Tosh-Robb
Manager
Mar Val Stables
706 Lucas Rd

Lodi CA 95242
209 607 0156 (cell)



Central Valley Regional Water Quality Control Board

3 March 2021

Frank Girardi
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, USE PERMIT NO. PA-1800206 PROJECT, SCH#2021020030, SAN
JOAQUIN COUNTY**

Pursuant to the State Clearinghouse's 2 February 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Use Permit No. PA-1800206 Project, located in San Joaquin County.

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

I. Regulatory Setting

Basin Plan

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

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

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

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/

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/sacsir_2018_05.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

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

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

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

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

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

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

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

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

Industrial Storm Water General Permit

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

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

Dewatering Permit

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

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

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

3 March 2021

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wgo/wgo2003-0003.pdf

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

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

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

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

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

If you have questions regarding these comments, please contact me at (916) 464-4856 or Nicholas.White@waterboards.ca.gov.



Nicholas White
Water Resource Control Engineer

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

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



FEMA

December 18, 2018

Frank Girardi, Project Manager
Development Department
Development Services Division
1810 East Hazelton Avenue
Stockton, California 95205

Dear Mr. Girardi:

This is in response to your request for comments regarding Application Referral Application Number PA 1800206 (UP) Use Permit application (Supervisory District 4).

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 Lodi (Community Number 060300), Maps revised October 16, 2009. Please note that the City of Lodi, 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

Frank Girardi, Project Manager
Page 2
December 18, 2018

- 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 Lodi floodplain manager can be reached by calling Wally Sandelin, Director of Public Works, at (209) 333-6706. The San Joaquin County floodplain manager can be reached by calling John Maguire, Engineering Services Manager, at (209) 953-7617.

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

Sincerely,



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

cc:

Wally Sandelin, Director of Public Works Department
John Maguire, Engineering Services Manager, San Joaquin County
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region
Office
Brian Trushinski, NFIP Planner, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

www.fema.gov



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)

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

To: Frank Girardi, San Joaquin County, Community Development Department
From: Laurel Boyd, SJCOG, Inc.
Date: February 3, 2021

Local Jurisdiction Project Title: PA-1800206 (UP)

Assessor Parcel Number(s): 015-040-67

Local Jurisdiction Project Number: PA-1800206 (UP)

Total Acres to be converted from Open Space Use: 330 acres

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

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

Dear Mr. Girardi:

SJCOG, Inc. has reviewed the application referral for PA-1800206 (UP). This project consists of a Use Permit application for a 22,340-square-foot commercial stable on a 30.41-acre parcel in the AG-40 zone (General Agriculture, 40-acre minimum). The project will include a maximum of ninety (90) horses and the utilization of 22,200 square feet of existing structures and a proposed 140-square-foot restroom. The commercial stable will operate seven (7) days per week from 7 A.M. to 9 P.M. with three (3) employees and an average of eighteen (18) customers per day. This project also includes equine-related ancillary activities hosted by the facility which include, but are not limited to, clinics, customer appreciation events, and dressage shows with an average of seventy (70) participants. Events involving overnight accommodations shall not be a part of this Use Permit application and will be processed separately under a Special Event application. The site will utilize an on-site private well, septic system, and stormwater drainage. Access to the parcel will be off of E. Lucas Road. The project site is on the south side of Lucas Road, 1,800 feet east of Davis Road, northeast of Lodi (APN/Address: 015-040-67/706 West Lucas Road, Lodi).

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

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

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

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:

- a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

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

- Receive your Certificate of Payment and release the required permit

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

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



S J C O G , I n c .

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

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

SJMSCP HOLD

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

FROM: Laurel Boyd, SJCOG, Inc.

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

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

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 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-1800206 (UP)

Landowner: Alice L. Kidd Trust, Et Al.

Applicant: Mark Kidd

Assessor Parcel #s: 015-040-67

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

Local Jurisdiction Contact: Frank Girardi

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.

Girardi, Frank [CDD]

From: Ivan Senock <ivan@bvtribe.com>
Sent: Tuesday, March 2, 2021 11:10 AM
To: Girardi, Frank [CDD]
Subject: PA-1800206

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Frank Girardi,

I write on behalf of the Buena Vista Rancheria (BVR) of Me- Wuk Indians, Ione, CA. regarding the notification sent February 2, 2021 and received by this office February 2, 2021.
The notification was sent by San Joaquin County Community Development Department which references PA-1800206.
After review of the notification and examination of the property using the Google Earth mapping application, it is determined BVR has no objection to commencement of the project.
If Tribal Cultural Resources (TCR) should be inadvertently encountered, during the project, Buena Vista Rancheria requests additional notification so steps may be taken to protect and preserve them.

Respectfully,

Ivan R. Senock
Acting THPO
Buena Vista Rancheria of Me-Wuk Indians (Tribe)
1418 20th Street, Suite #200
Sacramento, CA 95811
ivan@bvtribe.com
Office: (916) 941-0011 ext. 255
Cell: (530) 588-1410

Girardi, Frank [CDD]

From: Anna Starkey <astarkey@auburnrancheria.com>
Sent: Tuesday, March 2, 2021 12:06 PM
To: Girardi, Frank [CDD]
Subject: Commercial Stable (PA-1800206)
Attachments: 3_Mitigation_Measures_UnanticipatedDiscoveries.pdf

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Girardi,

Thank you for the notification for the Commercial Stable (PA-1800206) Project. UAIC is unaware of any tribal cultural resources of significance in the project area. If any are discovered, we ask to be notified so we can appropriately repatriate them. See attached mitigation measure.

Thank you,
Anna

The United Auburn Indian Community is now accepting electronic consultation request, project notifications, and requests for information! Please fill out and submit through our website. Do not mail hard copy letters or documents. <https://auburnrancheria.com/programs-services/tribal-preservation>



Anna M. Starkey, M.A., RPA
Cultural Regulatory Specialist
Tribal Historic Preservation Department | UAIC
10720 Indian Hill Road
Auburn, CA 95603
Direct line: (916) 251-1565 | Cell: (530) 863-6503
astarkey@auburnrancheria.com | www.auburnrancheria.com

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Tribal Cultural Resources Unanticipated Discoveries

The following mitigation measure¹ is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities.

If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

¹ Proposed Mitigation Measure includes suggested template language to assist lead CEQA agencies, and their consultants, in understanding the Tribe's policies and expectations. All measures are subject to periodic review and change by the consulting Tribe to reflect best practices and to be worded on a project scope and site specific basis.

United Auburn Indian Community

Alice L. Kidd TR Etal
DBA Mar Val Stables
706 Lucas Rd
Lodi, CA 95242

April 24, 2019

San Joaquin County
Community Development Department
Frank Girardi - Assistant Planner
1810 E. Hazelton Ave.
Stockton, CA 95205-6232

RE: Modification Request
Use Permit Application No. PA - 1800206
Alice L. Kidd tr etal(c/o Mark Kidd (APN: 015-040-67)
(Address 706 W. Lucas Rd, Lodi)

TO: Development Committee,

Pursuant to the meeting held on January 16, 2019 and the memorandum prepared on January 11, 2019 that was discussed during the meeting, we are requesting a modification on the following:

Parking and Surfacing:

Pursuant to Development Title Section 9-1015.5(e), all parking space, driveways and maneuvering areas shall be surfaced and permanently maintained with asphalt, concrete or Portland cement concrete to provide a durable, dust free surface. Development Title Section 9-1015.9 states that requirements of the chapter may be modified by the Director in cases in which, due to unusual nature of the establishment proposed or the development proposal submitted for it, the requirements set forth in the Development Title may be considered insufficient or excessive.

Therefore we are requesting a modification as to the surface requirements. As we are a horse facility, having an asphalted, concrete or Portland cement surface would cause a great safety concern. These surfaces are slippery and a fall could cause significant injury or death to a horse and/or rider. Additionally, our agricultural equipment drives through our parking area and the continual use of heavy equipment would require additional maintenance and repairs. We are requesting that we be allowed to keep the gravel in the parking area. The gravel is dust free, durable and well maintained.

We are also requesting a modification as to the marking of the parking spaces. Development title Section 9-1015.5(d) states all parking stalls and directional arrows must be delineated with paint. We are requesting not to have to delineate spaces or directional arrows in our parking area because of the gravel. The revised site plan depicts 20 parking spaces. Each space is marked by a rail road tie that is 8 feet long and there is 2 feet of space between each tie.

Each client parks their vehicle in line with the rail road ties in a rectangular direction. We can make an ADA III compliant parking space by painting a rail road tie blue and placing a sign in front of the space. The parking lot has only one entrance/exit area, which is twenty five (25) feet wide, as depicted on the site map.

Access and Circulation:

Pursuant to Development Title Section 9-1015.5(h)(1) access driveways have a width of no less than twenty-five (25) feet for two-way aisles and sixteen (16) feet for one-way aisles. We are requesting a modification of this requirement to allow our current driveway of twenty - five (25) foot width of which twelve and one half (12 1/2) feet is asphalt surface, with eight (8) feet of both sides in grass, not be changed.

We have approximately eighteen (18) vehicles use our driveway on a daily basis by our clients. Traffic is spread through operating hours, as clients come throughout the day at their convenience. It is a rare occasion that two (2) vehicles must pass each other. When such a case arises, both vehicles will move over onto the grass areas to allow for passing room. If a trailer and vehicle must pass on the driveway, the vehicle will move onto the grass and allow the trailer to pass.

For the horse show traffic we open a 2 acre pasture for trucks and trailer parking which is in a fenced area for the horses safety. At are largest show, we have approximately 20 truck and trailers parked in this area. Additional parking for vehicles is in our current parking lot and we have an additional area of approximately one acre for overflow. These competitors have a specific time in which they will compete on their horse. So the trucks and trailers and additional vehicles come and go throughout the day. Additional show traffic is approximately 50 vehicles throughout the day, including the 20 truck/trailer combinations.

The Fire Department and Ambulance service has had to use our driveway on several occasions due to a rider coming off their horse. Both Fire truck and ambulance had no difficulties using our driveway nor have they had any difficulties accessing the area where the injured person was at. We have made wide areas for our tractors, equipment and horse trailer use as depicted on the site plan.

The reason we request to have our driveway not be changed is for the safety of the horses. If a horse were to get loose and run towards the drive way, the chances for them to slip and fall causing significant injury or death is minimized. Similarly, if riders cross the road, the risk of a slip and fall is greater with asphalt.

Manure Management

We have 2 ways of managing our manure. The property is maintained in 24 acres of pasture. Manure is either harrowed in place as soil amendment or vacuumed and added to the manure pile. Harrowing breaks the manure apart, exposing insect larva to the sun, thereby reducing the fly population and breaking the insect lifecycle. This process also allows the manure to fertilize the pasture grasses for continued growth.

The second method of manure management is manual cleaning. The manure is loaded into wheel barrows then transferred to an 8 foot tractor bucket, which is then deposited on the manure pile storage area on the south side of the property. This manure is stored under a specifically made tarp that is similar to the ones used by local dairies. The manure is routinely removed, either by our use or by our neighbors who hire a custom spreader company to collect and spread the manure on their property. We do not receive any funds for the manure.

For the reasons stated above, we are requesting modification to the parking and surfacing requirements. If you have any questions we are happy to provide further information.

Respectfully submitted,

Mark Kidd, Managing partner
Simon Tosh-Robb
Agent for Mark Kidd and
Facility Manager

MK/STR

Alice L. Kidd TR Etal
DBA Mar Val Stables
706 Lucas Rd
Lodi, CA 95242

April 24, 2019

San Joaquin County
Community Development Department
Frank Girardi - Assistant Planner
1810 E. Hazelton Ave.
Stockton, CA 95205-6232

RE: Accessory Events and Explanations
Use Permit Application No. PA - 1800206
Alice L. Kidd tr etal(c/o Mark Kidd (APN: 015-040-67)
(Address 706 W. Lucas Rd, Lodi)

TO: Development Committee,

Pursuant to the meeting held on January 16, 2019 and the memorandum prepared on January 11, 2019 that was discussed during the meeting, the department is requesting further information on the following:

Operations - Detailed regarding the hours of operation:

We are open for the boarders to have access to their horses Monday to Sunday from 7 am to 9:00 pm.

Our 2 employees work Monday to Friday 7 am to 4 pm & Saturday 7 am to 11 am

Manager of facility - Simon - Monday to Saturday 7 am to 6 pm / Available for emergency 7 days a week at any time.

We average approximately 83 horses on the property and have for many years. We do not intend the number of horses to increase. The maximum number of horses our facility can house is 90.

Accessory events -

Horse Shows

We host 4 horse shows per year - This year is May 4th - schooling show , May 5th - Rated show, June 1st - schooling show & June 2nd - Rated show. These are daily shows that begin at 8 am and end at 5 pm.

The shows are English dressage and Western dressage competitions. Rated shows are accredited by the United State Equestrian Federation, United States Dressage Federation and California Dressage Association.

I also must report to the California Food and Drug Administration - Animal Health Dept. The schooling shows have no accreditation, however I must still report to the CDFA - Animal Health Dept. We must follow strict rules and guild lines for each show from each of the above mentioned associations. I have attached a show Prize List so you can see some of the rules and regulations we must follow. This prize list is required and must be approved by United States Equestrian Federation and United States Dressage Federation for every show.

We use one pasture for parking, in which we place 12 - 12x12 portable pipe pens (no roofs) for horses to use on the day and/or for overnight stay. If a participant chooses to stay on grounds they must have a fully contained camper or trailer and we do not have RV hook up or facilities for them. They do have access to the portable restrooms. We do order an extra portable restroom for the shows, so we would have 3 restrooms available to the clients and competitors.

All competitors must complete an entry form and sign a liability release form. We also must prove the USEF, USDF & CDS that we have a one million dollar liability insurance policy for each show day. All riders are given a designated time they will ride their dressage test. Once complete the tests are brought to me, I calculate the scores, post them to the score board and give places to the riders. Once the rider has collected their test and award, they can leave the grounds or stay and watch friends. I have attached a time schedule so you can understand how a show day proceeds.

Many of our clients volunteer to help run the shows. We hire licensed officials to judge the shows and ensure that the rules and regulations are followed. CDFA randomly sends inspectors to monitor for drug use in the horses. Simon - the manager - does any ground work during the shows ie: watering the arenas and preparing the footing of arenas.

Clinics

We host a monthly clinic on Saturday and Sunday for horses and riders to advance their skills in their dressage riding. The clinics are taught by a licenses trainer from Germany, Jutta Shott. The lessons are 45 minutes each and we have approximately 5 riders that trailer into the ranch to have these lessons. Each must sign our liability waiver in order to ride at these clinics.

Client appreciation events

We have regular pot luck BBQ's for our clients and their family only. These events happen on Christmas, 4th of July, Labor Day and Memorial Day. Approximately 30 to 40 of our clients participate in these BBQ's. The Christmas party is in the evening and the rest of the events are during the late afternoon into evening, generally lasting approximately 3 to 4 hours. We barbeque tri tip and chicken and the clients will bring other dishes ie: salads, beans, other meat dishes, breads and so on. Our clients help us set up for these events, which include cleaning off tables, setting up chairs.

Future Plans

We intend to build a 2 stall unisex restroom with its own septic system. We intend to widen the entrance of the driveway to ensure easy access for passage of vehicles. We are considering installing a remote controlled electric gate.

We will be designating an ADA compliant parking space with handicap signage.

In the future, we may decide that it would be best for certain areas used by clients to be covered - our arena, round pen and client tack up area.

We hope that this provides you sufficient information regarding the activities at our facility. We are happy to provide any further information that you may require.

Respectfully submitted,

Mark Kidd, Managing Partner
Simon Tosh-Robb
Agent / Facility Manager

MK/str

Girardi, Frank [CDD]

Support of project; 1253 W Turner Rd., Lodi

From: Tamara Maren <tamara17maren@gmail.com>
Sent: Friday, March 5, 2021 12:28 PM
To: Girardi, Frank [CDD]

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Girardi,

I am writing to express my strong and enthusiastic support for the expansion of the Mar-Val Stables on East Lucas Road. I live across the canal from the stable (on an easement road between the canal and Turner Road) and have known the operators for over thirty years. For periods of time when I was traveling, I boarded my horse there. I never saw anything that needed to be done because the managers were ALWAYS on top of everything.

Lodi has nothing else comparable to the Mar-Val stables for horse enthusiasts. It offers well maintained grounds, arenas for riding and training, and other riding opportunities along the canals and on surrounding properties like mine that are owned by people who enjoy seeing horses come by. When Covid is over, horse shows will resume which attract over a hundred competitors with certified judges.

I know that the facility will be managed by other people in the future, but with the expansion and increased revenue, I'm very optimistic that the facility will be well maintained and well run in the future as it represents a large investment.

Sincerely,
Tamara Maren

Girardi, Frank [CDD]

From: Marisa Crawford <marisa.c@cen-calfire.com>
Sent: Friday, February 26, 2021 8:47 AM
To: Girardi, Frank [CDD]
Subject: PA-1800206
Attachments: noreply@cen-calfire.com_20210226_084211.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Please see the attached letter in response to the application review for PA-1800206. If you have any question please do not hesitate to contact us.

Thank you!

Marisa Crawford
Phone (209) 224-7869
sprk@cen-calfire.com

This and any attached documents are for the use of the intended recipient(s) only and may contain information that is privileged, confidential, or work product that may be exempt from disclosure under applicable law. If you are not the intended recipient, any use, dissemination, distribution, or copying of this communication and any attachments is strictly prohibited, and you are hereby requested to delete this message and any attached documents, to destroy any printed copies, and to telephone or otherwise contact the sender immediately about the error.

-----Original Message-----

From: noreply@cen-calfire.com <noreply@cen-calfire.com>
Sent: Friday, February 26, 2021 8:42 AM
To: Marisa Crawford <marisa.c@cen-calfire.com>
Subject: Scanned image from Main Office

Reply to: noreply@cen-calfire.com <noreply@cen-calfire.com> Device Name: Main Office Device Model: MX-7580N
Location: Not Set

File Format: PDF (Medium)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.
Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.
Adobe(R)Reader(R) can be downloaded from the following URL:

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<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.adobe.com%2F&data=04%7C01%7Cfgirardi%40sjgov.org%7Cd53ceca85a6b43c7392b08d8da7622ff%7C3cff5075176a400d860a54960a7c7e51%7C0%7C0%7C637499548411710282%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCQljoiv2luMzliLCJBTiI6Ik1haWwiLCJXVCi6Mn0%3D%7C1000&data=rNEh5w6firVTRtTf01YmCKUrC%2FcxfmqJDUsFbAouv%3D&reserved=0>

02/25/2021

San Joaquin County
Community Development Department

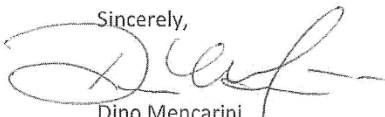
Re: PA-1800206

To whom it may concern,

I am the owner of 5 parcels of grapes and 1 residential property located at 190 Lucas Road. I have owned this property since 1985 and would like to submit this letter in regard to the application review for the above reference application. Mar-Val Stables does not have enough land to accommodate the horses they have now and are daily riding their horses on my property through my vineyards causing ruts in my vineyard rows and leaving behind manure all over our property. If they are approved for this expansion, they will just be multiplying the amount of traffic with these horses on my property resulting in more damages and waste.

Please let me know if you need any additional information or have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dino', with a stylized flourish extending to the right.

Dino Mencarini
Owner
Dino Mencarini Farms, LLC



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Community Development Department
Planning · Building · Neighborhood Preservation

APPLICATION REFERRAL:
Public Hearing

Project Planner: Frank Girardi Phone: (209) 468-8469 FAX: (209) 468-3163 Email: fgirardi@sjgov.org

The following project has been filed with this Department: **APPLICATION NUMBER: PA-1800206**

PROPERTY OWNER:	Alice L. Kidd Trust et al. 856 North Sacramento Street, Suite C Lodi, CA 95240-1252	APPLICANT:	Mark Kidd 856 North Sacramento Street, Suite C Lodi, CA 95240-1252
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PROJECT DESCRIPTION: A Use Permit application for a 22,340-square-foot commercial stable on a 30.41-acre parcel in the AG-40 zone (General Agriculture, 40-acre minimum). The project will include a maximum of ninety (90) horses and the utilization of 22,200 square feet of existing structures and a proposed 140-square-foot restroom. The commercial stable will operate seven (7) days per week from 7 A.M. to 9 P.M. with three (3) employees and an average of eighteen (18) customers per day. This project also includes equine-related ancillary activities hosted by the facility which include, but are not limited to, clinics, customer appreciation events, and dressage shows with an average of seventy (70) participants. Events involving overnight accommodations shall not be a part of this Use Permit application and will be processed separately under a Special Event application. The site will utilize an on-site private well, septic system, and stormwater drainage. Access to the parcel will be off of E. Lucas Road. 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/G (General Agriculture) and OS/RC (Resource Conservation).

PROJECT LOCATION: The project site is located on the south side of Lucas Rd., 1800 feet east of Davis Rd., northeast of Lodi. (APN/Address: 015-040-67/706 W. Lucas Rd., Lodi) (Supervisorial District: 4)

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

APPLICATION REVIEW: Recommendations and/or comments on this project must be submitted to the Community Development Department no later than March 2, 2021. Recommendations and/or comments received after that date may not be considered in staff's analysis and/or recommendation to the San Joaquin County Planning Commission for this application.

NOTE TO SURROUNDING PROPERTY OWNERS: This project will be scheduled for a San Joaquin County Planning Commission hearing. Notification will be provided on the date, time, and place of the public hearing at a later date.

NOTE TO REVIEW AGENCIES: In order to be notified of the San Joaquin County Planning Commission hearing date for this project, please contact the above noted Project Planner to be placed on the notification list. (Public agencies with recommendations and/or comments on the proposed project and/or environmental determination will automatically be placed on the notification list.)

1810 E. Hazelton Avenue | Stockton, California 95205 | (209) 468-3121 | www.sjgov.org/commdev

Zimbra

fgirardi@sjgov.org

Re: Use Permit Application PA-1800206 (UP)

From : Frank Girardi <fgirardi@sjgov.org>
Subject : Re: Use Permit Application PA-1800206 (UP)
To : Steve and Carol von Berg <10zintivo@gmail.com>

Fri, Dec 14, 2018 01:28 PM

✉ Opposition ✉ Concern

Hi Steve, the answers to the questions below are as follows:

1. A private stable is for the boarding of the subject property owner's own horses. A commercial stable is for the boarding and training of seven (7) or more horses, and may be conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) zone subject to an approved use permit application.
2. Horses/riders are allowed off site but not allowed to trespass private property. The property owners are not required to post no trespassing signs. Any accidents on offsite neighboring properties are a Civil matter. You may contact the SJ Sheriffs Dept at (209) 468-4400 for any additional information concerning riding on public roads and trespassing issues.
3. County ordinance requires to maintain the stable free of excessive accumulation of manure. You may contact the Environmental Health Department 209-468-3420 regarding any requirements for a manure management plan.
4. The proposed use may be a conditionally permitted use in the AG-40 zone subject to an approved Use Permit application and will not effect the zoning of the neighboring parcels.

Please contact me if you have any questions. Thanks.

Frank

From: "Steve and Carol von Berg" <10zintivo@gmail.com>
To: "Frank Girardi" <fgirardi@sjgov.org>
Sent: Thursday, December 13, 2018 11:08:49 AM
Subject: Use Permit Application PA-1800206 (UP)

Mr. Girardi:

I have several questions/concerns regarding the proposed commercial stable on Lucas Rd., Lodi:

1. What is the difference between a private and a commercial stable?
2. Will horses/riders be restricted to riding on the proposed stable property?
Would other property owners have to post no trespassing signs?
What are the liability implications if horses/riders have an accident on neighboring land owners' private properties?

12/19/2018

Zimbra

3. Currently, a dung pile has been located between the stable and the WID canal. Would the increased number of horses impact the size of the pile, the odors, and the possibility for more insects? How would this be mitigated?

4. Would there be an impact on agricultural practices for neighboring land owners?

5. Do I need to submit these questions/concerns to another county agency?

Looking forward to your responses. Please keep us informed of this process.

Steve von Berg
18836 North Davis Rd., Lodi
209-369-7246

http://zimbra/zimbra/h/printmessage?id=9624&tz=America/Los_Angeles

2/2

Zimbra

fgirardi@sjgov.org

PA-1800206 APPLICATION REFERRAL

From : Alice Adkins <aaadkins37@gmail.com>
Subject : PA-1800206 APPLICATION REFERRAL
To : fgirardi@sjgov.org

Tue, Dec 18, 2018 10:29 PM

In reply to your notification for a Use Permit on parcel 015-040-67/706 W. Lucas Road, I have the following objections:

1. The number of horses that are now on this property impose a bug nuisance, i.e., flies. Increasing it to 90 horses would greatly increase this nuisance, especially during the spring and summer.

2. Lucas Road is a very narrow 2 lane road without shoulders on either side. Horse trailers take up the entire lane and frequently drive over the center line, making the oncoming traffic drive off of the paved portion of the road. The increase of trailer traffic will become excessive for such a narrow road.

Additionally, the riders/owners of these horses frequently ride two and three abreast which leaves horse manure on the pavement for autos to drive over. The riders/owners of the horses do not always ride their animals on the property where they are housed.

3. I have lived in this area for 42 years and as far as I have been advised, is an agriculture zoned area and by modifying the zoning restrictions, I feel could impede the agriculture in this area. The owners of this property has already cut down several acres of Almond trees to accommodate the animals that are now on this property. Horses are not agriculture, almond trees are.

4. It is my fear that once the zoning is changed, some of the other property owners which now have agriculture on them, will switch and start building more commercially lucrative businesses.

Please take my comments into consideration when making any decisions. I would really hate to see the existing agriculture disappear as are the owners of this parcel 015-040-67/706 W. Lucas Road.

Sincerely,

Alice A. Adkins

19261 Perryman Rd.

209-334-3237

Marc Warmerdam Farms
12017 Mundy Lane
Lodi, CA 95240

December 13, 2018

San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 05205
Attn: Mr. Frank Girardi

RECEIVED

DEC 18 2018

San Joaquin County
Community Development

Re: Application Number: PA-18000206 (UP)

Dear Mr. Girardi:

I am corresponding in regard to the above mentioned application regarding property located at 708 West Lucas Road, Lodi, APN #015-040-67. I own and currently farm a walnut orchard on thirty acres adjacent to this parcel, just to the east.

While I appreciate the commercial stable business located next to my farming operation, I also have concern with this business operating without benefit of permits for many years. The stables and structures have expanded and the activities around the business have increased.

I am not opposed to a stable business next to my farming operation, but do want to have my concerns on record regarding the right-to-farm ordinance and my farming operation co-existing with a business that hosts events and has overnight guests.

This past harvest season, I was contacted by the stable manager who had concerns about dust and residue from my harvest operation affecting a weekend event being hosted by the stable and inconveniencing their overnight guests. In harvesting walnuts, I cannot stop scheduled equipment and operators due to campers next door.

Again, I enjoy my neighbors and want to cooperate with and respect all nearby farming operations and agricultural activities. I do not oppose this application, but do want careful thought put into the process of allowing events and activities. Perhaps a landscaped barrier could mitigate dust and noise concerns should events be allowed.

Thank you for your consideration of my concerns.

Respectfully submitted,



Marcus K. Warmerdam
Owner, property at 526 W. Lucas Rd.
Lodi

Martorella, Dominique [CDD]

From: Steve and Carol von Berg <10zintivo@gmail.com>
Sent: Friday, May 7, 2021 9:23 PM
To: pcrecords [CDD]
Subject: PA 1800-206 Mar Val Stables 706 West Lucas Road, Lodi 95242

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a neighbor of the facility, I have no issue with their permit. But, there is an issue with their patrons riding horses on our and adjacent private properties. They need to stay on the horse facility/ stable property. In the past, they have used our roads and vineyard avenues to ride. They need to respect the property rights of their neighbors. We will not approve or give permission to trespass on our private property.

Sincerely,
Steve and Carol von Berg



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Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

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-1800206

PROJECT LOCATION: The project site is located on the south side of Lucas Rd., 1800 feet east of Davis Rd., northeast of Lodi, San Joaquin County. (APN/Address: 015-040-67706 W. Lucas Rd., Lodi) (Supervisory District: 4)

PROJECT DESCRIPTION: A Use Permit application for a 22,340-square-foot commercial stable on a 30.41-acre parcel in the AG-40 zone (General Agriculture, 40-acre minimum). The project will include a maximum of ninety (90) horses and the utilization of 22,200 square feet of existing structures and a proposed 140-square-foot restroom. The commercial stable will operate seven (7) days per week from 7 A.M. to 9 P.M. with three (3) employees and an average of eighteen (18) customers per day. This project also includes equine-related ancillary activities hosted by the facility which include, but are not limited to, clinics, customer appreciation events, and dressage shows with an average of seventy (70) participants. Events involving overnight accommodations shall not be a part of this Use Permit application and will be processed separately under a Special Event application. The site will utilize an on-site private well, septic system, and stormwater drainage. Access to the parcel will be off of E. Lucas Road. 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/G (General Agriculture) and OS/RC (Resource Conservation).

PROponent: Alice L. Kidd Trust et al. / Mark Kidd

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

Date: February 2, 2021

Contact Person:
Frank Girardi Phone: (209) 468-8469 FAX: (209) 468-3163 Email: fgirardi@sjgov.org

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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: Mark Kidd

PROJECT TITLE/FILE NUMBER(S): PA-1800206 (UP)

PROJECT DESCRIPTION: A Use Permit application for a 22,340 square foot commercial stable on a 30.41-acre parcel in the AG-40 zone (General Agriculture, 40-acre minimum). The project will include a maximum of ninety (90) horses and the utilization of 22,200 square feet of existing structures and a proposed 140 square foot restroom. The commercial stable will operate 7 days per week from 7 A.M to 9 P.M with three (3) employees and an average of eighteen (18) customers per day. This project also includes equine-related ancillary activities hosted by the facility which include, but are not limited to, clinics, customer appreciation events, and dressage shows with an average of seventy (70) participants. Events involving overnight accommodations shall not be a part of this Use Permit application and will be processed separately under a Special Event application. The site will utilize an on-site private well, septic system, and stormwater drainage. Access to the parcel will be off of E. Lucas Road. This Parcel is not under a Williamson Act contract.

The project site is located on the south side of E. Lucas Road, 1,800 feet east of Davis Road, northeast of Lodi

ASSESSORS PARCEL NO(S): 015-040-67

ACRES: 30.41

GENERAL PLAN: A/G

ZONING: AG-40

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
Utilization of 22,200 square feet of existing structures and the construction of a 140 square foot restroom for a commercial stable for a maximum of 90 horses.

SURROUNDING LAND USES:

NORTH: Agricultural with scattered residences

SOUTH: Agricultural with scattered residences/Woodbridge Irrigation District Canal

EAST: Agricultural with scattered residences/Community of Lodi and Woodbridge

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 (1/7/19); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (Mar Val Stables Manure Management Plan dated 6/8/2020). Copies of these reports can be found by contacting the Community Development Department.

PA-1800206 (UP) – Initial Study

1

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.?

Enter details.

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: City of Lodi

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>I. AESTHETICS.</u>					
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:

The proposed project site is a relatively flat parcel with an unpermitted horse stable that uses shades structures and barns. The site is surrounded by a mixture of uses including agricultural with scattered residences. The proposed structures and all improvements will be required to meet all building setbacks and Development Title requirements. The project is not located along a scenic route or view. As such, the impact from the project on the existing visual character or quality of the site and its surroundings will be less than significant.

Any outdoor lighting for the proposed project will be required to be designed to confine direct rays to the premises in accordance with the San Joaquin Development Title Section 9-1015.5(g).

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

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

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

Impact Discussion:

The proposed project site is not under Williamson Act contract. The use type Stables- Commercial is a conditionally permitted use in the AG-40 (General Agriculture, 40-acre minimum) zone subject to an approved Use Permit application and is compatible with surrounding agricultural uses. The project will not affect any agricultural uses, nor will it affect existing Williamson Act contracts in the area. Therefore, the proposed application will have a less than significant impact on agriculture and forestry resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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III. AIR QUALITY.

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The primary source of air pollutants generated by the project would involve dusts from onsite traffic and horses. To mitigate this potential impact, the driveway will be surfaced with asphalt concrete and the parking and circulation areas will be surfaced with aggregate base which will minimize the generation of dust. The project is expected to have an average of eighteen (18) customers per day. The project will be required to meet the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) permitting requirements for mobile and stationary sources in an effort to control and minimize air pollution. The project was referred to the SJVAPCD for review. As a Condition of Approval, the project will be subject to the District's rules and regulations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>IV. BIOLOGICAL RESOURCES.</u>					
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input 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:

The California Department of Fish and Wildlife Natural Diversity Database lists *Lepidurus packardii* vernal (pool tadpole shrimp), the *Buteo swainsoni* (Swainson hawk), the *Dendroica petechia bresteri* (yellow warbler), and the *Pogonichthys macrolepidotus* (Sacramento splittail) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. SJCOG responded in a letter dated October 29, 2018, that the project site is subject to the SJMSCP. The applicant has confirmed participation San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), which will address any potential impacts to rare, endangered or threatened species, or habitat located on or near the site. Pursuant to the Final EIR/EIS for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a less than significant level.

Additionally, participation in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) will reduce the project's impact on resident or migratory wildlife corridors to less than significant.

The project site is located along the Woodbridge Irrigation Canal, which has a General Plan Designation of OS/RC (Resource Conservation). The proposed project will utilize existing structures that will be converted for use as a commercial

stable. No new development is proposed. The stable will utilize an existing open arena that is located within 100 feet of the riparian area, however no additional modifications are proposed to these existing features. As a result, the project will have a less than significant impact on riparian habitat. No wetlands are located on the project site.

The project site is not expected to interfere with local policies protecting biological resources because the applicant will be required to comply with the County's policy regarding Native Oak Trees, Heritage Oak Trees, or Historical Trees. One (1) Oak Tree is located on the northwest corner on the property. However, the proposed project is located away from the trees and no trees are proposed for removal. Any future removal of oak trees shall be subject to the Development Title ordinance requirements to protect and/or provide for replacement of the trees. In this way, any impact to protected biological resources will be reduced to less than significant.

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

Impact Discussion:

The project site has already been disturbed with agricultural activities such as farming orchards and raising horses and is developed with an existing residence, accessory structures and barns. Therefore, it does not appear that archaeological or cultural resources would be encountered during the proposed development for the project. Additionally, 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.

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).

	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:

The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed 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. This requirement will be enforced at time of issuance of building permits.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>VII. GEOLOGY AND SOILS.</u>					
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:

The geology of San Joaquin County is composed of high organic alluvium, which is susceptible to earthquake movement. 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. Compliance with recommendations from the soils report will reduce potential seismic-related (or other) landslide hazards to a less than significant level.

The project will not result in substantial soil erosion or the loss of topsoil because the project site will be paved and landscaped and no topsoil will be removed from the site. Therefore, impacts to soil erosion of topsoil will be less than

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significant.

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.

The project will be served by an onsite septic tank or alternative waste water disposal system for the disposal of waste water. The Environmental Health Department will require a soil suitability/nitrate loading study indicating that the area is suitable for septic system usage prior to issuance of building permits. 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. With these standards in place, only soils capable of adequately supporting the use of septic tanks will be approved for the septic system.

The project area has not been determined to contain significant historic or prehistoric archeological artifacts that could potentially 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"/>
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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"/>
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Impact Discussion:

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 (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/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*.¹¹ 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.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u>					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

Hazardous materials such as engine motor oil, antifreeze coolant, propane, nitrogen gas, and diesel fuel may be used and stored on site. The San Joaquin County Environmental Health Department (EHD) requires the owner/operator to report to the California Environmental Reporting System (CERS) before any hazardous materials/waste can be stored or used onsite. The existing regulatory framework for the transport and use of any hazardous materials will ensure any impact is less than significant.

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 no impact on the safety of the public or the environment.

The project site is not located in an airport zone. The project site is located approximately 1.5 miles away from the Traffic Pattern Zone 8 (AIA) of the comprehensive Airport Land Use Plan boundaries for the Kingdon Airport. The project site is located approximately 4.25 miles away from the nearest runway.

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The scope of the proposed project indicates that no additional emergency services will be required to provide for safe evacuation and adequate access to emergency equipment. The San Joaquin County Fire Prevention Division will require Fire Apparatus Access Roads as a Condition of Approval for the project. As such, the project will not impair implementation of, or interfere with, County-adopted emergency response plans.

The project will have no impact on wildland fires as the project is located outside of a wildfire area.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>X. HYDROLOGY AND WATER QUALITY.</u>					
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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:

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.

A Manure Management Plan (MMP) was prepared by Mar Val Stables (dated June 8, 2020) and approved by the Environmental Health Department on June 30, 2020. The Manure Management Plan is in compliance with the San Joaquin County Development Title 5, and the California Code of Regulations, Title 23, Division 3, Chapter 15, Article 6. The project will average about 80 horses onsite which is consistent with the number of animals per acre to promote appropriate waste management practices. The barn stalls and pens will be hand cleaned daily. The manure will be stock piled on the south side of the property and/or spread with manure spreader. Any remaining stock pile will be removed on a regular basis to be used as fertilizer for trees and planted areas onsite to help prevent odors, flies or leaching. To further facilitate the removal of the manure, a local custom spreading business will collect the manure to be utilized as fertilizer for local vineyards and orchards.

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If the manure stock pile exists during the rainy season, it will be covered with a specialized tarp to help keep the rain water out to eliminate leaching from the pile, and also help facilitate removal.

The proposed project's impact on ground and surface water will be mitigated with the required Water Supply Facilities Impact Mitigation Fee. This fee will reduce any impact the project has on ground and surface water to a less than significant with mitigation incorporated.

The proposed project does not propose any substantial alteration to a drainage pattern, stream or river. All necessary drainage improvements onsite will be required as conditions of the construction of the project. The project will not result in substantial soil erosion because the site will be paved and landscaped.

The proposed project plans call for storm water to be retained in an on-site retention pond. The Department of Public Works requires that drainage facilities be provided in accordance with the San Joaquin County Development Standards and the Department will determine the feasibility of the proposed retention pond. The project falls within the definition of a Regulated Project as defined in either the County Post-Construction Standards Manual or the County Phase II National Pollutant Discharge Elimination System (NPDES) permit and must comply with the following conditions:

- a) A registered professional engineer shall design a system or combination of systems to infiltrate, treat and/or filter the 85th percentile storm drainage as defined in the County's 2009 "Storm Water Quality Control Criteria Plan" (SWQCCP) or in the "California Association of Storm Water Quality Agencies" (CASQA) publications and comply with the conditions of the County Phase II National Pollutant Discharge Elimination System (NPDES) Permit. Standard "Best management Practices" for the type of development proposed shall be incorporated into the system design. CASQA documents are available at <http://www.casqa.org>. Plans and/or calculations of the proposed system shall be submitted to the County for review and approval.
- b) Applicant shall submit a "Storm Water Pollution Prevention Plan" (SWPPP) to Public Works for review. A SWPPP preparation guide is available at the Department of Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request. The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter shall also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants. The example plans are available in the SWQCCP and CASQA handbooks.
- c) Owner shall be responsible for providing the County with an annual report of operation and maintenance of any system. The property owner shall also be responsible for the payment to the County of an annual system inspection fee established by Resolution of the Board of Supervisors.
- d) A Maintenance Plan shall be submitted and the execution of a Maintenance Agreement with San Joaquin County will be required for the owner/operator of stormwater controls prior to the release of the building permit.
- e) Standard Best Management Practices for the type of development proposed shall be incorporated into the site storm drainage design.
- f) Wastewater shall NOT be allowed into the storm drainage system.

With the oversight of the Department of Public Works, any impact the project will have on storm water runoff will be less than significant.

The proposed project site is not in a tsunami or seiche zone. The project site is located in the Flood Zone X, which is defined as areas determined to be outside the 0.2 % annual chance of the 500-year flood plain. Therefore, there is no risk of release of pollutants due to inundation.

	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:

The project site is not located in an established community. The nearest community is the Urban Community of Woodbridge which is 0.68 miles away to the east from the project site. The project site is zoned AG-40 (General Agriculture 40-acre minimum), the General Plan designation is A/G (General Agriculture). This project will not divide an established community. The Stables - Commercial use type is a compatible use on agricultural zoned lands and may be conditionally permitted in the AG-40 (General Agriculture 40-acre minimum) subject to an approved Use Permit application.

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

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

The project will not result in the loss of availability of a known mineral resource or 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 Lodi has been classified as MRZ-1. The 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 have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within the region.

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

Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The proposed project will not generate a substantial increase to ambient noise levels or excessive groundborne vibration and noise in the vicinity of the project site. The proposed project is a commercial stable facility, which will utilize existing agricultural structures that will be converted by building permit for commercial use. These structures are located on a 30.41 acre project site, and are located approximately 540 feet south of the nearest residence which is located on the south side of W. Lucas Rd. The stable is anticipating an average of average of eighteen (18) customers per day. This project also includes equine related ancillary activities hosted by the facility which include but not limited to clinics, customer appreciation events, dressage shows with an average of seventy (70) participants. As a result of the limited scope of the operation and distance from residences, the proposed project will result in a less than a significant impact regarding noise levels.

The project site is not located in an airport zone. The project site is located approximately 1.5 miles away from the Traffic Pattern Zone 8 (AIA) of the comprehensive Airport Land Use Plan boundaries for the Kingdon Airpark. The project site is located approximately 4.25 miles away from of the nearest runway. Due to the location, no impacts are expected.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIV. POPULATION AND HOUSING.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

The project will not induce substantial population growth in the area either directly or indirectly as it does not create a significant number of new jobs. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because the project site is currently undeveloped.

	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:

The San Joaquin County Fire Division states that the California Fire Code (CFC) will be applicable to the proposed project and there will be no impact to public services. No additional public facilities will be required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVI. RECREATION.</u>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

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 and the impacts to parks generated by the employees of this project will be minimal. 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 will not result in an increased demand for recreational 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The proposed project will not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, etc., because the conditions of approval will mitigate any impact on roads. The proposed project is located on the south side of south E. Lucas Road, and will be opened to boarders thirteen (13) hours per day, seven (7) days a week, with three (3) employees per day, and on average of eighteen (18) customers per day. It is anticipated that the customer and employee trip count will be approximately twenty (20) trips per day, which is below the threshold of requiring a traffic study by the Department of Public Works. A referral was sent to the San Joaquin County Department of Public Works and California Department of Transportation (Caltrans) on November 30, 2018 in which responses letters were received dated January 17, 2019. The letters stated that the project will not degrade the level of service along adjacent roadways and/or intersections to an unacceptable level.

The project was screened out from completing a Vehicle Miles Traveled (VMT) analysis based on the square footage of buildings proposed for this project. Therefore, this project is anticipated to have a less than significant impact on traffic. The conditions from the Department of Public Works will ensure that the traffic impacts from the project on existing roadways will be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XVIII. TRIBAL CULTURAL RESOURCES.</u>					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The project site has already been disturbed with agricultural activities, such as orchard farming and animal raising, and is developed with an existing residence, accessory structures and barns. Therefore, it does not appear that tribal cultural resources would be encountered during the proposed development for the project. The proposed project is not located within an area of any known sensitive tribal cultural resources or value to a California Native American Tribe. A referral was sent on November 30, 2018 to Katherine Perez of the North Valley Yokuts Tribe for review. No response has been received. At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations.

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

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

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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:

The project will utilize an onsite well, a private septic system, and onsite storm water drainage facilities, therefore the project will not require new public facilities.

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. Compliance with these requirements ensure that the proposed project's impact on these resources will be less than significant.

The project will utilize an onsite sewage disposal system that will comply with the onsite wastewater treatment systems standards of San Joaquin County built under permit and inspection of the Environmental Health Department.

The scope of the project does not suggest it will generate solid waste in excess of State or local standards and will comply with regulations related to solid waste.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<u>XX. WILDFIRE.</u>					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

The project will have no impact on wildland fires as the project is located outside of a wildfire 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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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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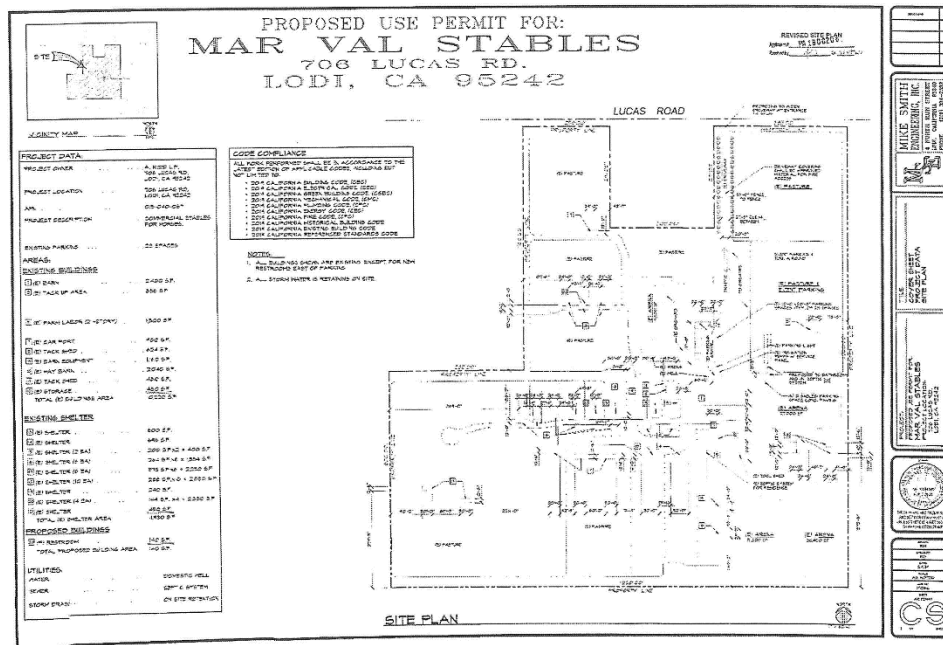
Impact Discussion:

The proposed project does not appear to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no identified historic or prehistoric resources identified on this site. No archaeological or paleontological resources have been identified in the project area.

The project is not expected to have cumulatively considerable impacts. Less than significant impacts to air quality, biological resources, traffic, and hydrology have been identified. Any impacts will be adequately addressed through conditions of approval and mitigation measures included in this study.

The project does not have environmental effects which will cause substantial adverse effects on human beings.

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.



Mitigation Monitoring Reporting Plan May 7, 2021							
Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions	
		Monitoring	Reporting			By	Date
IV. Biological Resources	Participation in the SIMSCP	X		San Joaquin Council of Governments	Certificate of Payment and Signed ITMM		
X. Hydrology/Water Quality	Manure Management Plan		x	San Joaquin County Environmental Health Department	Submit Monthly Reports to the Environmental Health Department		
Remarks							



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Attachment D **Findings for Use Permit**

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FINDINGS FOR USE PERMIT

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 commercial stable use type is consistent policies related to 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 commercial stable 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 project site is already served by an on-site well and a septic system. The Environmental Health Department is requiring construction of an additional sewage disposal system for the project as a Condition of Approval. 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 project site is over 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 this 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 that could not be mitigated to a less than a significant level. With the recommended conditions from the Environmental Health Department and the Department of Public Works, the project is expected to have a less than significant impact on public health, safety, and welfare. In addition, the project is not anticipated to be injurious to the property or improvements of adjacent properties.**
5. The use is compatible with adjoining land uses.
 - **This finding can be made because the proposed use, a commercial stable, will not interfere with nor alter the current land uses on adjacent properties. The adjacent parcels are primarily agricultural with scattered residences and the proposed use may be conditionally permitted in the AG-40 zone subject to an approved Use Permit application. Additionally, the proposed use will not result in the removal of any contracted land on adjacent properties from agricultural or open-space use, or negatively impact adjacent noncontracted lands in an agricultural preserve.**

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Attachment E **Conditions of Approval**

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CONDITIONS OF APPROVAL

PA-1800206 (UP) MARK KIDD / ALICE L TRUST

Use Permit Application No. PA-1800206 was approved by the San Joaquin County 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 CHECKLIST" for details). A fee is required for the Site Plan review. (Development Title Section 9-884)
- b. **APPROVED USE:** This approval is for a commercial stable for a maximum of 90 horses to include a conversion of and existing 20,036 square-foot private stable into a commercial stable and the construction of a 140-square-foot restroom, as shown on the site plan dated February 5, 2020. This project also includes equine-related events and activities accessory to the stable. These events are to be hosted by the facility and include equine demonstrations, horse shows, customer appreciation events, and 4 dressage show events annually. (Use Type: Stables – Commercial)

As-built structures requiring building permits:

- Horse shelters totaling 9,676 square-feet:
 - 600-square-foot horse shelter
 - 696-square-foot horse shelter
 - Two 200-square-foot horse shelters
 - Six 264-square-foot horse shelters
 - Six 375-square-foot horse shelters
 - Ten 288-square-foot horse shelters
 - 240-square-foot horse shelter
 - Four 144-square-foot horse shelters
 - 450-square-foot horse shelter
- 480-square-foot tack up building
- 480-square-foot storage building
- 624-square-foot shed
- 836-square-foot tack up building
- 1,160-square-foot barn

Existing structures to remain in use:

- 1,300-square-foot farm labor apartment
- 900-square-foot car port
- 2,040-square-foot hay barn
- 2,400-square-foot horse barn

New Structures:

- A proposed 140-square-foot restroom

Note: Any activities involving overnight accommodations shall not be a part of this Use Permit application and may be applied for separately under a Special Event 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 driveways and 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 9-1015.5[e]).
 - 2. Parking spaces and maneuvering areas shall be surfaced and permanently maintained with base material of appropriate depth (Development Title Section 9-1015.9)).
 - 3. A minimum of 13 parking spaces shall be provided. (Development Title Section 9-1015.3)
 - 4. Each parking stall shall be an unobstructed rectangle, minimum 9 feet wide and 20 feet long. (Development Title Section 9-1015.5[b])
 - 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 25 feet for two-way aisles and 16 feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than 20 feet wide. (Development Title Section 9-1015.9))
- 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. **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 5 feet from any future right-of-way line, including any corner cut-off (snipe). (Development Title Section 9-1710.2[g])
- h. **ANIMAL REGULATIONS:** The following animal regulations apply and shall be provided:
 - 1. All animal enclosures, including but not limited to pens, cages, and feed areas, shall be maintained free from litter, garbage, and excessive accumulation of manure, so as to discourage the proliferation of flies, other disease vectors, and offensive odors. Premises shall be maintained in a neat and sanitary manner. (Development Title Section 9-1045.4[b])
 - 2. Except for movement on and off the property, animals shall not be kept or maintained in coops, pens, corrals, or within barns or similar structures, closer than 40 feet from any rear or side property line (Development Title Section 9-1045.3)
- i. **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. 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. The building identified on the site plan as Office, Restroom, Farm Labor apartment and storage will change from private use to a commercial use. This change to commercial use will constitute a change of occupancy and 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.
3. For each 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
4. 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.
5. Parking spaces will be required to accommodate persons with disabilities in compliance with Chapter 11B of the California Building Code. These parking space(s) shall be located as close as possible to the primary entrance to the building.
6. Adequate sanitary facilities shall be provided for the facility, per the requirements of Chapter 4 of the California Plumbing Code.
- j. **MITIGATION MONITORING REPORTING PLAN:** A Mitigation Monitoring Reporting Plan (MMRP) dated May 10, 2021 is approved with this project. Mitigation measures contained in the MMRP shall be satisfied prior to issuance of any building permits.
- k. **CALIFORNIA FIRE CODE REQUIREMENTS:** The following California Fire Code (CFC) requirements will be applicable to the proposed project. The following conditions shall be addressed prior to submittal of a building permit application to the Building Inspection Division:
 1. CFC 507 Fire Protection Water Supply - Fire flow and hydrants shall be provided for the proposed project by the use of: CFC Appendix B.
 2. If Fire Protection Systems are required they shall be installed according to the CFC, Chapter 9 and the appropriate standards and guides adopted in Chapter 35 of the California Building Code and the California Electrical Code.
 3. CFC, Section 503 Fire Apparatus Access Roads - Shall be provided as required by this section. 503.1.2 - A secondary access may be required.
 4. CFC, Section 906 Portable Fire Extinguishers – Provide portable fire extinguishers as required by this section.

5. CFC, Section 506 Key Box - A Knox® Box shall be installed according to the local fire district's instructions. Make application for the key box at the Woodbridge Fire District. If there is an electronically controlled access gate at this site a Knox® key switch will also be required.
6. CFC, Section 5001.3.3.1 Properties of Hazardous Materials – A complete list of hazardous materials used and or stored at this site shall be provided.
7. CFC, Section 105 Permits: Operational Permit(s) may be required prior to occupancy.

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

- a. An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flat work 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 9-1145.4.4 and 9-1145.5)
- b. The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 prior to issuance of the occupancy permit. (Development Title Section 9-1145.5)
- c. The 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)
- d. 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)
- e. The proposed project disturbs less than 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 of the County "Small Site Storm Water Management Plan.
- f. This project falls within the definition of a Priority Project as defined in either the County "Storm Water Quality Control Criteria Plan" (SWQCCP) or the County Phase II National Pollutant Discharge Elimination System (NPDES) permit and shall comply with the following conditions:
 1. A registered professional engineer shall design a system or combination of systems to infiltrate, treat and/or filter the 85th percentile storm drainage as defined in the County's 2009 "Storm Water Quality Control Criteria Plan" (SWQCCP) or in the "California Association of Storm Water Quality Agencies" (CASQA) publications and comply with the conditions of the County Phase II National Pollutant Discharge Elimination System (NPDES) Permit. Standard "Best management Practices" for the type of development proposed shall be incorporated into the system design. CASQA documents are available at <http://www.casqa.org>. Plans and/or calculations of the proposed system shall be submitted to the County for review and approval.
 2. Applicant shall submit a "Storm Water Pollution Prevention Plan" (SWPPP) to Public Works for review. A SWPPP preparation guide is available at the Department of Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request. The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter shall also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants. The example plans are available in the SWQCCP and CASQA handbooks.
 3. Owner shall be responsible for providing the County with an annual report of operation and maintenance of any system. The property owner shall also be responsible for the payment to the County of an annual system inspection fee established by Resolution of the Board of Supervisors.

4. A Maintenance Plan shall be submitted and the execution of a Maintenance Agreement with San Joaquin County will be required for the owner/operator of stormwater controls prior to the release of the building permit.
5. Standard Best Management Practices for the type of development proposed shall be incorporated into the site storm drainage design.
6. Wastewater shall NOT be allowed into the storm drainage system.

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

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

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

- b. Prior to final occupancy, 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) prior to issuance of building permit. 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. 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).
- d. Construction of an individual sewage disposal system(s) under permit and inspection by the EHD is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
- e. Should the number of non-resident individuals exceed 24 for at least 60 days per year, or the number of service connections exceed four, a yearly permit to operate a public water system will be required by the Environmental Health Department (San Joaquin County Development Title, Section 9-1120.2 and 9-1115.9).

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

- f. Install an approved back-flow prevention device on all spigots with hose attached to prevent contamination to the water supply system(s) (California Code of Regulation, Title 17, Section 7603).
- g. 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)

- h. Environmental Health Department has received a manure management dated June 8, 2020. Any modification that would affect the manure management plan should be amended to update the document. For any additional questions, the applicant shall contact Robert McClellon, Program Coordinator, Solid Waste Program, at (209) 468-0332.
- i. 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/ 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 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.)
 - A. 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.
 - B. 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.)
 - A. 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.)
 - A. 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) 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.
- 5. UNITED AUBURN INDIAN COMMUNITY (Contact: [530] 883-2390)
 - a. If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and

nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

Mitigation Monitoring Reporting Plan May 7, 2021

Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions	
		Monitoring	Reporting			By	Date
IV. Biological Resources	Participation in the SIMSCP	X		San Joaquin Council of Governments	Certificate of Payment and Signed ITMM		
X. Hydrology/Water Quality	Manure Management Plan		X	San Joaquin County Environmental Health Department	Submit Monthly Reports to the Environmental Health Department		
						Remarks	



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment F

Approved Manure Management Plan

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Mar Val Stables
706 W. Lucas Rd
Lodi, CA 95242
209-607-0156

June 8, 2020

San Joaquin County
Environmental Health Dept .
1868 E. Hazelton Ave
Stockton, CA 95205

RE: Land Use Permit
Use Permit Application No. PA - 1800206
Alice L. Kidd tr etal(c/o Mark Kidd (APN: 015-040-67)
(Address 706 W. Lucas Rd, Lodi)-
Manure Management Plan

The following is the response to your Manure Management Plan Guidance Document for our referenced project. The following corresponds directly to each item listed on the Guidance Document. I trust my response will answer all your questions. However, if you have further questions, please do not hesitate to contact me. Thank you

GENERAL INFORMATION

We are a horse boarding/training facility. We can house up to 90 horses. The main barn houses 7 horses, we have different size dirt paddocks, grass paddocks and pastures for the remaining horses. (Please see site plan)

Our facility operates 7 days a week, year round. Our hours of operation are 7 am to 8 pm daily. The owners of the horses come to ride/train their horses at various times of the day. We maintain 3 riding arenas, 1 round pen for the owners/trainers use. Owners provide and store their own grain and supplements for their horses. Our hay barn (please see site plan) in we have several different types of hay for the horses, Alfalfa, Grass, Orchard Grass, Grassy Alfalfa and Pellets.

There is one residence on the property in which we live, with a septic system. Our well for all water on the ranch is located in our parking lot (on site plan). During summer months we use Woodbridge Irrigation water to irrigate our grass pastures and grass paddocks.

Our prevailing wind direction is from the west.

MANURE MANAGEMENT

As stated, we can house up to 90 horses of which 2/3 are on pasture. The exact number of horses can vary from month to month. We average about 80 horses. We have 23 dirt pens and 7 stalls in the barn. The rest of our horse space is 23 acres of pasture which is fenced and cross fenced. Our barn stalls and dirt pens are hand cleaned daily using a wheelbarrow which is emptied into the tractor bucket. This is then deposited on our manure storage pile on the south side of the property or spread with manure spreader. The storage area is approximately 45'x50'. Half of the space is used for loading and unloading of manure. The manure pile is disposed of on a regular basis to which we have no issues with odors, flies or leaching. It is not located near a water source.

During wet weather times, the manure pile is covered with a specialized tarp. This keeps the extra moisture out of the pile, making it easier for removal. The manure is disposed of in several ways:

- A. Friends, clients and neighbors routinely take the manure for their gardens or small orchards.
- B. We use the manure to maintain our 762 trees that surround the property.
- C. A local custom-spreading business takes some manure to spread on the nearby vineyards and orchards. This is done in the fall before the rain season starts.

The irrigated pastures lands are dragged weekly with a chain harrow which breaks up the manure. We then irrigate the pastures with a sprinkler system that covers 80% of the facility. In the winter months, we drag the pastures weekly and allow the rain to irrigate the pastures. If the winter is on the dry side, we can use our well to irrigate the pastures. This allows the manure to dissipate into the pastures, thereby fertilizing the pastures along with the trees that are in the pastures.

We will comply with EHD, SWRCB and CVRWQCB requirements.

SOLID WASTE

We have 4- 42 gallon trash containers around the property for clients to use and 2 - 64 gallon trash containers, one in the graining room and one behind the barn for clients to use. They are emptied weekly into our trash dumpster. This is done by our employees. Waste Management empties the trash dumpster on Fridays.

We also have 3 - 40 gallon containers for recycle of cans, bottles, plastic bottles and any other recyclable items. These are taken to the local recyclers here in Lodi by our employees.

We do not anticipate the death of our horses, however, when necessary our main ranch veterinarian, Dr. Alicia Webster does the euthanization. The horse is then picked up by Lost Horse Dead Animal Hauler (copy of license attached).

FEEDING OPERATIONS

We use different types of hay and Stable Mix pellets for our horses. Horses on pasture will graze as well as have hay. If the owners want to add to this, they provide their own supplements and grain.

VECTOR CONTROL

As stated before, our pastures are dragged weekly to break up manure, which breaks the fly larvae cycle. We also clean all paddocks daily. The manure pile is continuously disposed of during the year. Rodents are controlled by our 6 cats. We do not poison the rodents to protect the hawks, owls and other predatory birds on our ranch and also our cats. Occasionally we use squirrel and gopher bait with a special probe that goes into their tunnels. We are also using gopher traps. We also have Bat houses to encourage our bat population to stay and continue eating insects.

We do not use a pest control service.

Simon Tosh-Robb
Manager
Mar Val Stables
209-607-0156

I realize as we all are dealing with this virus issue that it may cause some delays in processing, I understand that.

However I received a notice of "intent to record a notice of code violation" from Marcel Marin dated June 22nd .

Is it possible for you to let her know where we currently are in the process of our use permit which is waiting on what Frank Girardi told me that "The Initial Study is pending the Manure Management Plan approval from the EHD"

Thank you

Yours truly

Simon Tosh-Robb
Manager
Mar Val Stables
706 Lucas Rd
Lodi CA 95242
209 607 0156 (cell)