



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
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**STANISLAUS COUNTY ENVIRONMENTAL
REVIEW COMMITTEE REFERRAL**

DATE: July 3, 2019

TO: Agricultural Commissioner – Dan Bernaciak
Chief Executive Office – Patrick Cavanah
Cooperative Extension – Roger Duncan
County Counsel – James Todd
Environmental Resources - Bella Badal
Hazardous Materials – Alvin Lal
Stanislaus Fire Prevention Bureau – Randy Crook
Public Works - Angie Halverson
Sheriff Dept. - Lt. Anthony Bejaran

FROM: Department of Planning and Community Development – Kristin Doud

SUBJECT: ENVIRONMENTAL REFERRAL – VESTING TENTATIVE SUBDIVISION MAP &
EXCEPTION APPLICATION NO. PLN2017-0053 – ADAM & DIANE SCHWARTZ

Stanislaus County has established an Environment Review Committee (ERC), which consists of representatives of the Departments of Public Works, Planning and Community Development, Environmental Resources, Fire Safety, County Counsel, and the Chief Executive Office. The ERC meets every other Wednesday at 9:30 AM at 1010 10th Street, Suite 3400, Modesto. The primary purpose of the ERC is to provide a unified County review and response to environmental issues associated with projects which are referred to the County. The Chief Executive Office has been designated as the County Agency responsible for coordinating the review process.

Each agency should review the projects from the point of view of impacts on its own areas of responsibility. Please be as specific as possible in the expected degree of impacts including costs of providing services and possible methods of mitigating the impacts to acceptable levels including mitigation fees. Please complete the attached response form or provide a written response within 2 weeks.

The California Environmental Quality Act establishes very tight time frames for review. For that reason, it is very important that a prompt response be provided. It is the hope that all County responses can be sent to the referring agencies as a package; however, in some instances the time for review does not permit that to happen. Some responses will have to be sent directly to the agency, with a copy to the Chief Executive Office. Please note below the date responses are needed and where to send them. Please send the original of any comments you may have directly to the agency listed below and a copy to the Stanislaus County Chief Executive Office. Please contact me if you have any questions.

PROJECT AGENCY
Stanislaus County Planning
& Community Development

RESPOND TO
Teresa McDonald
Assistant Planner

RESPONSE DATE
August 5, 2019

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**STANISLAUS COUNTY
ENVIRONMENTAL REVIEW COMMITTEE
REFERRAL RESPONSE FORM**

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: VESTING TENTATIVE SUBDIVISION MAP & EXCEPTION APPLICATION NO.
PLN2017-0053 – ADAM & DIANE SCHWARTZ

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- _____ Will not have a significant effect on the environment.
- _____ May have a significant effect on the environment.
- _____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheets if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts *PLEASE BE SURE TO INCLUDE WHEN MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Name Title Date



CEQA Referral Initial Study And Notice of Intent to Adopt a Negative Declaration

Date: July 3, 2019

To: Distribution List (See Attachment A)

From: Teresa McDonald, Assistant Planner
Planning and Community Development

Subject: VESTING TENTATIVE SUBDIVISION MAP & EXCEPTION APPLICATION NO.
PLN2017-0053 – ADAM & DIANE SCHWARTZ

Comment Period: July 3, 2019 – August 5, 2019

Respond By: August 5, 2019

Public Hearing Date: Not yet scheduled. A separate notice will be sent to you when a hearing is scheduled.

You may have previously received an Early Consultation Notice regarding this project, and your comments, if provided, were incorporated into the Initial Study. Based on all comments received, Stanislaus County anticipates adopting a Negative Declaration for this project. This referral provides notice of a 30-day comment period during which Responsible and Trustee Agencies and other interested parties may provide comments to this Department regarding our proposal to adopt the Mitigated Negative Declaration.

All applicable project documents are available for review at: Stanislaus County Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, CA 95354. Please provide any additional comments to the above address or call us at (209) 525-6330 if you have any questions. Thank you.

Applicant: Adam, Diane, and Tom Schwartz

Project Location: 14291 Orange Blossom Road, on the northwest side of Orange Blossom Road, between Stone Avenue and Orange Blossom Court, northwest of the Stanislaus River, in the Oakdale area.

APN: 010-006-026

Williamson Act Contract: N/A

General Plan: AG (Agriculture)

Current Zoning: A-2-5 (General Agriculture)

Project Description: Request to subdivide a 30.13-acre parcel into six parcels, ranging from 5 acres to 5.13 gross acres in size, in the A-2-5 zoning district. One exception to the County's Subdivision Ordinance is being requested as part of this project. The project site consists of pasture and rangeland. Proposed Parcel 1 is improved with a single-family dwelling. Proposed Parcel 2 is improved with a barn. Proposed Parcels 3 through 6 are not developed with any structures. Each proposed lot would be served by individual private well and septic systems upon

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development. Access will be provided via a proposed 60-foot wide County-maintained road. The proposed emergency vehicle access will include two fire access turnouts on proposed Parcels 5 and 6, as well the turn-around at the frontage of proposed Parcels 1 through 4.

Full document with attachments available for viewing at:
<http://www.stancounty.com/planning/pl/act-projects.shtm>



VESTING TENTATIVE SUBDIVISION MAP & EXCEPTION APPLICATION NO. PLN2017-0053 – ADAM & DIANE SCHWARTZ

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
X	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF WATER RESOURCES	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
	CITY OF	X	STAN CO PARKS & RECREATION
	COMMUNITY SERVICES/SANITARY DIST	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: MODESTO	X	STAN CO SUPERVISOR DIST 1: OLSEN
X	HOSPITAL DIST: OAK VALLEY	X	STAN COUNTY COUNSEL
X	IRRIGATION DIST: OID		StanCOG
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOUNTIAN VALLEY EMERGENCY MEDICAL SERVICES	X	STANISLAUS LAFCO
	MUNICIPAL ADVISORY COUNCIL:		STATE OF CA SWRBC – DIV OF DRINKING WATER DIST. 10
X	PACIFIC GAS & ELECTRIC	X	SURROUNDING LAND OWNERS
	POSTMASTER:	X	TELEPHONE COMPANY: AT&T
	RAILROAD:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD	X	US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: KNIGHTS FERRY	X	US FISH & WILDLIFE
X	SCHOOL DIST 2: OAKDALE JOINT UNIFIED	X	US MILITARY (SB 1462) (7 agencies)
	WORKFORCE DEVELOPMENT		USDA NRCS
X	STAN CO AG COMMISSIONER		WATER DIST:
	TUOLUMNE RIVER TRUST	X	Eastern San Joaquin Groundwater Authority

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STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: VESTING TENTATIVE SUBDIVISION MAP & EXCEPTION APPLICATION NO.
PLN2017-0053 – ADAM & DIANE SCHWARTZ

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Name	Title	Date
------	-------	------



CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, December 30, 2009

1. **Project title:** Vesting Tentative Subdivision Map & Exception Application No. PLN2017-0053 – Adam & Diane Schwartz
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Teresa McDonald, Assistant Planner
4. **Project location:** 14291 Orange Blossom Road, on the northwest side of Orange Blossom Road, between Stone Avenue and Orange Blossom Court, northwest of the Stanislaus River, in the Oakdale area. (APN 010-006-026).
5. **Project sponsor's name and address:** Thomas Schwartz
14291 Orange Blossom Road
Oakdale, CA 95361
6. **General Plan designation:** Agriculture
7. **Zoning:** A-2-5 (General Agriculture)
8. **Description of project:**

Request to subdivide a 30.13-acre parcel into six parcels, ranging from 5 acres to 5.13 gross acres in size, in the A-2-5 zoning district. One exception to the County's Subdivision Ordinance is being requested as part of this project. The project site consists of pasture and rangeland. Proposed Parcel 1 is improved with a single-family dwelling. Proposed Parcel 2 is improved with a barn. Proposed Parcels 3 through 6 are not developed with any structures. Each proposed lot would be served by individual private well and septic systems upon development. Access will be provided via a proposed 60-foot wide County-maintained road. The proposed emergency vehicle access will include two fire access turnouts on proposed Parcels 5 and 6, as well the turn-around at the frontage of proposed Parcels 1 through 4.
9. **Surrounding land uses and setting:** Almond orchard to the northwest, Stanislaus River to the southeast, ranchettes developed with single-family dwellings in all directions.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Public Works, Department of Environmental Resources, Planning and Community Development, and Oakdale Irrigation District.
11. **Attachments:** Negative Declaration
Maps
Early Consultation Referral Responses

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 & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <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"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Wildfire | <input type="checkbox"/> Energy | |

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.

Teresa McDonald

Prepared by

July 3, 2019

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, than 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 Section XVII, “Earlier Analyses,” 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). References 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 significant 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 significant.

ISSUES

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

Discussion: The site itself is not considered to be a scenic resource or a unique vista. Community standards generally do not dictate the need or desire for architectural review of agriculture or residential subdivisions. The project site consists of one single-family dwelling, barn, irrigated pasture, and rangeland. No construction is proposed at this time; however, if approved, each parcel is permitted to construct one single-family dwelling per parcel. The site is surrounded by an almond orchard to the northwest, the Stanislaus River to the southeast, and ranchettes developed with single-family dwellings in all directions. No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

References: Application Material; Stanislaus County Zoning Ordinance; Stanislaus County General Plan and Support Documentation¹.

II. AGRICULTURE AND FOREST 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 Department 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:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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 non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	

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))?			X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?			X	

Discussion: The project site is comprised of one 30.13-acre parcel in the A-2-5 (General Agriculture) zoning district. The applicant is proposing to subdivide the existing parcel to create six parcels ranging from 5 acres to 5.13 acres in size. There is an orchard to the northwest of the site, the Stanislaus River is located to the southeast, and ranchettes developed with single-family dwellings in all directions. One Exception is included as part of this request. The nearest actively farmed parcel is an almond orchard located approximately 60 feet northwest of the site.

The California Department of Conservation’s Farmland Mapping and Monitoring Program lists the project site as comprised of Rural Residential Land, Farmland of Local Importance, and Grazing Land. The proposed project will not convert Unique Farmland, Farmland of Statewide Importance, or Prime Farmland. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that the property is made up of Delhi loamy sand with 0 to 2 percent slopes (Grade 2, Storie Index rating 68), Honcut sandy loam with 0 to 2 percent slopes (Grade 1, Storie Index rating 81), and Pentz-Peters association with 2 to 50 percent slopes (Grade 4, Storie Index rating 22 and 31).

Parcels created in the agricultural area for ‘residential purpose’ are commonly referred to as ‘ranchette’ parcels. Ranchettes are characterized as rural homesites valued primarily for their residential development potential. The County’s Agricultural Element describes ranchettes as having a zoning of A-2 (General Agriculture) with minimum lot size requirements of 3, 5, 10, and 20 acres. Based on the site’s A-2-5 zoning designation, the project site is considered to be suitable for uses more residential in nature than uses associated with commercial agricultural. The parcel is not currently enrolled in a Williamson Act contract.

The project site has been improved with one single-family dwelling and a barn. Approximately 12 acres of the site consists of irrigated pasture, and approximately 16 acres consists of rangeland. The pasture receives irrigation water from Oakdale Irrigation District (OID). There is an existing 20-foot wide irrigation easement which runs the length of the property from north to south. A referral response was received from OID requiring a formal 30-foot wide irrigation easement be recorded. Additionally, the resulting parcels will be ineligible to receive irrigation water and will need to complete OID’s new connection process in order to continue to utilize OID water to irrigate. Public Works also responded with requirements regarding the irrigation easement. These requirements will be added as conditions of approval. The project was referred to the Stanislaus County Agricultural Commissioner who responded with no comments.

Mitigation: None

References: Application Material; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2016; Referral Response from Oakdale Irrigation District dated July 19, 2018; Referral Response from the Stanislaus County Agricultural Commissioner dated June 07, 2017; Referral Response from the Department of Public Works dated May 21, 2019; United States Department of Agriculture NRCS Web Soil Survey; Subdivision Map Act; Stanislaus County General Plan and Support Documentation1.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	

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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people?)			X	

Discussion: The proposed project is located within the San Joaquin Valley Air Basin (SJVAB), and therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD's most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as "extreme non-attainment" for ozone, "attainment" for respirable particulate matter (PM-10), and "non-attainment" for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. The project will increase traffic in the area and, thereby, impact air quality. According to the Federal Highway Administration, the average daily vehicle trip per household is 9.6, which would equal 48 additional trips per day as a result of project approval (6 proposed parcels, 5 potential single-family dwellings x 9.6 = 48).

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project and project's operation after construction. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed below. Because construction and operation of the project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

The proposed project is considered to be consistent with applicable air quality plans, as the project will be required to obtain all applicable permits through the Air District. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations in a project's vicinity. The primary sources of construction-related CO, SOX, VOC, and NOX emissions are gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces.

No construction is proposed as a part of this request, however, if approved, Proposed Parcels 2 through 6 are permitted to construct one single-family dwelling per parcel in compliance with Zoning Ordinance §21.20.020(B)(3). These activities may require the use of heavy-duty construction equipment. However, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

The project was referred to SJVAPCD, and no response has been received to date. However, the District's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District's New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below which is reasonable to conclude that a project would not exceed applicable thresholds of

significance for criteria pollutants. The provided sizes by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. The District's threshold of significance for residential projects is identified as 152 units or 1,453 additional trips per day. As stated previously, the project has the potential to generate an additional 48 trips per day. As this is below the District's threshold of significance, no significant impacts to air quality are anticipated.

Mitigation: None

References: Application Material; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance; Stanislaus County General Plan and Support Documentation1

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
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 U.S. Fish and Wildlife Service?			X	
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?			X	
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?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?			X	

Discussion: The project is located within the Knights Ferry Quad of the California Natural Diversity Database (CNDDDB). There are nine plants or animals which are state or federally listed, threatened, or identified as species of special concern within the Knights Ferry California Natural Diversity Database Quad. These plants or animals include the California tiger salamander, bald eagle, vernal pool fairy shrimp, vernal pool tadpole shrimp, green sturgeon, steelhead - Central Valley DPS, valley elderberry longhorn beetle, Hartweg's golden sunburst, and Colusa grass.

The project site is improved with a single-family dwelling and barn. Approximately 12 acres of the site consists of irrigated pasture, and approximately 16 acres consists of rangeland. There are no known Waters of the United States on-site. The Stanislaus River is located southeast of the project site, southeast of Orange Blossom Road. Although one single-family dwelling is permitted per legal parcel, no construction or crop changes are being proposed as a part of this project.

The Stanislaus County General Plan Conservation and Open Space Element Goal One, Policy Four requires protection and enhancement of oak woodlands and other native hardwood habitat by requiring a management plan for their protection. Therefore, the project will be subject to a condition of approval to develop Oak Tree Management for any qualifying oak trees on site.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

An Early Consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game), and no response was received.

Mitigation: None

References: Application Material; California Department of Fish and Wildlife’s Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation¹

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: A records search, conducted by the Central California Information Center for the project site, indicated that there are no historical, cultural, or archeological resources recorded on-site. The project site has a high sensitivity for the possible discovery of prehistoric and historic archeological resources due to the previous occupation of Native Americans in the area and sites potentially containing placer mining remains in the vicinity.

It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is already improved with a dwelling, barn, and consists of irrigated pasture and rangeland. No construction or demolition is proposed as part of this request; however, standard conditions of approval addressing future development regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Application Material; Central California Information Center Report for the project site, dated November 14, 2016; Stanislaus County General Plan and Support Documentation¹

VI. ENERGY. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Discussion: The CEQA Guidelines Appendix F states that energy consuming equipment and processes which will be used during construction or operation shall be taken into consideration when evaluating energy impacts, such as: energy requirements of the project by fuel type and end use; energy conservation equipment and design features; energy supplies that would serve the project; and total estimated daily vehicle trips to be generated by the project and the additional energy consumed per trip by mode. Additionally, the project’s compliance with applicable state or local energy legislation, policies, and standards must be considered.

The applicant is proposing to subdivide a 30.13-acre parcel into six parcels ranging from 5 acres to 5.13 acres in size. Energy consuming equipment and processes include the construction of the proposed 60-foot wide public road. No construction is proposed as a part of this request; however, if approved, proposed Parcels 2 through 6 are permitted to construct one single-family dwelling per parcel in compliance with Zoning Ordinance §21.20.020(B)(3), for a total of five additional units. This request has the potential to generate an average of 48 trips per day, which is below the Air District's threshold of significance for criteria emissions. Any future development of the parcels will require compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources.

The project was referred to PG&E and the San Joaquin Valley Air Pollution Control District, and no comments have been received to date.

Mitigation: None

References: Application Material; California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
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?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion: The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is made up of Delhi loamy sand with 0 to 2 percent slopes (Grade 2, Storie Index rating 68), Honcut sandy loam with 0 to 2 percent slopes (Grade 1, Storie Index rating 81), and Pentz-Peters association with 2 to 50 percent slopes (Grade 4, Storie Index rating 22 and 31). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per

the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Public Works responded with a comment requiring a copy of a soils report which will be added as a condition of approval.

No construction is proposed as a part of this project; however, should structures be built in the future, they are required to be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications, which consider the potential for erosion and run-off prior to permit approval. Likewise, any addition or expansion of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. DER responded with comments regarding the on-site wastewater disposal system, which will be added as conditions of approval. It does not appear that this project will result in significant impacts to any paleontological resources or unique geologic features; However, standard conditions of approval applicable to future development of the parcels regarding the discovery of such resources during the construction process will be added to the project.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area.

DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit is requested.

Mitigation: None.

References: Application Material; Central California Information Center Report for the project site, dated November 14, 2016; Referral Response from the Department of Environmental Resources (DER), dated June 19, 2019; Referral Response from the Department of Public Works dated May 21, 2019; Stanislaus County General Plan and Support Documentation¹

VIII. GREENHOUSE GAS EMISSIONS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change, because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020.

As a requirement of AB 32, the ARB was assigned the task of developing a Climate Change Scoping Plan that outlines the state’s strategy to achieve the 2020 GHG emissions limits. This Scoping Plan includes a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce the state’s dependence on oil, diversify the state’s energy sources, save energy, create new jobs, and enhance public health. The Climate Change

Scoping Plan was approved by the ARB on December 22, 2008. According to the September 23, 2010 AB 32 Climate Change Scoping Plan Progress Report, 40 percent of the reductions identified in the Scoping Plan have been secured through ARB actions, and California is on track to its 2020 goal. Although no development is being proposed as a part of this project, any future development must comply with Title 24 Building Code Regulations, which include measures for energy-efficient buildings that require less electricity and reduce fuel consumption, which in turn decreases GHG emissions.

The project was referred to the San Joaquin Valley Air Pollution Control District, and no comments have been received to date. The project has the potential to generate an additional 48 trips per day. As this is below the District's threshold of significance, no significant impacts to air quality are anticipated.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance; Stanislaus County General Plan and Support Documentation¹

IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
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?				X
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?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Discussion: The project was referred to the Hazardous Materials Division of the Stanislaus County Department of Environmental Resources (DER), and a response was received which requires that a Phase 1 or Phase 2 study be completed to determine if any buried hazardous materials or contaminated soils exist on site prior to issuance of a grading permit. This will be added to the project as a condition of approval. The project was also referred to the Environmental Review Committee (ERC) who responded with no comments. The proposed use is not recognized as a generator and/or consumer of hazardous materials, therefore no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater, which is consumed and drift from spray applications. Application of sprays is strictly controlled by the

Agricultural Commissioner and can only be accomplished after first obtaining permits. The project was referred to the Stanislaus County Agricultural Commissioner who responded with no comments.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airstrip. The groundwater is not known to be contaminated in this area. The Stanislaus River is located southeast of the site. The site is located in a State Responsibility Area (SRA) for fire protection and is served by Oakdale Rural Fire (as of July 1, 2019 the site will be served by Modesto Fire). An Early Consultation was sent to Oakdale Rural Fire, and no comments have been received to date.

Mitigation: None.

References: Application Material; Referral Response from the Stanislaus County Environmental Review Committee (ERC) dated February 15, 2019; Referral Response from the Stanislaus County Department of Environmental Resources, Hazardous Materials Division, dated June 19, 2018; Referral Response from the Stanislaus County Agricultural Commissioner dated June 07, 2017; Department of Toxic Substances Control's data management system (EnviroStar); Stanislaus County Airport Land Use Compatibility Plan; Stanislaus County General Plan and Support Documentation¹.

X. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
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:			X	
(i) result in substantial erosion or siltation on – or off-site;			X	
(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(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			X	
(iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion: The site currently receives potable water from a domestic well and irrigation water from Oakdale Irrigation District (OID). A referral response was received from OID stating that the newly created parcels would be considered ineligible to receive irrigation water and would need to complete OID's new connection process prior to the receipt of water. The project site contains one single-family dwelling, barn, irrigated pasture, and rangeland.

The project was referred to the Department of Environmental Resources (DER), and a condition will be placed on the project that once divided, each proposed parcel is required to have an independent well prior to issuance of a building permit. To implement the 2014 Stanislaus County Groundwater Ordinance (Chapter 9.37 of the Stanislaus County Code), the County

has developed its Discretionary Well Permitting and Management Program to prevent the unsustainable extraction from new wells subject to the Stanislaus County Groundwater Ordinance. A condition of approval will be placed on the project requiring a drilling permit to be obtained prior to the construction of new wells. The Eastern San Joaquin Groundwater Authority covers the Eastern San Joaquin Groundwater Subbasin (ESJ Subbasin) and is tasked with ensuring compliance with the Sustainable Groundwater Management Act (SGMA). The Eastern San Joaquin Water Resources Model (ESJWRM) was developed primarily to evaluate the current and recent historical groundwater conditions of the ESJ Subbasin and simulate various future condition scenarios as part of the Groundwater Sustainability Plan (GSP) preparation process under the SGMA. The site is in ESJWRM Subregion #18. Private groundwater pumping quantities on an individual well basis are largely unknown, though aggregate estimates for private pumping are often included in planning documents (e.g., AWMPs, UWMPs, groundwater management plans). The domestic wells are not anticipated to have a significant effect on groundwater supplies.

Although no construction is proposed, any future dwellings will be served by private septic systems; the construction of which must be reviewed and approved by DER and must adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setbacks from wells to prevent negative impacts to groundwater quality. DER is also requiring the on-site wastewater disposal system for parcels 2 through 6 to be operated under conditions and guidelines established by Measure X, which will be added as a condition of approval.

Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. No construction or crop changes are proposed as part of this request, therefore no alterations to the current absorption patterns of water upon this property are anticipated. Should any structures be built in the future, flood zone requirements will be addressed by the Building Permits Division during the building permit process. Impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

A referral response received from the Central Valley Regional Water Quality Control Board (RWQCB) provided a list of the Board’s permits and programs that may be applicable to the proposed project. The developer will be required to contact RWQCB to determine which permits/standards must be met prior to construction as a condition of approval.

Mitigation: None

References: Application Material; Referral Response from the Department of Environmental Resources (DER), dated June 19, 2019; Local Agency Management Program (LAMP) for Stanislaus County DER; Referral Response from Oakdale Irrigation District dated July 19, 2018; Referral Response from the Central Valley Regional Water Quality Control Board dated June 19, 2018; Eastern San Joaquin Groundwater Authority, Eastern San Joaquin Water Resources Model (ESJWRM); Stanislaus County Code; Stanislaus County General Plan and Support Documentation¹

XI. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
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?			X	

Discussion: This project is a request to subdivide a 30.13-acre parcel into six parcels, ranging from 5 acres to 5.13 acres in size, in the A-2-5 zoning district. The proposed project will not physically divide a community or conflict any land use plan, policy, or regulation. Although no construction is proposed at this time, proposed Parcels 2 through 6 may be developed with one single-family dwelling. A Design Standard Exception to Section 20.52.110 of the County’s Subdivision Ordinance is being requested for the proposed length of the road.

Mitigation: None.

References: Application Material; Stanislaus County Zoning and Subdivision Ordinance.

XII. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
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?			X	

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. The project is located within the Knights Ferry Quad of the California Natural Diversity Database. The site is in ARA (Aggregate Resource Area) 35, which is one of the ARAs in the Stanislaus River Channel and Terraces. This area is categorized as significant only if it is included with ARA-30. Available data indicate that sand and gravel resources within this area most likely range in thickness between 8 to 20 feet.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XIII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located 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?				X

Discussion: No construction is being proposed; however, any future construction of structures permitted in compliance with the A-2 Zoning Ordinance should not increase the area's ambient noise level. The project is not located in the vicinity of any airport or airstrip.

Mitigation: None.

References: Application Material; Stanislaus County Airport Land Use Compatibility Plan; Stanislaus County Zoning Ordinance; Stanislaus County General Plan and Support Documentation¹

XIV. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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)?			X	

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
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Discussion: This project will not substantially induce population growth, nor will it displace existing housing or people. No construction is proposed as a part of this project; however, approval of this request will allow for the construction of one single-family dwelling on proposed Parcels 2 through 6, for a total of five additional residences.

Mitigation: None.

References: Application Material; Stanislaus County Zoning Ordinance; Stanislaus County General Plan and Support Documentation¹

XV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in the 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?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion: The County has adopted Public Facilities Fees, as well as Fire Facility Fees, on behalf of the appropriate fire district, to address impacts to public services. In addition, first year costs of the Sheriff’s Department have been standardized based on studies conducted by the Sheriff’s Department. No construction is being proposed as part of this project. However, should any construction occur on the property in the future, all adopted public facility fees will be required to be paid at the time of building permit issuance.

The site currently receives potable water from a domestic well and water for irrigation from Oakdale Irrigation District (OID). A referral response was received from OID stating that the newly created parcels would be considered ineligible to receive irrigation water and would need to complete OID’s new connection process prior to the receipt of water. Since the proposed parcels are under 10-acres they are considered substandard, and approval from the OID Board of Directors would be required for the parcels to be connected. This will be added as a condition of approval.

As the project is proposing a 60-foot wide public road for access, Public Works and the Fire Prevention Bureau of the Stanislaus County Office of Fire Warden responded with requirements regarding the street improvements which will be added as conditions of approval.

The site is served by Oakdale Rural Fire (as of July 1, 2019 the site will be served by Modesto Fire). An Early Consultation was sent to Oakdale Rural Fire, and no comments have been received to date.

Mitigation: None.

References: Application Material; Referral Response from Oakdale Irrigation District dated July 19, 2018; Referral Response from the Department of Public Works dated May 21, 2019; Email from the Stanislaus County Fire Prevention Bureau dated June 19, 2019; Stanislaus County General Plan and Support Documentation¹

XVI. RECREATION --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
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?			X	

Discussion: Approval of this request will allow for the construction of one single-family dwelling on proposed Parcels 2 through 6, for a total of five additional residences. However, demands for recreational facilities are anticipated to be less than significant. In-lieu, park fees are not required for subdivision maps in the Agricultural zoning district.

Mitigation: None.

References: Application Material; Stanislaus County General Plan and Support Documentation¹

XVII. TRANSPORTATION-- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

Discussion: This project is a request to subdivide a 30.13-acre parcel into six parcels ranging from 5 acres to 5.13 acres in size. The project site will receive access via a proposed 60-foot wide County-maintained road with the north end ending in a cul-de-sac and the south end connecting to Orange Blossom Road.

Section 15064.3 of the CEQA Guidelines establishes specific considerations for evaluating a project's transportation impacts. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Vehicle miles traveled exceeding an applicable threshold of significance for land use projects may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area, compared to existing conditions, should be presumed to have a less than significant transportation impact.

The Environmental Impact Report (EIR) prepared for Stanislaus County's 2016 General Plan Update considered vehicle miles traveled (VMT) in the County as considered by the General Plan planning horizon of 2035. The EIR identified that total daily VMT is expected to increase within the unincorporated area by 2035. However, the daily VMT in the unincorporated area is expected to decrease slightly, on both a per-household and a service population basis, indicating that development that could occur under the General Plan would decrease the average distance between goods and services within the unincorporated County. Therefore, implementation of the General Plan policies is expected to have a

less-than-significant impact on VMT. The proposed project site was considered in the General Plan EIR and would therefore be expected to have a less than significant impact to VMT.

The project site is improved with one dwelling that currently utilizes a 60-foot wide easement for access. The adjacent parcel to the east (APN 010-006-026) also utilizes the existing access easement, which will be replaced with the County-maintained road. Project approval would allow for the construction of five additional dwellings at the project site. The adjacent parcel to the east has the potential to be divided, which would allow for the construction of one additional dwelling; therefore, the proposed County-maintained road has the potential to be utilized by eight households. As stated previously, the average daily vehicle trip per household is 9.6, for a total of 76.8 daily vehicle trips. The threshold for a 60-foot local road with two lanes to operate at level of service (LOS) A is 350 vehicles per day, per lane.

Orange Blossom Road is identified as a rural 80-foot wide Major Collector. The General Plan EIR identifies it as operating at a level of service (LOS) A under cumulate conditions (2035). Given the small scale of the project and minimal distance traveled, it is not anticipated that the project would substantially affect level of service on Orange Blossom Road or any other nearby roadways. The project was referred to Public Works who responded with requirements regarding the street improvements. These will be added as conditions of approval.

The project was also referred to the Fire Prevention Bureau of the Stanislaus County Office of the Fire Warden who responded with comments regarding the proposed County-maintained road. These will be added as conditions of approval.

Mitigation: None.

References: Referral response from the Department of Public Works dated May 21, 2019; Email from the Stanislaus County Fire Prevention Bureau dated June 19, 2019; Stanislaus County General Plan and Support Documentation¹.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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?			X	
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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion: As the project is not proposing any new development, it is not anticipated that there will be any significant impacts to wastewater treatment facilities, storm drainage facilities, or water supplies. No construction or crop changes are being proposed as a part of this request; however, one single-family dwelling per parcel is permitted. Project approval would allow a total of five additional dwellings. Any future dwellings will be required to develop an independent domestic well and septic system. The construction of septic systems must be reviewed and approved by the Department of Environmental Resources (DER) and must adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setbacks from wells to prevent negative impacts to groundwater quality. DER is requiring

the on-site wastewater disposal system for parcels 2 through 6 to be operated under conditions and guidelines established by Measure X, which will be added as a condition of approval.

Oakdale Irrigation District (OID) supplies the site with irrigation water for the pasture. A referral response was received from OID stating that if the proposed parcel map is approved, the resulting parcels will be required to apply to continue irrigation services. A referral response from the Department of Public Works who responded with comments regarding the existing irrigation infrastructure. These will be added as conditions of approval.

Mitigation: None.

References: Application Material; Referral Response from the Department of Environmental Resources (DER) dated June 19, 2019; Referral Response from Oakdale Irrigation District dated July 19, 2018; Referral Response from the Department of Public Works dated May 21, 2019; Stanislaus County General Plan and Support Documentation¹

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
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?			X	
c) Require the installation of 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?			X	
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?			X	

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat. Access will be provided via a proposed 60-foot wide County-maintained road. The proposed emergency vehicle access will include two fire access turnouts on proposed Parcels 5 and 6, as well as the turn-around at the frontage of proposed Parcels 1 through 4. Wildfire Hazard Mitigation Objective WF03 is to maintain the roads for the safety of travelers for wildfire. Proposing a County-maintained road, versus a private road, ensures the road is maintained and is less likely to exacerbate fire risk. The site is located in a State Responsibility Area in a Moderate Fire Hazard Severity Zone. The California Building Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and burning embers. The Stanislaus River is located southeast of the site. Wildfire risk and risks associated with postfire land changes are considered to be less than significant.

The site is served by Oakdale Rural Fire (as of July 1, 2019 the site will be served by Modesto Fire). An Early Consultation was sent to Oakdale Rural Fire, and no comments have been received to date.

The Fire Prevention Bureau of the Stanislaus County Office of Fire Warden responded with requirements regarding the proposed County-maintained road which will be added as a condition of approval. The project was referred to CAL FIRE, and no responses have been received to date.

Mitigation: None.

References: Application Material; Email from the Stanislaus County Fire Prevention Bureau dated June 19, 2019; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan and Support Documentation¹

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
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.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Initial Study; Stanislaus County General Plan and Support Documentation¹

¹Stanislaus County General Plan and Support Documentation adopted in August 23, 2016, as amended. **Housing Element** adopted on April 5, 2016.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

Planning Phone: (209) 525-6330 Fax: (209) 525-5911

Building Phone: (209) 525-6557 Fax: (209) 525-7759

NEGATIVE DECLARATION

NAME OF PROJECT: Vesting Tentative Subdivision Map & Exception Application No. PLN2017-0053 – Adam & Diane Schwartz

LOCATION OF PROJECT: 14291 Orange Blossom Road, on the northwest side of Orange Blossom Road, between Stone Avenue and Orange Blossom Court, northwest of the Stanislaus River, in the Oakdale area.
APN: 010-006-026.

PROJECT DEVELOPERS: Thomas Schwartz
14291 Orange Blossom Road
Oakdale, CA 95361

DESCRIPTION OF PROJECT: Request to subdivide a 30.13-acre parcel into six parcels, ranging from 5 acres to 5.13 gross acres in size, in the A-2-5 zoning district. One exception to the County's Subdivision Ordinance is being requested as part of this project. The project site consists of pasture and rangeland. Proposed Parcel 1 is improved with a single-family dwelling. Proposed Parcel 2 is improved with a barn. Proposed Parcels 3 through 6 are not developed with any structures. Each proposed lot would be served by individual private well and septic systems upon development. Access will be provided via a proposed 60-foot wide County-maintained road. The proposed emergency vehicle access will include two fire access turnouts on proposed Parcels 5 and 6, as well the turn-around at the frontage of proposed Parcels 1 through 4.

Based upon the Initial Study, dated July 3, 2019, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Teresa McDonald, Assistant Planner






Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354

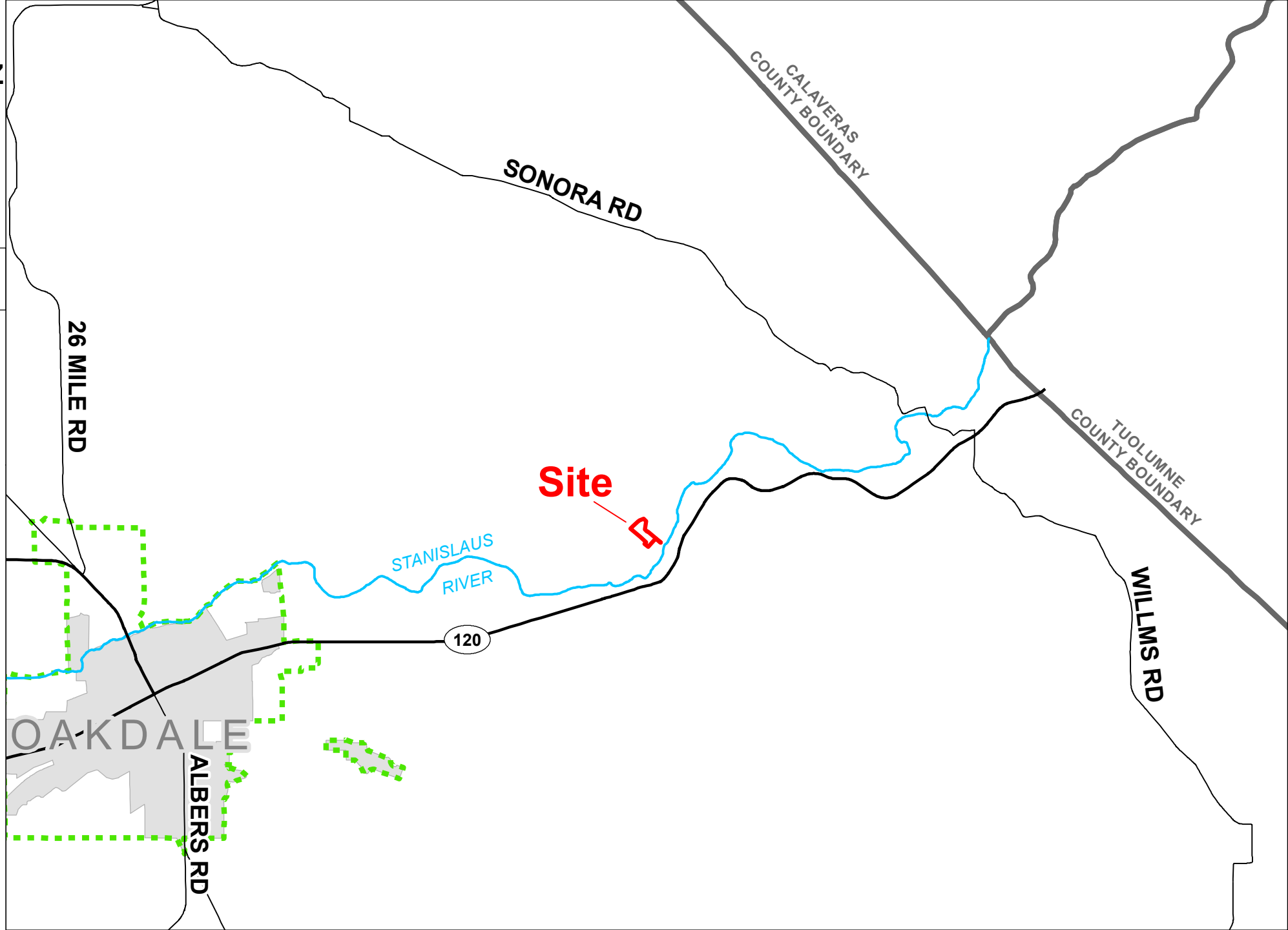
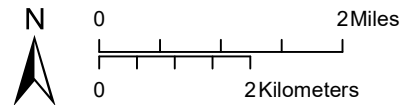
ADAM & DIANE SCHWARTZ

VTSM EXC
PLN2017-0053

AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River



ADAM & DIANE SCHWARTZ

VTSM EXC
PLN2017-0053

GENERAL PLAN MAP

LEGEND

 Project Site

 Parcel/Acres

 Road

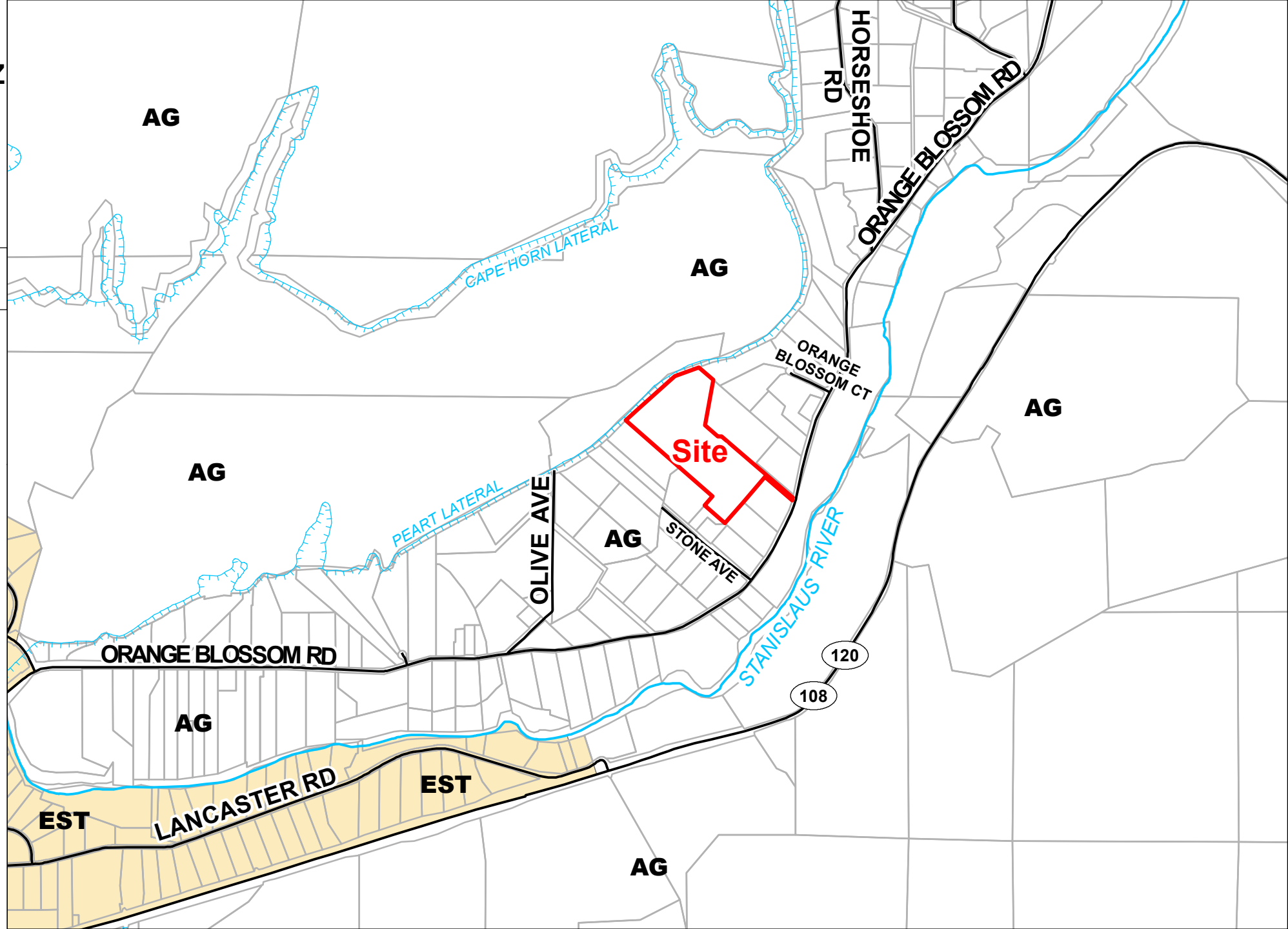
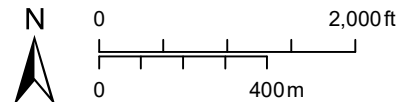
 River

 Canal

General Plan

 Agriculture

 Estate Residential



ZONING MAP

LEGEND

 Project Site


 # Parcel/Acres

 Road


 River

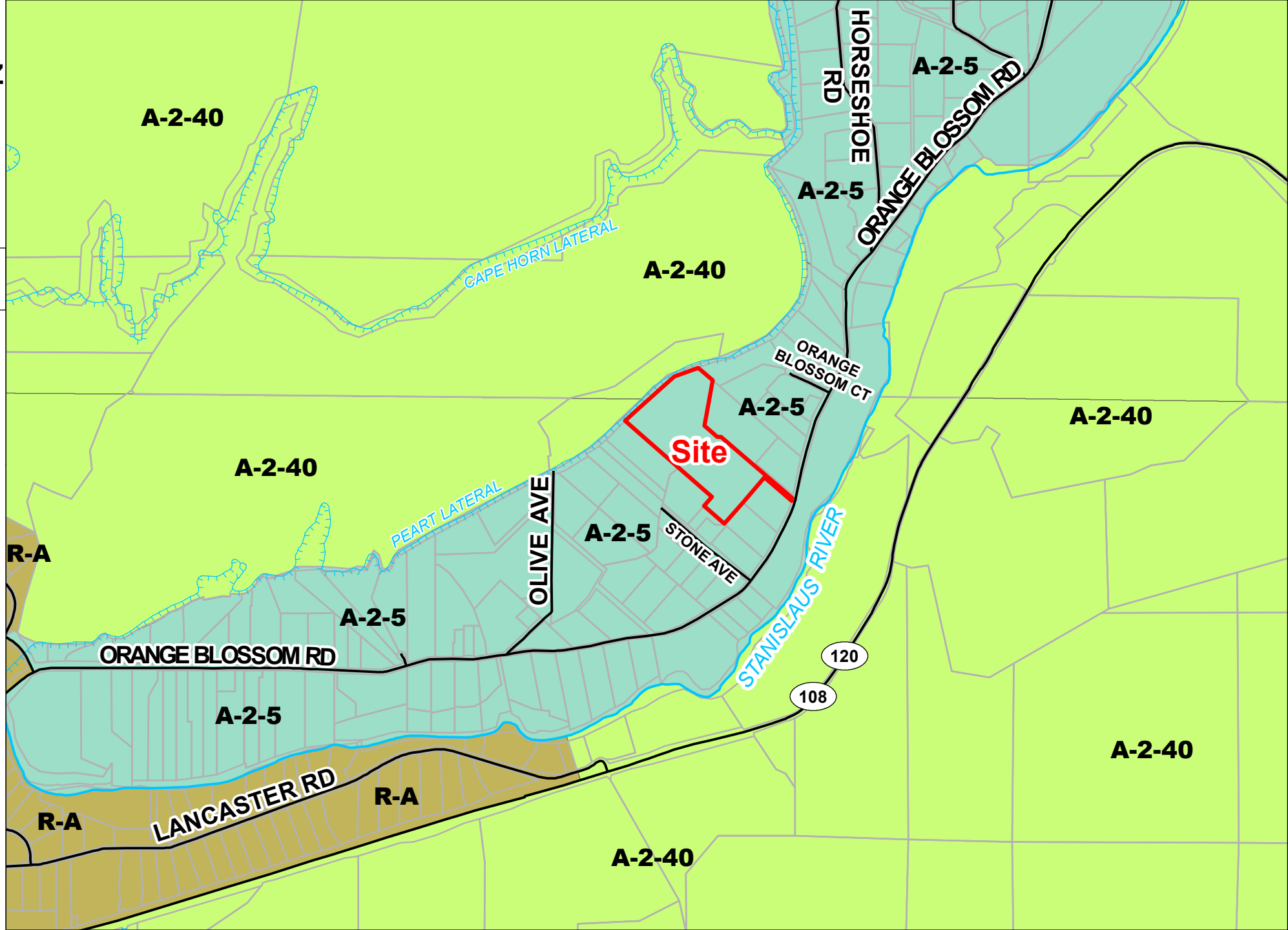
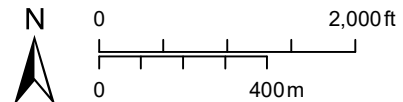
 Canal

Zoning Designation

 A-2-5 General Agriculture 5 Acre

 A-2-40 General Agriculture 40 Acre

 R-A Rural Residential







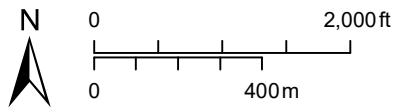
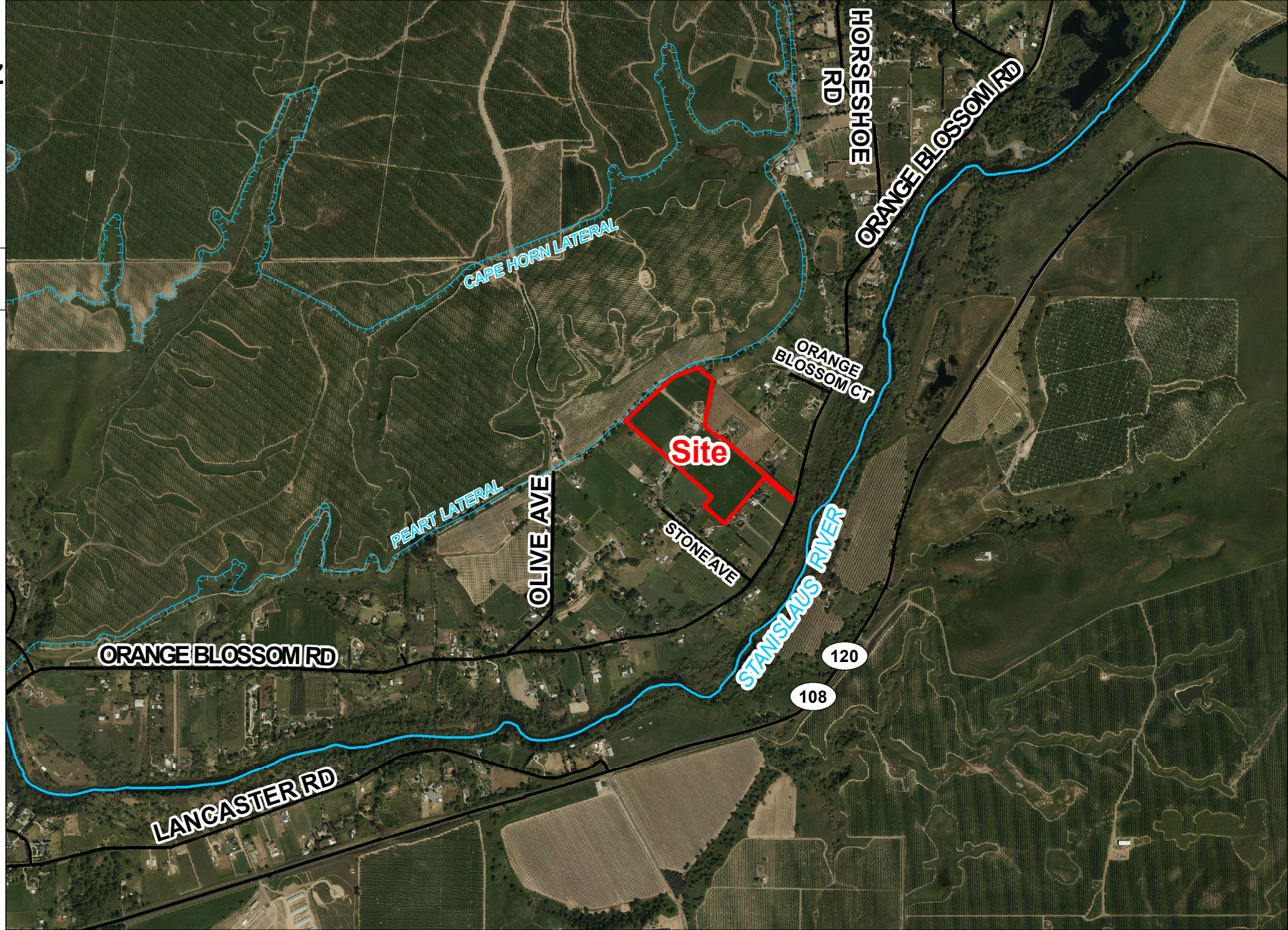
ADAM & DIANE SCHWARTZ

VTSM EXC
PLN2017-0053

2017 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  River
-  Canal






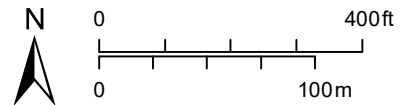
ADAM & DIANE SCHWARTZ

VTSM EXC
PLN2017-0053

2017 AERIAL SITE MAP

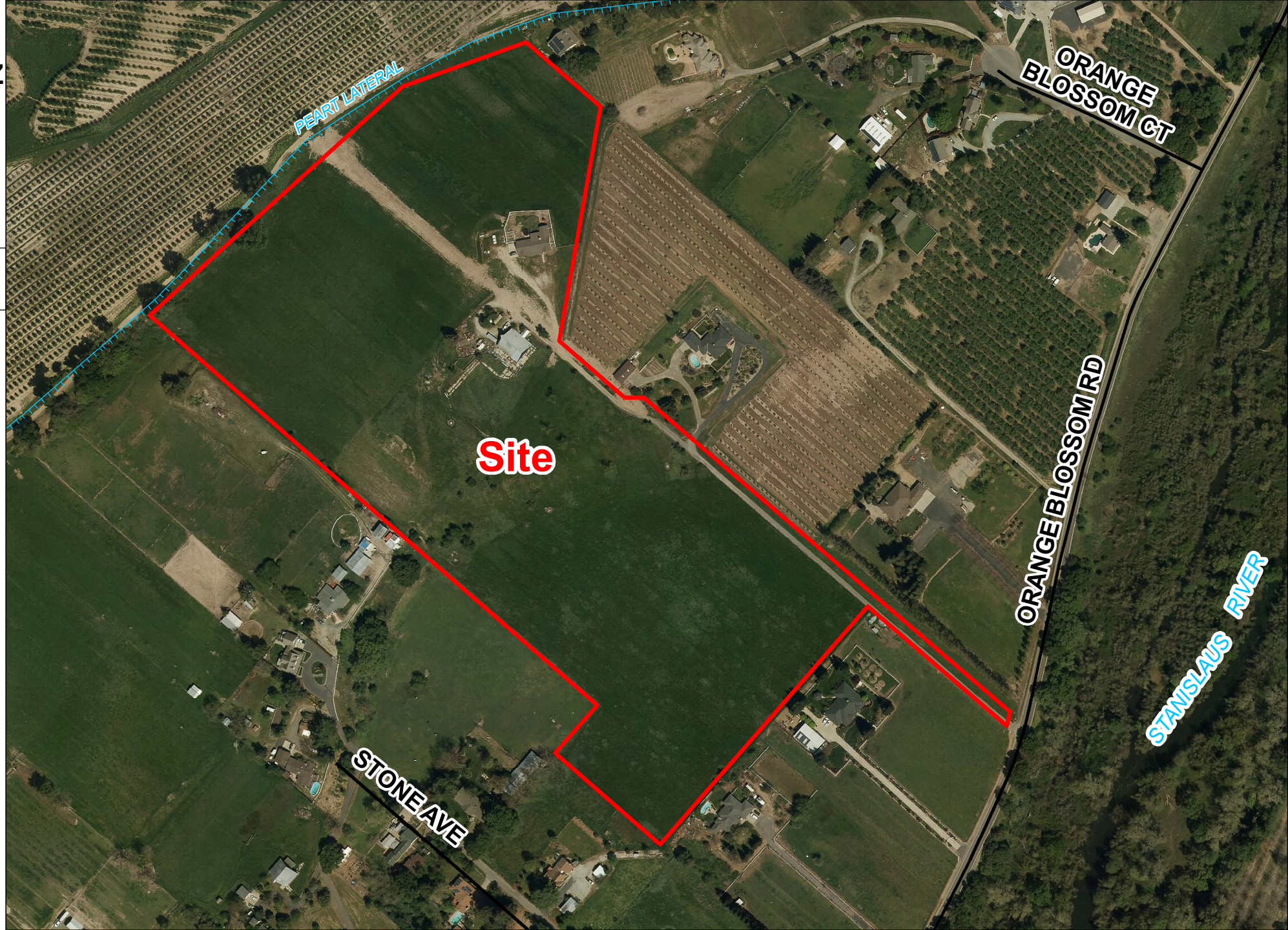
LEGEND

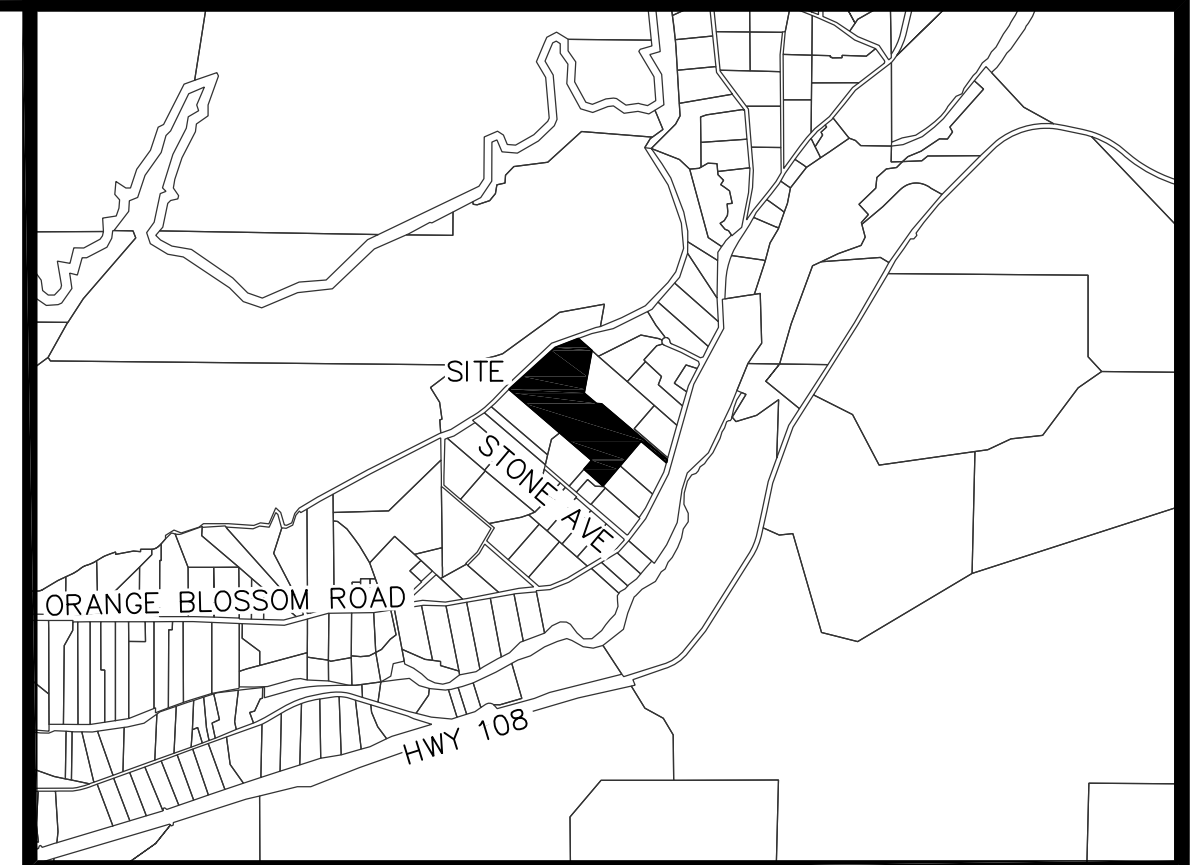
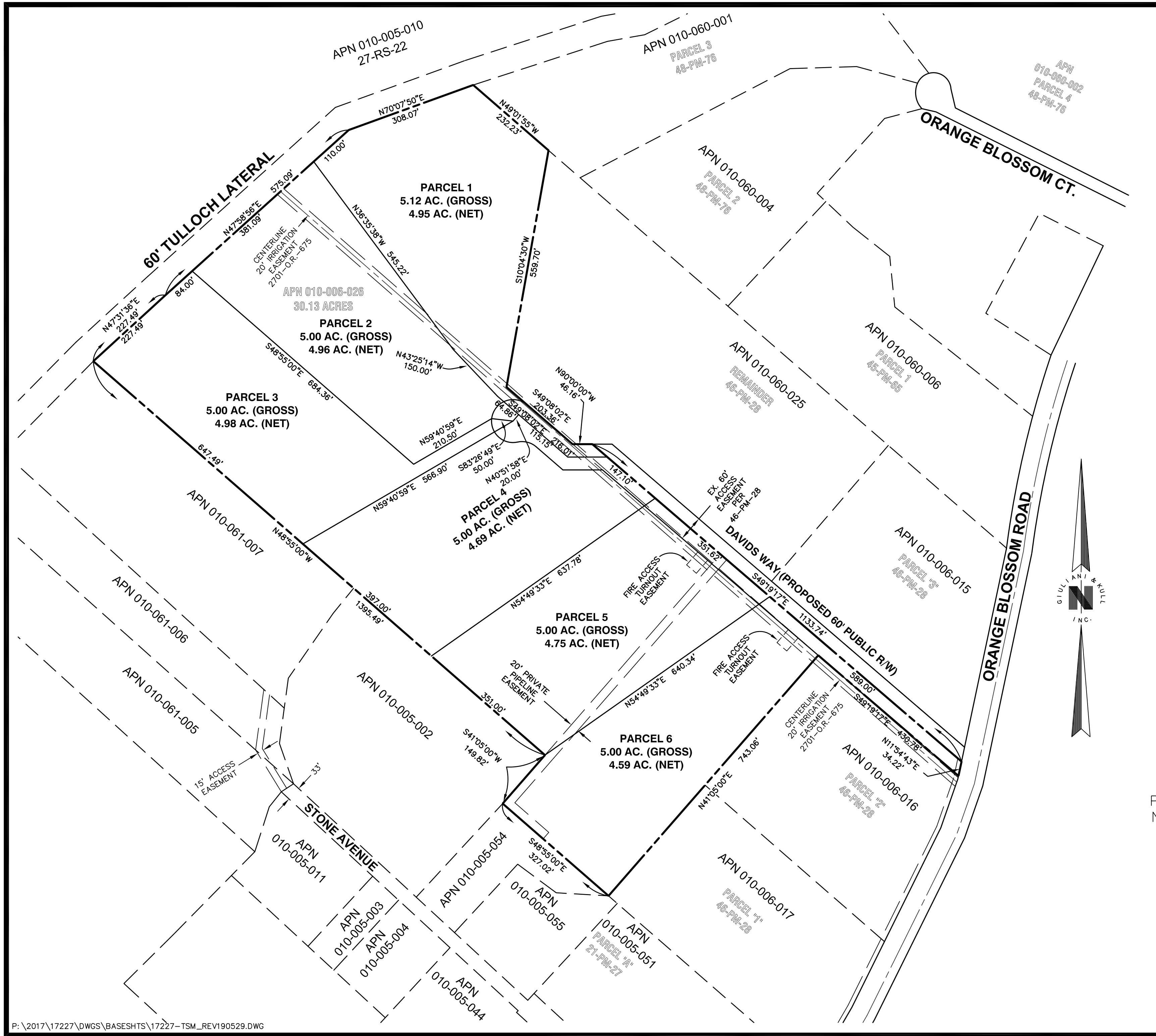
-  Project Site
-  Road
-  Canal



Source: Planning Department GIS

Date: 6/24/2019





VICINITY MAP

OWNER/APPLICANT: ADAM & DIANE SCHWARTZ
 14291 ORANGE BLOSSOM ROAD
 OAKDALE, CA 95361

SUBDIVIDER: TOM SCHWARTZ
 1414 E. "F" STREET
 OAKDALE, CA 95361
 (209) 602-0401

PREPARED BY: GIULIANI & KULL, INC.
 440 S. YOSEMITE AVENUE SUITE A
 OAKDALE, CA 95361

- TOTAL AREA: 30.13 AC.
- NO. OF PARCELS: 5 PARCELS AND A REMAINDER
- A.P.N.: 010-006-026
- ZONING: A-2-5
- WATER: PRIVATE WELL
- SANITARY SEWER: SEPTIC
- SLOPE OF LAND: FLAT-20%
- GROUNDWATER DEPTH: 89 FEET
- SOIL TYPES: DELHI LOAMY SAND, HONCUT SANDY LOAM
- SLOPE OF LAND: FLAT-20%
- NO EXISTING TREES OR STRUCTURES TO BE REMOVED
- FLOOD ZONE: ZONE X, AREA OF MINIMAL FLOOD HAZARD

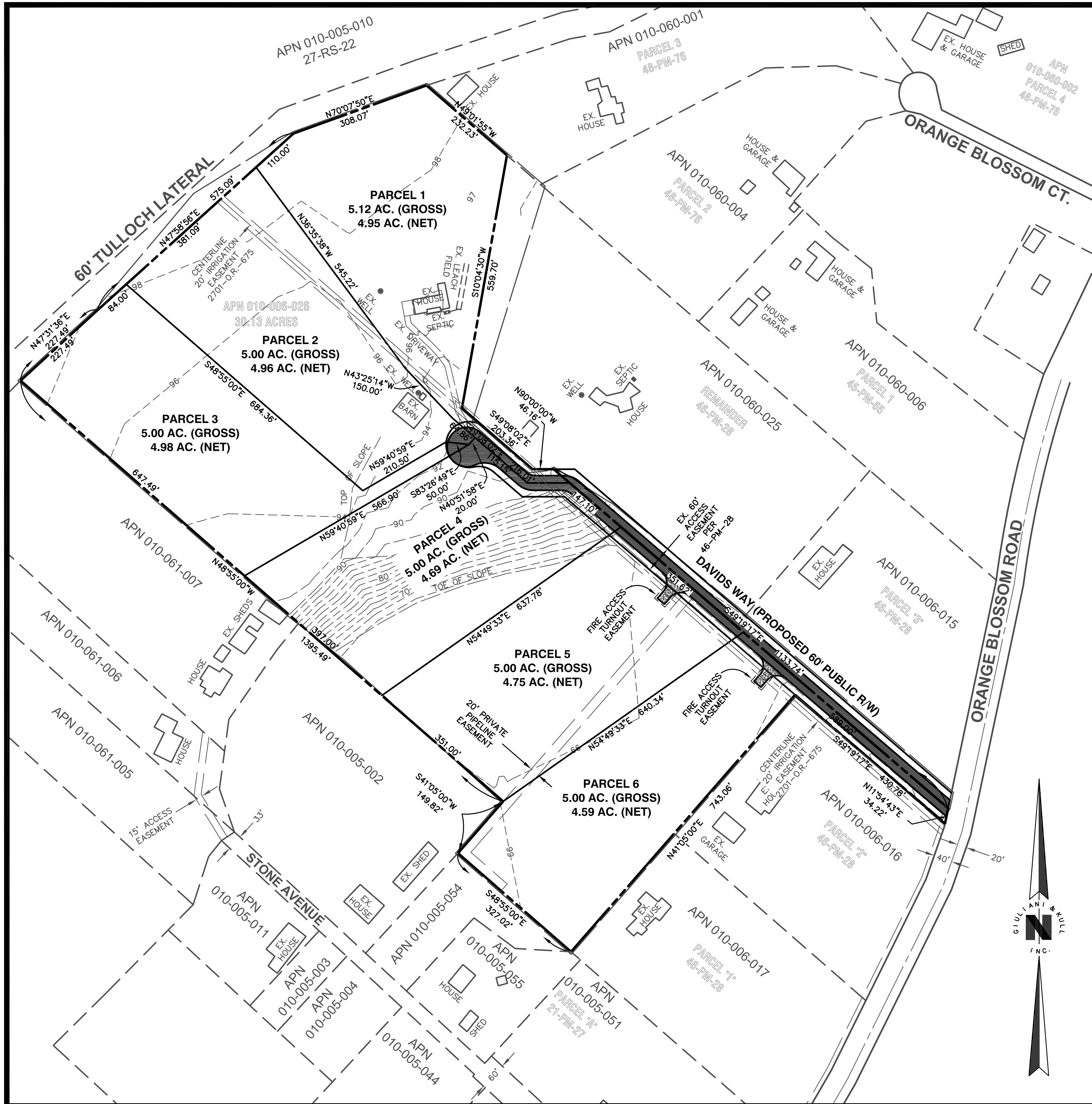


VESTING TENTATIVE SUBDIVISION MAP

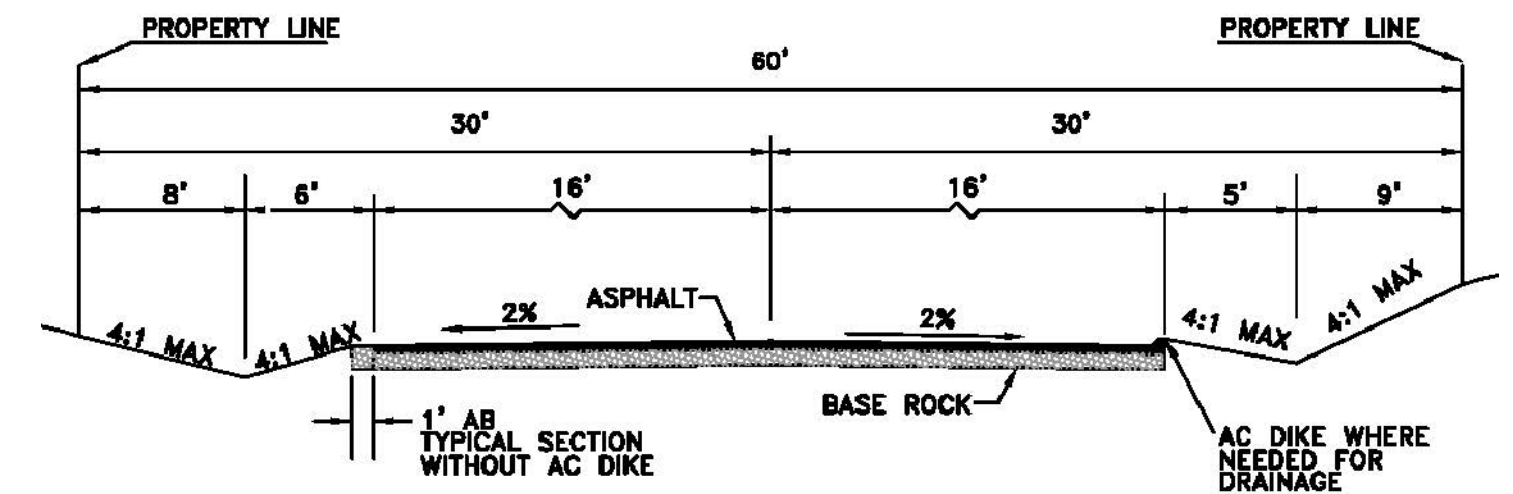
BEING ALL OF PARCEL 4 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON VOLUME 46 OF PARCEL MAPS, AT PAGE 28, AND LYING WITHIN THE NORTH HALF OF SECTION 2, T.2S., R.11E., AND THE SOUTH HALF OF SECTION 35, T.1S., R.11E., STANISLAUS COUNTY, CALIFORNIA
 SCALE 1" = 150' MAY 2019

GK Giuliani & Kull, Inc.
 Engineers • Planners • Surveyors

440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
 (209) 847-8726 Fax (209) 847-7323
 Auburn • Oakdale • San Jose



60 FT LOCAL (2 LANE RURAL)



VESTING TENTATIVE SUBDIVISION MAP

BEING ALL OF PARCEL 4 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON VOLUME 46 OF PARCEL MAPS, AT PAGE 28, AND LYING WITHIN THE NORTH HALF OF SECTION 2, T.2S., R.11E., AND THE SOUTH HALF OF SECTION 35, T.1S., R.11E., STANISLAUS COUNTY, CALIFORNIA
 SCALE 1" = 150' MAY 2019

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 Auburn • Oakdale • San Jose



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System
Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: November 14, 2016

CCIC File #: 10087N

Project: Tentative Parcel Map application,
Schwartz Property, APN 010-006-026,
14291 Orange Blossom Rd., Oakdale, CA

Patty Mayfield
Morris Engineering & Surveying, Inc.
334 S. Yosemite, Suite D
Oakdale, CA 95361

Email: patty@morris-eng.com

Dear Ms. Mayfield,

We have conducted a records search as per your request for the above-referenced project area located on the Knights Ferry USGS 7.5-minute quadrangle map in Stanislaus County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), *California Inventory of Historic Resources* (DPR 1976), the *California Historical Landmarks* (1990), and the California Points of Historical Interest listing (May 1992 and updates), the Directory of Properties in the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE) (Office of Historic Preservation current computer lists dated 3-20-2014 and 4-05-2012, respectively), the *Survey of Surveys* (1989), GLO Plats and other historic maps on file for the area, and other pertinent historic data available at the CCIC for each specific county.

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- (1) No prehistoric or historic archaeological resources or historic properties have been formally reported to the Information Center.
- (2) Historical documents listed below reference the following information pertinent to the project and surrounding vicinity:

The GLO Plat map T2S/R11E (sheet #44-118, dated 1853-1854) references a house, a ditch, and a trail in the surrounding vicinity in Section 2.

The Official Map of the County of Stanislaus, California (1906) references the Orange Blossom Colony at the project area and shows Orange Blossom Road.

The 1916 Copperopolis USGS 15-minute map references the Tulloch Ditch immediately adjacent, shows Orange Blossom Road and also the access road into the project area. A building is also shown immediately adjacent to the east of the project area.

The 1942 Copperopolis USGS 15-minute map shows Tulloch Ditch, Orange Blossom Road, a different alignment of the access road, and another building adjacent to the east.

The 1962 Knights Ferry USGS 7.5-minute map shows Tulloch Ditch, Orange Blossom Road, the access road, a building adjacent to the east, and one building in the project area along the access road. We do not know if this building in the project area is the same as the Existing Barn shown on the Tentative Parcel Map (in parcel 2); but this building, if it still exists, would be over 53 years old and can be considered a potential historical resource.

Prehistoric or historic resources within the vicinity of the project area:

(1) For your information, Native American occupation sites have been reported elsewhere in this county along the Stanislaus River. Although none are currently reported to us in or directly adjacent to the project area, this does not rule out their presence either on or under the surface.

(2) The Tulloch Lateral Canal has been formally recorded and evaluated in part (Primary file #P-50-000478) during cultural resource studies for the Oakdale Bypass Project; the HPDF (OHP computer printout, page 26) contains the 1995 group entry for a number of the Oakdale Irrigation District Canals (including the Tulloch Lateral), indicating cultural resource status code 6Y (ineligible for the NRHP; not evaluated for the CRHR or local listing).

(3) Sites of placer mining remains have been formally recorded in the vicinity (Primary file P-50-000431).

Resources that are known to have value to local cultural groups: None have been formally reported to the Information Center.

Previous investigations within the project area: 5 reports on file all associated with the Oakdale Bypass project may have included in their area of study a very narrow corridor along the northern part of the project area:

CCaIC report # Author/Date

ST-

03382 Parsons, Brinckerhoff, Quade & Douglas, Wilcox and Proctor (1995)
Historic Property Survey Report, Oakdale Bypass Project, State Route 120, Stanislaus County, California, 10-STA-120, P.M. 3.0/12.9, 10-345400.

03390 Fisher and Van Bueren (1995)
Historical Study Report for the Oakdale Bypass Project, Stanislaus County, California: 10-STA-120, PM 3.0/R12.9, EA 10-345400.

CCaIC report # Author/Date

ST-

03391 Mikesell (1994)

Contract No. 10B933, State Route 120 (P.M. 3.0/R12.9), SR-120 Oakdale Bypass, Stanislaus County, California, Historical Architecture Survey Report.

03392 Herbert and Bunse (1994)

Historic Resource Evaluation Report for the SR-120 Oakdale Bypass Interchange Improvement Project Alternatives 1, 2A, 2C, and 2D; P.M. 3.0-R12.9; EA: 10-345400: Oakdale Irrigation District Canals Crossed by SR-120 Alternative Alignments.

03393 Holson et al. (1994)

Final Report; Archaeological Survey Report for the SR-120 Oakdale Bypass Interchange Improvement Project Alternatives 1, 2A, 2B, 2C, and 2D; Near Oakdale, Stanislaus County, California, 10-STA-120-3.0/R12.9, EA 10-345400.

Four other studies are on file for the immediate vicinity:

ST-00369 (Swernoff, 1982), -00876 (McGuire, 1984), -00921 (Orlins, 1977), -07275 (Maniccia, 2010).

Recommendations/Comments:

Based on existing data in our files the project area has a high sensitivity for the possible discovery of historical resources, including both prehistoric and historic archaeological resources. As to standing buildings or structures, if the existing barn is over 45 years old, it also can be considered a potential cultural resource; the same can be said of the existing house shown on the TPM in the "Remainder" parcel. Survey by a qualified historical resources consultant is recommended prior to implementation of the project or issuance of any discretionary permit.

The Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at <http://chrisinfo.org>

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. There may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

We advise you that in accordance with State law, if any historical resources are discovered during project-related activities, all work is to stop and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. If Native American remains are found the County Coroner and the Native American Heritage Commission, Sacramento (916-373-3710) are to be notified immediately for recommended procedures.

We further advise you that if you retain the services of a historical resources consultant, the firm or individual you retain is responsible for submitting any report of findings prepared for you to the Central California Information Center, including one copy of the narrative report and two copies of any records that document historical resources found as a result of field work. If the consultant wishes to obtain copies of materials not included with this records search reply, additional copy or records search fees may apply.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for using the California Historical Resources Information System (CHRIS). Please let us know when we can be of further service. Please sign and return the attached Access Agreement Short Form.

Note: Billing will be transmitted separately via email (lamarroquin@csustan.edu or MSR270@csustan.edu) to Mr. Tom Schwartz from our Financial Services office (\$150.00), payable within 60 days of receipt of the invoice.

Sincerely,



R. L. Hards, Assistant Research Technician
Central California Information Center
California Historical Resources Information System

*Invoice to: Laurie Marroquin lamarroquin@csustan.edu, Financial Services



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology - California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307 - FAX (209) 667-3324

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

California Historical Resources Information System

ACCESS AGREEMENT SHORT FORM

Number: 10087N

I, the undersigned, have been granted access to historical resources information on file at the Central California Information Center of the California Historical Resources Information System.

I understand that any CHRIS Confidential Information I receive shall not be disclosed to individuals who do not qualify for access to such information, as specified in Section III(A-E) of the CHRIS Information Center Rules of Operation Manual, or in publicly distributed documents without written consent of the Information Center Coordinator.

I agree to submit historical Resource Records and Reports based in part on the CHRIS information released under this Access Agreement to the Information Center within sixty (60) calendar days of completion.

I agree to pay for CHRIS services provided under this Access Agreement within sixty (60) calendar days of receipt of billing.

I understand that failure to comply with this Access Agreement shall be grounds for denial of access to CHRIS Information.

Print Name: ADAM SCHWARTZ Date: 1/23/17

Signature: [Handwritten Signature]

Affiliation:

Address: City/State/Zip: 14291 ORANGE BLOSSOM CAKDALE CA 95361

Billing Address (if different from above):

Telephone: (209) 602-7126 Fax: N/A Email: ALSCHWARTZ80@Yahoo.com

Purpose of Access:

Reference (project name or number, title of study, and street address if applicable):

County: Township/Range/Section or UTM:

USGS 7.5' Quad:



AGRICULTURAL COMMISSIONER'S OFFICE AND
SEALER OF WEIGHTS & MEASURES

Milton O'Haire
Agricultural Commissioner/Sealer

3800 Cornucopia Way, Suite B
Modesto, California 95358
Phone: 209.525.4730 Fax: 209.525.4790

**Stanislaus County Environmental Review Committee
Referral Response Form**

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: Stanislaus County Department of
Agriculture & Weights and Measures

SUBJECT: PARCEL MAP & EXCEPTION APPLICATION NO. PLN2017-0053 - ADAM & DIANE
SCHWARTZ

Based on this agencies particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination: (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheets if necessary)

1. .

Listed below are possible mitigation measures for the above-listed impacts *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.

In addition, our agency has the following comments:

Response prepared by:

Milton O'Haire	Agricultural Commissioner/Sealer	06/07/2017
Name	Title	Date



**STANISLAUS COUNTY
CEQA REFERRAL RESPOND FORM**

TO: Stanislaus County Planning & Community Development
FROM: Department of Environmental Resources
SUBJECT: **ENVIROMENTAL REFERRAL- TENTATIVE PARCEL MAP &
EXCEPTION APPLICATION NO. PLN2017-0053 – ADAM & DIANE
SCHWARTZ**

Based on this agencies particular field(s) of expertise, it is our position the above-described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

1. Each parcel shall have an approved independent water supply (if not provided public water service). Prior to the issuance of building permit, each parcel shall have its own well. A drilling permit shall be obtained from Department of Environmental Resources. (Stanislaus County Policy and State Model Well

Standards Ordinance).

2. The existing septic system(s) is/are to be contained within the proposed parcel 1 boundaries as per required Department setback standards.
3. On-site wastewater disposal system for parcels 2 - 6 shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X. Statement shall be placed on the final map to be recorded, statement shall read:

“As per Stanislaus County Code 16.10.020 and 16.10.040, all persons purchasing lots within the boundaries of this approved map should be prepared to accept the responsibilities and costs associated with the operation and maintenance of the required primary and secondary onsite wastewater treatment system. All persons are required to provide adequate maintenance and operate the onsite wastewater treatment system as prescribed by the manufacturer, so as to prevent groundwater degradation”.

Response prepared by:

Date: June 19, 2019

Bella Badal

BELLA BADAL, PhD, REHS
SENIOR REGISTERED ENVIRONMENTAL HEALTH SPECIALIST
Department of Environmental Resources



June 19, 2018

TO: JEREMY BALLARD, ASSISTANT PLANNER, PLANNING AND
COMMUNITY DEVELOPMENT

FROM: AMBER MINAMI, DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: **VESTING TENTATIVE SUBDIVISION MAP & EXCEPTION
APPLICATION NO. PLN2017-0053 – ADAM & DIANE SCHWARTZ**

The Stanislaus County Hazardous Materials Division has reviewed the information available on the subject project. The Department provides the following conditions of approval to be implemented:

The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and if necessary, Phase II study) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.



CHIEF EXECUTIVE OFFICE

Jody L. Hayes
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Patrice M. Dietrich
Assistant Executive Officer

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

June 26, 2018

Jeremy Ballard, Associate Planner
Stanislaus County Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

**SUBJECT: ENVIRONMENTAL REFERRAL – SCHWARTZ – VESTING TENTATIVE
SUBDIVISION MAP & EXCEPTION APPLICATION NO. PLN2017-0053 –
EARLY CONSULTATION RE-REFERRAL**

Mr. Ballard:

Thank you for the opportunity to review the above-referenced project.

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has no comments at this time.

The ERC appreciates the opportunity to comment on this project.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Cavanah".

Patrick Cavanah
Sr. Management Consultant
Environmental Review Committee

PC:ss

cc: ERC Members

From: [Randy Crook](#)
To: [Teresa McDonald](#)
Subject: Re: 14291 Orange Blossom
Date: Wednesday, June 19, 2019 10:12:42 AM

Good Morning Teresa,

The current proposal of a public road using County standards and 2016 CFC appendix D, fire access for turn
arounds is acceptable.

Randy Crook
Stanislaus County Fire Marshal

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



June 22, 2017

Kristin Doud
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354

RE: SCH# 2017062010, Tentative Parcel Map & Exemption No. PLN2017-0053 – Adam & Diane, Stanislaus County

Dear Ms. Doud:

The Native American Heritage Commission has reviewed the Early Consultation request for the project referenced above. To adequately assess and mitigate project-related impacts on cultural resources, the Commission recommends the following actions be required:

The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of a Decision to Undertake a Project or completion of a Project Application:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).

- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
 3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
 4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
 7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
 9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
 10. Examples of Mitigation Measures That, if Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.

- ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).
This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at sharaya.souza@nahc.ca.gov.

Sincerely,



Sharaya Martinez-Souza
Staff Services Analyst

cc: State Clearinghouse

Native American Heritage Commission
Tribal Consultation List
6/22/2017

Calaveras Band of Mi-Wuk Indians
Debra Grimes, Cultural Res. Specialist
P.O. Box 1015 Mi-Wuk
West Point , CA 95255 Miwok
Dmiwuk@aol.com
(209) 470-8688

Tuolumne Band of Me-Wuk Indians
Kevin Day, Chairperson
P.O. Box 699 Me-Wuk - Miwok
Tuolumne , CA 95379
receptionist@mewuk.com
(209) 928-5300 Office

California Valley Miwok Tribe
4620 Shippee Lane Miwok
Stockton 95212
 , CA
CalaverasMiwukPreservation
(209) 931-4567 Office
(209) 931-4333 Fax

North Valley Yokuts Tribe
Katherine Erolinda Perez, Chairperson
P.O. Box 717 Ohlone/Costanoan
Linden , CA 95236 Northern Valley Yokuts
canutes@verizon.net Bay Miwok
(209) 887-3415

Southern Sierra Miwok Nation
Lois Martin, Chairperson
P.O. Box 186 Miwok
Mariposa , CA 95338 Pauite
 Northern Valley Yokut
(209) 742-6867 Office

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589 Yokuts
Porterville , CA 93258
chairman@tulerivertribe-nsn.gov
(559) 781-4271

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65362.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Request For Early Consultation, Stanislaus County.



July 19, 2018

Jeremy Ballard
Stanislaus County - Department of
Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

Re: Vesting Tentative Subdivision Map & Exception Application No. PLN2017-053 – Schwartz (APN: 010-006-026)

Dear Mr. Ballard:

Thank you for the opportunity to review the above-noted project. As shown on the enclosed Project Site Map, the Oakdale Irrigation District (OID) Stone Pipeline crosses APN: 010-006-026. OID currently maintains a secondary easement for this facility, but requires a formal 30' deeded easement for the Stone Pipeline be granted to OID through the entirety of APN: 010-006-026 as a condition of the parcel split. The recorded instrument number shall be noted on the Final Parcel Map. The new 30' easement may or may not be best suited centered on the existing Stone Pipeline centerline, as fences and pavement (such as the proposed paved driveway) are not permitted parallel to the pipeline within the easement. Open and uninhibited access for OID's continued operations and maintenance of the OID Stone Pipeline must be maintained in the future. The proposed all weather graveled access road would be replaced at the landowners expense should it be removed by OID for necessary maintenance or replacement of the Stone Pipeline. Permanent structures and trees are not permitted within the easement, and an Encroachment Permit approved by OID's Board of Directors is required for any other proposed private improvements (i.e. cross fencing, private irrigation pipelines, etc.) within the easement.

Should the landowners proceed with the subdivision and complete the process as proposed, the newly created parcels would be considered ineligible to receive irrigation water and would need to complete OID's new connection process prior to the receipt of water. Although the property may have received water from OID in the past and the existing delivery point(s) may still be in place to continue to do so, several new conditions will be required to be met in accordance with OID's Subdivision Parcel Map Policy at the time the new connection process is initiated (i.e. independent irrigation and drainage, etc.). A copy of OID's current Subdivision Parcel Map

Jeremy Ballard
Page Two
July 19, 2018

Policy is enclosed for reference. Additionally, since the proposed Parcels 1 through 4 are less than 10 acres they are considered substandard, and approval from the OID Board of Directors would be required for the parcels to be connected. Special measures may be required due to the demands of small parcels.

If OID can be of any further assistance, please do not hesitate to contact me at (209) 840-5525.

Sincerely,

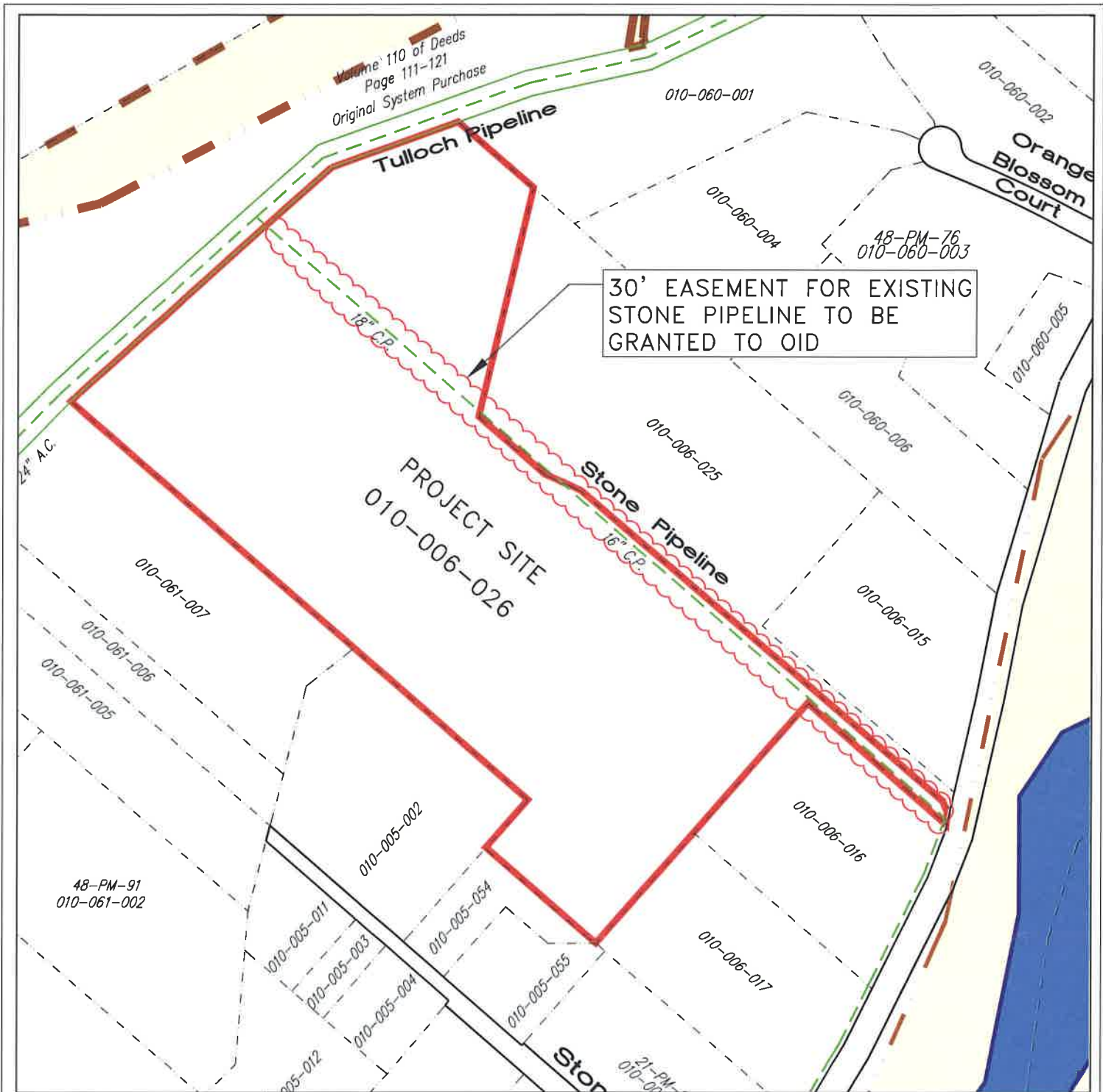
OAKDALE IRRIGATION DISTRICT



Eric C. Thorburn, P.E.
Water Operations Manager

Enclosures: Project Site Map
OID Subdivision Parcel Map Policy

cc: Administration Files
Adam & Diane Schwartz, 14291 Orange Blossom Rd., Oakdale CA, 95361



30' EASEMENT FOR EXISTING
STONE PIPELINE TO BE
GRANTED TO OI



OAKDALE IRRIGATION DISTRICT
1205 EAST F STREET
OAKDALE CALIFORNIA 95361

PROJECT SITE MAP
TENTATIVE PARCEL MAP & EXCEPTION
PLN2017-0053



DATE: JULY 18, 2018
DRAWN BY: ECS
CHECKED BY: ECT

APN: 010-006-026

NOT TO SCALE
SHEET 1 of 1

OAKDALE IRRIGATION DISTRICT SUBDIVISION PARCEL MAP POLICY

In accordance with the Subdivision Map Act (California Government Code Section 66410 et seq.), a Parcel Map is distinguished from a Subdivision Map by the number of parcels created and its designation when submitted by the appropriate lead agency for review. A Parcel Map can create up to 4 new parcels plus a remainder. A Parcel Map can create more than 4 parcels, and a remainder, if the parcels are 40 acres or greater in size or has a zoning designation of Commercial or Industrial. A Subdivision Map creates 5 or more parcels.

Pursuant to California Law, a parcel map is required when:

1. The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street or highway and no dedication or improvements are required, or
2. Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a maintained public street or highway, or
3. The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises part of a tract of land zoned for industrial or commercial development, and which has been approved as to street alignments and widths, or
4. Each parcel created by the division has a gross area of not less than forty (40) acres or is not less than a quarter of a quarter-section.

The following are the requirements, recommendations and considerations from the Oakdale Irrigation District (District) regarding development of subdivisions and parcel maps within the District's water service area in accordance with and pursuant to the Subdivision Map Act.

POLICY STATEMENT-OVERVIEW

All policies of Oakdale Irrigation District (District) are written to protect the interests of our existing rate payers. Specific to this Subdivision Parcel Map Policy is the District's intent to cooperatively work with all landowners to exercise their full property rights but this can not occur at the expense or forfeiture of any district or constituent rights. Should a landowner or Developer have a disagreement with this policy, its language interpretation or application; those disagreements not resolved by staff, shall be brought to the Board of Directors for resolution.

REQUIREMENTS- GENERAL

1. The District requires written, recorded easements for all of its facilities within the development area with the recorded instrument number noted on Parcel and Final (Subdivision) Maps.
2. The District requires that its irrigation and drainage easements be clearly identified on recorded Parcel and Final (Subdivision) Maps. Any proposed easements due to relocation requests shall also be identified.
3. The District requires that existing irrigation pipelines, canals, ditches, structures, turnouts and drains on the created parcels (both District and Private) be shown on the Parcel and Tentative Subdivision Maps for review purposes.
4. The District requires full, unencumbered access, as determined solely by the District, to both sides of its facilities and will rehabilitate, at its cost, those facilities within its control that do not meet that standard. This work shall be performed by the District after receipt of recorded easements.
5. Relocation of District facilities to the benefit of the development must be coordinated and approved by the District. The District will not allow District facilities to be installed within roadways. The District shall be contacted for current Policy and preferred alternatives. All costs associated with design, approval and analysis of relocations, including reasonable attorney and consultant fees, shall be at the Developer's expense.
6. All irrigation facilities to the benefit of the development shall be built off the District's easements and rights-of-way.
7. The District shall not provide water to ponds except as approved by the Board of Directors.
8. Pre-consultation is recommended with District staff *before* the Tentative Map stage.

REQUIREMENTS-IRRIGATION

1. No additional irrigation delivery connections will be provided as a result of development unless approved by the Board of Directors. New points of delivery as approved by the Board shall be measurable, as per District standards, and constructed at the expense of the Developer.
2. The historical water delivery point(s) for the developed property will continue to be the point(s) of diversion for the development.
3. The historical water delivery volume for the developed property will not increase as a result of development without prior approval of the District Engineer.

4. The historical water delivery point and flow volumes will be determined by the District. The District may, at its sole discretion, reduce the number of historical delivery points on any development.
5. Parcels within the proposed development that continue to irrigate shall have water made available under one of three options;

Option 1: An independent delivery system to each parcel. Each Parcel to be served by a single pipeline with its beginning at a cluster well or sump provided at the historical point of delivery.

Option 2: A single pipeline that serves multiple properties with its beginning at the historical point of delivery.

Option 3: As defined under Requirements-Irrigation, point No. 1.

6. Parcel Maps and Subdivisions that propose parcels less than ten (10) acres (gross) in size shall be approved by the Board of Directors with regards to water service requirements. Special measures may be required due to the demands of small parcels. These developments and their associated mitigated measures must be reviewed by District staff and approved by the Board of Directors.
7. If parcels created by a Parcel Map or Subdivision Map choose not to irrigate, the Developer may apply to the District for a Surface Water Irrigation Service Abandonment and Quitclaim Agreement, to be approved by the District Board of Directors.
8. California Water Code requirements will be enforced on each irrigated parcel to ensure the reasonable and beneficial uses of water. Parcels or lots within developments, which have not shown a reasonable standard of care in the preparation for the receipt of irrigation water, as determined by the District, will not be permitted to irrigate or receive water.

REQUIREMENTS- DRAINAGE

1. All drainage from lands that discharge to a District facility shall be under an approved District drainage agreement and compliant with existing District policy. OID shall not accept any additional drainage resulting from development into its system.
2. A pre and post development analysis of the hydrology by a licensed engineer shall be submitted to support any proposed actions taken regarding drainage not compliant with current district policy.
3. Developments that have on-site retention ponds compliant with County standards are exempt from the requirement of having a District drainage agreement.

REQUIREMENTS – EASEMENTS AND ENCROACHMENTS

1. Encroachment Agreements are required for any existing encroachments or proposed improvements within the current or requested District easement.
2. The District may require that its easements, rights-of-way, and fee title property be fenced to District Standards. The need for fencing will be evaluated on a case by case basis. This cost shall be borne by the Developer/Landowner.
3. Access gates and cross-fencing that does not impact District operations and maintenance and are not burdensome on the District may be permitted under an Encroachment Agreement.
4. For agricultural lands that continue to be farmed in the manner they have historically, the District shall make available a consensual lien process to defer the cost of fencing until such time as the parcels are sold.
5. Existing District facilities within a public road right-of-way shall be relocated into a right-of-way or easement dedicated to the District.
6. Standard Easement widths for District facilities shall be:

Main Canals	100 foot	centered on canal
Canals/Drains	60 foot	centered on canal/drain
Pipelines	30 foot	centered on pipeline
Pipelines adjacent to roadways	20 foot	
Pipelines adjacent to PUE	15 foot	
Pump Sites	40 foot	square centered on pump

7. Easement widths for joint projects shall meet the above minimum easement widths plus any additional easement width that may be required based on the specific project uses or as approved by the Board of Directors.
8. If an existing District facility is not centered on the property boundary between two properties, the District may require an easement width based on the distance to the centerline of the District facility.

RECOMMENDATIONS AND CONSIDERATIONS

1. The Developer should provide private irrigation easements for said properties to insure that existing downstream users can have access to irrigation water and can irrigate or continue to irrigate.
2. The Developer should provide private drainage easements for the benefit of upstream parcels that have historically drained across newly created parcels.
3. If, upon review, the District determines that parcels created in a Parcel Map or Subdivision cannot irrigate efficiently, based on poor grading and planning,

irrigation water will not be delivered until the situation is corrected to the sole satisfaction of the District.

4. "Improvement District" formation should be considered as a mechanism to ensure the responsible long-term operation and maintenance of private irrigation and drainage systems and as a means of irrigating and draining parcels or lots developed under the ten (10) acre minimum.
5. The District shall require a Developer Agreement before any work can be done on District facilities. Developer Agreements require a retainer for staff preparation time and additional related costs reasonably incurred by the District.
6. The District would consider financially participating in conjunctive use reservoirs constructed to serve the irrigation needs of the development.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Request for Early Consultation

June 11, 2018



To: Reviewing Agencies

Re: VTSM & Exception Application no. PLN2017-0053 - Adam and Diane Schwartz
SCH# 2018062016

Prior to determining whether a Negative Declaration or an Environmental Impact Report (EIR) is required for a project under CEQA, a Lead Agency is required to consult with all responsible and trustee agencies. This notice and attachment fulfill the early consultation requirement. Recommendations on the appropriate type of environmental document for this project, as well as comments on its scope and content, should be transmitted to the Lead Agency at the address below. You do not have to be a responsible or trustee agency to comment on the project. All agencies are encouraged to comment in a manner that will assist the Lead Agency to prepare a complete and adequate environmental document.

Please direct your comments to:

Jeremy Ballard
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to SCH Number 2018052073 in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Attachment
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018062016
Project Title VTSM & Exception Application no. PLN2017-0053 - Adam and Diane Schwartz
Lead Agency Stanislaus County

Type CON Early Consultation

Description Request to create five parcels ranging in size between 5 acres and 5.13 acres in size, and one 5 acre remainder from a 30.13 acre parcel in the A-2-5 zoning district. The following exceptions to the County's Subdivision Ordinance are also being requested as part of this project.
An Exception to Section 20.52.170 of the Subdivision Ordinance to allow the proposed parcels to take access from a 32 foot wide paved private road in combination with a 20 foot wide all weather emergency vehicle access (EVA) within a 60 foot wide existing access easement.
A Design Standard Exception to Section 20.52.110 of the County's Subdivision Ordinance is being requested for the proposed length of the private street.
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Lead Agency Contact

Name Jeremy Ballard
Agency Stanislaus County
Phone 209-525-6330 **Fax**
email
Address 1010 10th Street, Suite 3400
City Modesto **State** CA **Zip** 95354

Project Location

County Stanislaus
City Oakdale
Region
Cross Streets 14291 Orange Blossom Road
Lat / Long
Parcel No. 010-006-026
Township 2 **Range** 11 **Section** 2 **Base** DBM

Proximity to:

Highways 108/120
Airports
Railways
Waterways Stanislaus River
Schools
Land Use Accessory Structures, Pasture/A-2-5 (General Agriculture)/AG (Agriculture)

Project Issues

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Caltrans, Division of Transportation Planning; Air Resources Board, Transportation Projects; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission

Date Received 06/11/2018 **Start of Review** 06/11/2018 **End of Review** 06/29/2018



**Notice of Completion and
Environmental Document Transmittal**
California Environmental Quality Act

2018062016
SCH # _____

TO: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
(916) 445-0613

FROM: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

Project Title: VTSM & Exception Application No. PLN2017-0053 - Adam and Diane Schwarz
Lead Agency: Stanislaus County Planning and Community Development **Contact Person:** Jeremy Ballard, Associate Planner
Street Address: 1010 10th Street, Suite 3400 **Phone:** 209-525-6330
City: Modesto, CA **Zip:** 95354 **County:** Stanislaus

Project Location: 14291 Orange Blossom Road **City/Nearest Community:** Oakdale
Cross Streets: Orange Blossom **Zip Code:** 95361
Longitude/Latitude (degrees, minutes and seconds): _____ **Total Acres:** 30.13
Assessor's Parcel Number: 010-006-026 **Section:** 2 **Twp.:** 2 **Range:** 11 **Base:** DBM
Within 2 Miles: **State Hwy #:** 108/120 **Waterways:** Stanislaus River
Airports: N/A **Railways:** N/A **Schools:** N/A

Local Public Review Period: (to be filled in by lead agency)
Starting Date: June 8, 2018 **Ending Date:** June 26, 2018

Document Type:
CEQA: NOP Draft EIR NEPA: NOI OTHER: **STATE CLEARINGHOUSE**
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

Local Action Type:
 General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other _____

Present Land Use/Zoning/General Plan Designation:
Single Family Dwelling, Accessory Structures, Pasture/ A-2-5 (General Agriculture)/ AG (Agriculture)

Project Description: (please use a separate page if necessary)
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State Clearinghouse Contact: (916) 445-0613

State Review Began: 6-11-2018

EARLY CONSULTATION
SEND COMMENTS DIRECTLY TO
LEAD AGENCY BY: 6-29-18

Please note State Clearinghouse Number (SCH#) on all Comments
SCH#: 2018062016
Please forward late comments directly to the Lead Agency

AQMD/APCD 34
(Resources: 6/11)

- Project Sent to the following State Agencies**
- | | |
|--|---|
| <input checked="" type="checkbox"/> Resources | Cal EPA |
| <input checked="" type="checkbox"/> Boating & Waterways | ARB: Airport & Freight |
| <input checked="" type="checkbox"/> Central Valley Flood Prot. | ARB: Transportation Projects |
| <input checked="" type="checkbox"/> Coastal Comm | ARB: Major Industrial/Energy |
| <input checked="" type="checkbox"/> Colorado Rvr Bd | Resources, Recyc. & Recovery |
| <input checked="" type="checkbox"/> Conservation | SWRCB: Div. of Drinking Water |
| <input checked="" type="checkbox"/> CDFW # <u>4</u> | SWRCB: Div Drinking Wtr # _____ |
| <input checked="" type="checkbox"/> Cal Fire | SWRCB: Div. Financial Assist. |
| <input checked="" type="checkbox"/> Historic Preservation | SWRCB: Wtr Quality |
| <input checked="" type="checkbox"/> Parks & Rec | SWRCB: Wtr Rights |
| <input checked="" type="checkbox"/> Bay Cons & Dev Comm. | <input checked="" type="checkbox"/> Reg. WQCB # <u>55</u> |
| <input checked="" type="checkbox"/> DWR | Toxic Sub Ctrl-CTC _____ |
| | Yth/Adlt Corrections |
| | Corrections |
| | Independent Comm |
| | Delta Protection Comm |
| | Delta Stewardship Council |
| | Energy Commission |
| | NAHC |
| | <input checked="" type="checkbox"/> Public Utilities Comm |
| | Santa Monica Bay Restoration |
| | State Lands Comm |
| | Tahoe Rgl Plan Agency |
| | Conservancy |
| | Other: _____ |

- CalSTA**
- Aeronautics
 - CHP
 - Caltrans # 10
 - CHP
 - Trans Planning
 - Other**
 - Education
 - Food & Agriculture
 - HCD
 - OES
 - State/Consumer Svcs
 - General Services



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Memorandum



Date: June 15, 2018
To: All Reviewing Agencies
From: Scott Morgan, Director
Re: SCH # 2018062016
VTSM & Exception Application no. PLN2017-0053 - Adam and Diane Schwartz

The State Clearinghouse distributed the above-referenced **Early Consultation on June 11, 2018** to your agency for review and comment. It has come to our attention that the document was issued a new State Clearinghouse Number in error. For all future correspondence regarding this project, please use the original State Clearinghouse Number **2017062010**. We apologize for any inconvenience this may have caused. All other project information remains the same.

cc: Jeremy Ballard
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354



**Notice of Completion and
Environmental Document Transmittal**
California Environmental Quality Act

2017062010
SCH#

TO: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
(916) 445-0813

FROM: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

Project Title: VTSM & Exception Application No. PLN2017-0053 – Adam and Diane Schwartz
Lead Agency: Stanislaus County Planning and Community Development **Contact Person:** Jeremy Ballard, Associate Planner
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City: Modesto, CA **Zip:** 95354 **County:** Stanislaus

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JUN 11 2018

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State Clearinghouse Contact: (916) 445-0613

State Review Began: 6-11-2018

EARLY CONSULTATION

SEND COMMENTS DIRECTLY TO
LEAD AGENCY BY: 6-29-18

Please note State Clearinghouse Number (SCH#) on all Comments
2017062010

Please forward late comments directly to the Lead Agency

AQMD/APCD 34
(Resources: 6/11)

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| <input checked="" type="checkbox"/> Boating & Waterways | <input type="checkbox"/> ARB: Airport & Freight |
| <input checked="" type="checkbox"/> Central Valley Flood Prot. | <input type="checkbox"/> ARB: Transportation Projects |
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| <input type="checkbox"/> Colorado Rvr Bd | <input type="checkbox"/> Resources, Recyc. & Recovery |
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| <input checked="" type="checkbox"/> CDFW # 4 | <input type="checkbox"/> SWRCB: Div Drinking Wtr # |
| <input type="checkbox"/> Cal Fire | <input type="checkbox"/> SWRCB: Div. Financial Assist. |
| <input type="checkbox"/> Historic Preservation | <input checked="" type="checkbox"/> SWRCB: Wtr Quality |
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| <input type="checkbox"/> Bay Cons & Dev Comm. | <input checked="" type="checkbox"/> Reg. WQCB # 55 |
| <input checked="" type="checkbox"/> DWR | <input type="checkbox"/> Toxic Sub Ctrl-CTC |
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| <input checked="" type="checkbox"/> Trans Planning | <input type="checkbox"/> Energy Commission |
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| State/Consumer Svcs | <input type="checkbox"/> Conservancy |
| <input type="checkbox"/> General Services | <input type="checkbox"/> Other: _____ |



DEPARTMENT OF PUBLIC WORKS

Matt Machado, PE, LS
Director, County Surveyor

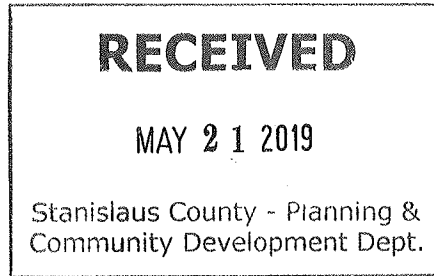
Chris Brady, PE
Deputy Director - Design/Survey/Fleet Maintenance

Frederic Clark, PE, LS
Deputy Director - Development/Traffic

David Leamon, PE
Deputy Director - Construction
Administration/Operations

Letti Ortiz
Senior Business and Finance Manager

www.stancounty.com/publicworks



May 21, 2019

To: Teresa McDonald, Assistant Planner, Planning and Community Development
From:  Angie Halverson, Senior Land Development Coordinator
Subject: PLN 2017-0053 Adam & Diane Schwartz, east of the City of Oakdale
APN: 010-006-026
Address: 14291 Orange Blossom Road

This is a request to subdivide a 30.13-acre parcel into 5 parcels in the A-2-5 zoning district. The proposed subdivision is located east of the City of Oakdale, fronting mainly on Orange Blossom Road. Two exceptions are being requested as part of this application:

- A Design Standard Exception to Section 20.52.110 of the County's Subdivision Ordinance is being requested for the proposed length of the road.
- A Design Standard Exception to Section 20.52.160 of the County's Subdivision Ordinance is being requested due to the proposed lots width and depth ratio.

Public Works applies the following conditions of approval:

1. The final map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
2. Prior to the final map being recorded, all existing structures not shown on the tentative map shall be removed.
3. Prior to the recording of the final map, the new parcels shall be surveyed and fully monumented.
4. The road right-of-way shall be dedicated to Stanislaus County on the final map to provide for a 60-foot road right-of-way.
5. A 10-foot wide public utility easement shall be provided on the map for the street frontage adjacent to the right-of-way.
 - a. All new utilities shall be underground and located in public utility easements.

6. Prior to recording the final map, improvement plans shall be submitted for the new roadway improvements. The improvements shall include, but not be limited to, drainage facilities, signs, pavement markings, and a 32-foot wide pavement on the proposed road. The improvement plans shall meet Stanislaus County Public Works Standards and Specifications. If the improvement plans shall comply with the National Pollutant Discharge Elimination System (MS4 Phase II NPDES Permit) General Permit and Stanislaus County storm water treatment and quality standards. The grading plan shall show that the lowest finished floor elevation within the subdivision will be at least 12 inches above the high- water elevation of the 100-year flood.
 - a. The subdivider shall furnish the Department of Public Works a copy of a soils report for the area being subdivided. The report shall include sufficient R-value tests to establish appropriate road sections. The report shall be signed by a California registered engineer.
7. Prior to the Department of Public Works reviewing any plan or inspections associated with the subdivision, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a \$5,000 deposit with Public Works.
8. Prior to any work being done in the Stanislaus County road right of way, an Encroachment Permit shall be obtained.
9. An Engineer's Estimate shall be provided for the subdivision improvements so the amount of the bond/approved financial security can be determined if a Subdivision Improvement Agreement is required. The Engineer's Estimate shall be wet stamped and signed by a licensed civil engineer.
10. All existing irrigation lines within the are to be subdivided shall be removed or relocated into irrigation easements. The irrigation lines shall be reinforced at road crossings and driveways. All irrigation lines or structures which are to be abandoned shall be removed. All work shall be done in accordance with the requirements of the Department of Public Works and the Oakdale Irrigation District.
11. Prior to the final map being recorded, the subdivider shall either:
 - a. Sign a 'Subdivision Improvement Agreement' and post the required certificates of insurance and subdivision bonds or approved security with the Department of Public Works; or
 - b. Construct all subdivision improvements and have the improvements accepted by the Stanislaus County Board of Supervisors.

PLN2017-0053
Adam & Diane Schwartz
Tentative Map

12. Street monuments and covers shall be installed to Stanislaus County Standards.
13. Prior to the acceptance of the subdivision improvements, one bench mark (brass cap) shall be established within the subdivision and the elevation shall be shown on the Record Drawing. A copy of the field notes shall be furnished to the Department of Public Works.
14. Prior to the final inspection after the year warranty of the installation of the improvements, a fog seal coat shall be applied to all new asphalt in accordance with Caltrans Standard Specifications for Bituminous Seal.
15. Prior to acceptance of the subdivision improvements as specified in the County standards, a set of Record Drawings (mylars), and electronically scanned files for each sheet in a PDF format shall be provided to and approved by the Department of Public Works. The Record Drawings shall be on 3 mil mylar with each sheet signed and stamped by the design engineer and marked "Record Drawing" or "As-Built."
16. Stanislaus County will not issue a final inspection and/or occupancy permit for any new structures within the area being subdivided until all the required improvements have been accepted by Stanislaus County.



Central Valley Regional Water Quality Control Board

19 June 2018

Jeremy Ballard
Stanislaus County
Department of Planning and Community Development
1010 Tenth Street, Suite 3400
Modesto, CA 95354

CERTIFIED MAIL
91 7199 9991 7039 6992 3624

COMMENTS TO REQUEST FOR REVIEW FOR THE EARLY CONSULTATION, VESTING TENTATIVE SUBDIVISION MAP & EXCEPTION APPLICATION NO. PLN2017-0053 – ADAM & DIANE SCHWARTZ PROJECT, STANISLAUS COUNTY

Pursuant to the Stanislaus County Department of Planning and Community Development’s 8 June 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Early Consultation* for the Vesting Tentative Subdivision Map & Exception Application No. PLN2017-0053 - Adam & Diane Schwartz Project, located in Stanislaus 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

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

amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental 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 Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to

restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

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

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

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

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

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

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

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

Industrial Storm Water General Permit

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

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

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

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

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

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

Clean Water Act Section 401 Permit – Water Quality Certification

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

Waste Discharge Requirements – Discharges to Waters of the State

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

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

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

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

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

Regulatory Compliance for Commercially Irrigated Agriculture

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

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or 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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

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

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.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:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



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