



**NOTICE OF DETERMINATION**

TO:  Office of Planning & Research  
P. O. Box 3044, Room 212  
Sacramento, California 95812-3044

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

County Clerk, County of San Joaquin

**SUBJECT:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number: 2006022089

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**PROJECT TITLE:** Revision of Approved Actions for previously approved Quarry Operation No. PA-0500847

**PROJECT LOCATION:** The project site is located on the southeast side of S. Bird Road, 1 mile south of State Route 132, southeast of Tracy, San Joaquin County. (APN/Address: 253-270-26, 253-280-02, -03, -06, -07, 265-070-07, -08, 265-080-02, -04, 265-090-01, 265-110-01, -02, -07, -10, -11 / 34443 S. Bird Road, Tracy) (Supervisorial District: 5)

**PROJECT DESCRIPTION:** This request is a Revisions of Approved Actions for an approved quarry operation. The applicant proposes to revise Condition of Approval No. 4 of San Joaquin Council of Governments (SJCOG) to be consistent with the mitigation measures contained in the Project's Final Environmental Impact Report.

Two mitigation measures were included in the Project's Final Environmental Impact Report (FEIR) to address possible impacts to special status species and habitat loss; Mitigation Measure MM 4.3-2 and identical Mitigation Measure MM 4.3-3.

Those measures provided for two alternative means for the Project to provide mitigation for those potentially significant impacts as follows:

- (a) Prior to site disturbance, the project proponent shall comply with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ("SJMSCP") (including pre-construction special-status species surveys, and implementation of Incidental Take Minimization Measures) and pay appropriate mitigation fees as determined by the SJMSCP,

Or;

- (b) In carrying out the operations of the proposed project, the applicant shall not take any actions that would violate the provisions of the State or Federal Endangered Species Acts (ESAs) or any regulations promulgated pursuant thereto. Compliance with said laws shall be the sole responsibility of the applicant, and the applicant agrees to indemnify, defend and hold the County harmless from and against any claim or action by affected State or Federal agencies as to the project's compliance with said laws."

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:** Triangle Properties Inc / DSS Company dba Knife River Construction

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This is to advise that the San Joaquin County Planning Commission has approved the above described project on May 19, 2022, and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. This EIR was filed previously as PA-0600028.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that a complete record of project approval is available for review by the general public at the office of the San Joaquin County Community Development Department, 1810 East Hazelton Avenue, Stockton, CA 95205; or via website at <https://www.sjgov.org/commdev>.

Signature:  Date: 5-27-22

Name: Domenique Martorella Title: Deputy County Clerk

Signed by Lead Agency

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