

INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Fred Podesta Farms/Dillon and Murphy

PROJECT TITLE/FILE NUMBER(S): PA-2200151 (SA)

PROJECT DESCRIPTION: This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The project will be served by an on-site well for water, on-site wastewater disposal, and on-site storm drainage. The project site is under a Williamson Act Contract (Use Type: Industry-Agricultural)

The project site is located on the west side of Podesta Lane, 1.5 miles north of State Route 26, Linden

ASSESSOR PARCEL NO.: 091-350-26

ACRES: 67.83-acres

GENERAL PLAN: A/G, OS/RC

ZONING: AG-40

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
An agricultural processing facility with approximately 83,000 square feet of building space at full buildout.

SURROUNDING LAND USES:

- NORTH:** Agriculture with scattered residences
- SOUTH:** Agricultural with scattered residences
- EAST:** Agricultural with scattered residences
- WEST:** Agricultural with scattered residences

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources, which should be specifically cited below, include on-site visits by staff, note staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (San Joaquin Valley Air Pollution Control District Air Impact Assessment dated December 7, 2022). Copies of these reports can be found by contacting the Community Development Department.

TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No.

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?
 Yes No

Nature of concern(s): Enter concern(s).

2. Will the project require approval or permits by agencies other than the County?
 Yes No

Agency name(s): **Air Pollution Control District**

3. Is the project within the Sphere of Influence, or within two miles, of any city?
 Yes No

City: **N/A**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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



Signature: Giuseppe Sanfilippo
Associate Planner

3-17-2023

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

Issues:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-d) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building.

The project site is not located along a designated scenic route pursuant to 2035 General Plan Figure 12-2, and the surrounding area is agricultural with scattered residences. The proposed project will be subject to all applicable Development Title requirements regarding setbacks and building heights. As a result, the proposed project is not anticipated to have an impact on aesthetics.

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

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

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

Impact Discussion:

- a-e) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. A fruit processing and packaging facility is classified under the Industry-Agricultural use type and may be a conditionally permitted use in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Administrative Use Permit application.

Parcel APN: 091-350-26 is currently under the California Land Conservation Act and subject to Williamson Act Contract No. WA-71-C1-0129. The contract restricts development to uses that are compatible with the Williamson Act and Development Title Section 9-702.060. "Compatible use" as defined in the Williamson Act includes uses determined by the County to be compatible with the agricultural, recreational, or open-space use of land within the preserve and subject to contract. (Government Code Section 51201[e]) In addition, Development Title Section 9-702.060(d) permits uses that adhere to the Williamson Act principles of compatibility.

Pursuant to Government Code Section 51238.1, uses approved on contracted lands shall be consistent with the following three principles of compatibility.

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - **This Principle of Compatibility can be made because an expansion of an existing agricultural processing facility is an agricultural use. The use on the subject property will remain in agriculture and will therefore not significantly compromise the long-term productive capability of the subject contracted parcel or other contracted lands in agricultural preserves. The use is an approved use on contracted land pursuant to Development Title Section 9-702.060(b).**
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted land in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands including activities such as harvesting, processing, or shipping.
 - **This Principle of Compatibility can be made because, although the use may displace agricultural production operations, the proposed expansion of an existing agricultural processing facility relates directly to the production of agricultural products, and therefore is a compatible use for a Williamson Act contracted parcel.**
3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use. In evaluating compatibility, a board or council shall consider the impacts on non-contracted lands in the agricultural preserve or preserves.
 - **This Principle of Compatibility can be made because the proposed use, an expansion of an existing agricultural processing facility will encourage continued and expanded agricultural uses in the area. The surrounding properties contain agricultural uses and will not be affected by the project. The Industry- Agricultural use type is a permitted use on property under contract and is consistent with the A/G (General Agriculture) General Plan Designation. Therefore, the agricultural processing facility will not negatively impact agricultural uses on adjacent contracted lands and will not result in the significant removal of adjacent contracted land from agricultural or open space.**

As a result, no agricultural activities on adjacent parcels will be impacted. No forest or timberland exists in the area. Therefore, the proposed application will have no impact on agriculture and forestry resources.

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

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-d) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. On December 7, 2022, the SJVAPCD issued the final AIA approval for the project. The SJVAPCD determined that the construction and operation for the project will be less than two-tons of NOx per year, and two tons PM10 per year. The SJVAPCD provided the following mitigation measures:

- For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30 days of the end of each phase of construction.
- For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.
- For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.
- Increase Density
- Improve Destination Accessibility within 3.8-miles of site.

In addition to these measures, the project will be required to file a Dust Control Plan prior to commencing any earth moving activities and obtain an Authority to Construct and Permit to Operate prior to the installation of equipment that controls or may emit air contaminants. As a result, air impacts are anticipated to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IV. BIOLOGICAL RESOURCES:

Would the project:

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|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-f) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The Natural Diversity Database list the California Tiger Salamander (*Ambystoma Californiense*), Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), and the California linderiella (*Linderiella occidentalis*) as rare, threatened, or endangered species in the project vicinity. The San Joaquin Council of Governments (SJCOG) has determined that the project is subject to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and the applicant has confirmed that they will participate. As a result, participation in the SJMSCP, and will be included in the conditions of project approval for this proposal, and participation will be required prior to issuance of any building permits. Pursuant to the *Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)*, dated November 15, 2000, and certified by SJCOG on December 7, 2000, participation in the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a less-than-significant level.

V. CULTURAL RESOURCES.

Would the project:

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

Impact Discussion:

- a-c) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. No impact on cultural resources is anticipated. Should human remains be discovered during any ground disturbing activities, all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds until they can be verified. The County coroner shall be immediately contacted in accordance with Health and Safety Code section 7050.5(b). Protocol and requirements outlined in Health and Safety Code sections 7050.5(b) and 7050.5(c) as well as Public Resources Code section 5097.98 shall be followed.

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

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a,b) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to any development at the time of building permit. This will ensure that any impacts to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be reduced to less than significant and help to prevent any conflict with state or local plans for energy efficiency and renewable energy.

VII. GEOLOGY AND SOILS.

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

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.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

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?

d) Be located on expansive soil and create direct or indirect risks to life or property?

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?

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Discussion:

(a-f) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building.

The Soil Survey of San Joaquin County classifies the soil on the parcel as *Cogna loam, 0 to 2 percent slopes*; and *Columbia fine sandy loam, 0 to 2 percent slopes*.

Cogna loam's permeability is slow and water capacity is high. This unit is suited to irrigated row and field crops. *Cogna loam* has a storie index rating of 90 and a land capability of I irrigated and IVc nonirrigated.

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

The proposed project will not cause the risk of injury or death as a result of a rupture of a known earthquake fault, seismic activity, or landslides because there are no faults located near the project site, and the site is relatively flat. The proposed project will not result in substantial soil erosion or the loss of topsoil. The proposed project will not destroy a unique paleontological resource or site or unique geological feature. The proposed project is not 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. As a result, the impact to geology and soils is anticipated to be less than significant.

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

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

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

a-b) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. Emissions (GHG) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG, are inherently considered cumulative impacts.

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

As noted previously, the underlying project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific GHG, on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG, emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As a result, impacts related to GHG emissions are anticipated to be less than significant and not in conflict with any plans, policies, or regulations.

¹ San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analized No Impact	In The Prior EIR
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-g) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The project site is not 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 not create a significant hazard to the public or the environment.

The project would not result in, create or induce hazards and associated risks to the public. Construction activities for the project typically involve the use of toxic or hazardous materials such as paint, fuels, and solvents. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. The proposed application would not result in, create, or induce hazards and associated risks to the public as no significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities. Additionally, the site is not located within an Airport Land Use Plan (ALUP) or within 2-miles of an existing airport. The project site does not physically interfere with an emergency evacuation plan or affect wildlands. Therefore, the project's impacts are less than significant.

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

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-e) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. A referral was sent to the Department of Public Works Flood Control Division for comments. At the time of future development, all new construction and the substantial improvement of any structure in the area is required to be constructed in accordance to San Joaquin County Development Title Section 9-1605.12

The project site is located approximately 100-feet south of the Calaveras River and 2,240 feet north of Mormon Slough. The project will be subject to Development Title Section 9-707.030(b)(2), which requires that parallel to any natural bank of a waterway, a natural open space for riparian habitat and waterway protection shall be maintained to provide nesting and foraging habitat and the protection of waterway quality. The minimum width of this open space shall be 100 feet, measured from the mean high-water level of the natural bank or 50 feet back from the existing riparian habitat, whichever is greater. This requirement will be incorporated into the project's Conditions of Approval. The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge, 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 result in substantial erosion or siltation on- or off-site; substantially increase the rate

or amount of surface runoff in a manner which would result in flooding on- or off-site; 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 impede or redirect flood flows. Additionally, the proposed project would not risk release of pollutants in flood hazard, tsunami, or seiche zones.

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

Would the project:

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

Impact Discussion:

- b) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The project is not a growth-inducing action nor is it in conflict with any existing or planned uses. The Industry-Agricultural use type may be conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) zone subject to an approved Administrative Use Permit application.

The zoning and the General Plan for the project site will remain the same if the project is approved. Additionally, the proposed project will have a less than significant impact to surrounding parcels and will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses. The proposed project will not conflict with any existing or planned uses or set a significant land use precedent. The proposed project is not in conflict with any Master Plans, Specific Plans, or Special Purpose Plans, or any other applicable plan adopted by the County. As a result, the project's impacts to land use and planning considerations are anticipated to be less than significant.

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

Would the project:

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

Impact Discussion:

- a, b) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The proposed project will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. Although the project site is in an area designated MRZ-1, there is currently no mining activity in the area, and the surrounding area is developed with agricultural and residential uses. Therefore, the proposed project applications will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within San Joaquin County.

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

Would the project result in:

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

Impact Discussion:

- a-c) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building.

The nearest single-family residence is located approximately 2,800 feet south of the project site. Development Title Section 9-404.050 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-404.040 states that the maximum sound level for stationary noise sources during the daytime is 70 dB and 65dB for nighttime. Development Title Section Table 9-404.040 states that the maximum sound level for stationary noise sources during the daytime is 70 dB and 65dB for nighttime. This applies to outdoor activity areas of the receiving use, or applies at the lot line if no activity area is known. Additionally, noise from construction activities are exempt from noise standards provided the construction occur no earlier than 6:00 A.M. and no later than 9:00 P.M. The proposed project would be subject to these Development Title standards. Therefore, noise impacts from the proposed project are expected to be less than significant.

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

Would the project:

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

Impact Discussion:

- a-b) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The project will not induce substantial unplanned population growth in the area. The project also will not displace substantial numbers of existing people or housing as there is no reduction in the number of available housing units. Therefore, the project's impact on population and housing will be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

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

Impact Discussion:

a) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The existing fire protection is provided by the Linden-Peters Fire District, existing law enforcement protection is provided by the San Joaquin County Sheriff's Department, and the existing school services are provided by the Linden Unified School District. There are no parks in the vicinity, and none are required to be provided. Therefore, the project will not result in the need for additional fire protection, police protection, schools, parks, or other public facilities.

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

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

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

a,b) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The proposed project will not substantially increase the use of existing neighborhood and regional parks because there is no increase in permanent housing with this application. Additionally, the project does not include recreation facilities or require the construction or expansion of existing recreational facilities, which might have an adverse physical effect on the environment. No impacts to recreation opportunities are anticipated.

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

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-d) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The project was reviewed by the Department of Public Works for Vehicle Miles Traveled, and Public Works determined the project would generate less than 110 vehicle trips per day. Therefore, the project is considered a small project according to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018. According to this OPR guidance, a small project that generates or attracts "fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact" with regards to VMT.

The project is not expected to conflict with any program plans, ordinances, or policies addressing the vehicle circulation system. There will be no changes to the geometric design of roads or to emergency access routes. The existing driveways meet all applicable Development Title standards. Therefore, the proposed project will have adequate emergency access. As a result, the project will have a less than significant impact on transportation.

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

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Impact Discussion:

a) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. A referral was sent to the United Auburn Indian Community (UAIC), North Valley Yokuts Tribe, and the Buena Vista Rancheria for review related to potential Tribal Cultural Resources (TCR).

If any suspected TCR are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A tribal representative from culturally affiliated tribes shall be immediately notified and shall determine if the find is a TCR pursuant to Public Resources Code Section 21074. The tribal representative will make recommendations regarding the treatment of the discovery. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA, including AB 52, has been satisfied. The contractor shall implement any measures deemed by the lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. This has been incorporated into the project's Conditions of Approval.

Additionally, if human remains are discovered during any ground disturbing activities, all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds until they can be verified. The County Coroner shall be immediately contacted in accordance with Health and Safety Code section 7050.5(b). Protocol and requirements outlined in Health and Safety Code sections 7050.5(b) and 7050.5(c) as well as Public Resources Code section 5097.98 shall be followed.

As a result of the Conditions of Approval for the discovery of TCRs and meeting the existing Health and Safety Code regulations, the impact to tribal cultural resources is anticipated to be less than significant.

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

Would the project:

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

Impact Discussion:

a-c) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The project site will be required to keep all storm drainage on-site, and the project proposes on on-site stormwater retention pond. The Department of Public Works will determine the appropriate size of the proposed stormwater pond. Any on-site well and septic system will be required to be constructed under permit by the Environmental Health Department. Therefore, the impact on public services will be less than significant.

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

Impact Discussion:

- a-d) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. Pursuant to the San Joaquin Fire Severity Zone map, the project site is located in a local responsibility area fire zone designation. The project proposes to access from an existing 25-foot wide driveway, in accordance with fire road standards. Therefore, the proposed project will have a less than significant impact on wildfire hazards.

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

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

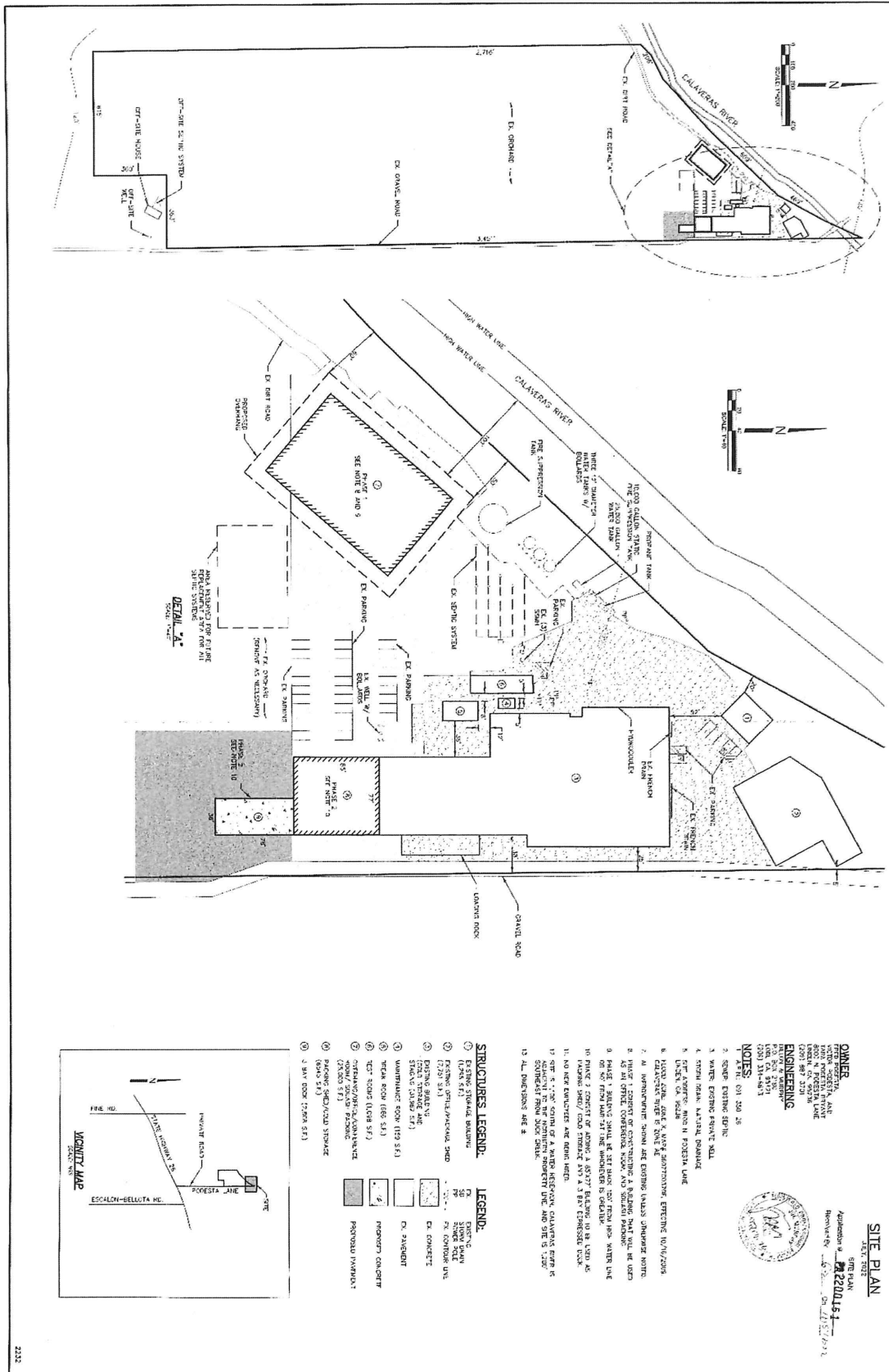
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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

a-c) This project is an Administrative Use Permit application to expand an existing agricultural processing facility in 2 phases over 5 years. Phase One includes the construction of a 25,000-square-foot office, conference room, and squash packing building. Phase Two includes the construction of a 2,808-square-foot, 3-bay dock and a 6,545-square-foot packing and cold storage building. The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community or eliminate important examples of major periods of California history or prehistory. The project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.



OWNER
 VENTURA COUNTY
 800 N. FOREST LANE
 GILROY, CA 95020
 (408) 887-2031

ENGINEERING
 J. M. HARRIS & ASSOCIATES
 1000 S. GARDEN ST.
 GILROY, CA 95020
 (408) 841-4401

NOTES:
 1. SEE SHEET 200-201
 2. SEE EXISTING EDRW
 3. WATER EXISTING FRONT YARD
 4. STORM DRAIN AS SHOWN
 5. EX. ASPHALT DRIVE IN FOREST LANE
 6. EX. ASPHALT DRIVE IN FOREST LANE
 7. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008
 8. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008
 9. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008
 10. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008
 11. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008
 12. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008
 13. ALL IMPROVEMENTS SHALL BE FINISHED 10/1/2008

STRUCTURES LEGEND:

- 1. EX. CONCRETE
- 2. EX. CONCRETE
- 3. EX. CONCRETE
- 4. EX. CONCRETE
- 5. EX. CONCRETE
- 6. EX. CONCRETE
- 7. EX. CONCRETE
- 8. EX. CONCRETE
- 9. EX. CONCRETE
- 10. EX. CONCRETE
- 11. EX. CONCRETE
- 12. EX. CONCRETE
- 13. EX. CONCRETE

LEGEND:

- 1. EX. CONCRETE
- 2. EX. CONCRETE
- 3. EX. CONCRETE
- 4. EX. CONCRETE
- 5. EX. CONCRETE
- 6. EX. CONCRETE
- 7. EX. CONCRETE
- 8. EX. CONCRETE
- 9. EX. CONCRETE
- 10. EX. CONCRETE
- 11. EX. CONCRETE
- 12. EX. CONCRETE
- 13. EX. CONCRETE

VICINITY MAP

LOCATED ROAD
 FOREST LANE
 ESCALON-BELLUCIA HE.
 SITE

Mitigation Monitoring Reporting Plan. PA-2200151 February 10, 2023

Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions		
		Monitoring	Reporting			By	Date	Remarks
III. Air Quality	Construction and Operation - Exempt from Off-site Fee		X	San Joaquin Valley Air Pollution Control District	For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.			
III. Air Quality	Construction and Operation - Recordkeeping		X	San Joaquin Valley Air Pollution Control District	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.			
III. Air Quality	Construction and Operational Dates		X	San Joaquin Valley Air Pollution Control District	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable			
III. Air Quality	Increase Density		X	San Joaquin Valley Air Pollution Control District	.008 Jobs/.12DU/Acre			
III. Air Quality	Improve Destination Accessibility		X	San Joaquin Valley Air Pollution Control District	3.8 miles (distance to downtown or job center)			
IV. Biological Resources	Participation in the SJMSCP	X		San Joaquin Council of Governments	The developer shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site shall be inspected by the SJMSCP biologist, who will recommend which Incidental Take Minimization Measures set forth in the SJMSCP should be applied to the project and implemented. The project applicant shall pay the required SJMSCP fee, if any, and be responsible for the implementation of the specified Incidental Take Minimization Measures.			



December 7, 2022

Fred Podesta
8100 N Podesta Lane
Linden, CA 95236

Re: Air Impact Assessment (AIA) Application Approval
ISR Project Number: C-20220472
Land Use Agency: County of San Joaquin
Land Use Agency ID Number: PA-2200151

Dear Mr. Podesta:

The San Joaquin Valley Air Pollution Control District (District) has approved your Air Impact Assessment (AIA) for the 8100 Podesta Lane Development project, located at 8100 N Podesta Lane in Linden, California. The project consists of 25,000 square foot to be used as an office, a conference room and for squash packing, and 6,545 square foot 3-bay docks. The District has determined that the mitigated baseline emissions for construction and operation will be less than two tons NOx per year and two tons PM10 per year. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 (General Mitigation Requirements) and Section 7.0 (Off-site Emission Reduction Fee Calculations and Fee Schedules) of the rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees. The determination is based on the project construction details provided with the application. Changes in the construction details may result in increased project related emissions and loss of this exemption.

Pursuant to District Rule 9510, Section 8.4, the District is providing you with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- An approved Monitoring and Reporting Schedule

In addition, to maintain this exemption you must comply with all mitigation measures identified in the enclosed Monitoring and Reporting Schedule. Please notify the District of any changes to the project as identified in the approved Air Impact Assessment for this project.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

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

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

Change in Developer Form

If all or a portion of the project changes ownership, a completed Change in Developer form must be submitted to the District within thirty (30) days following the date of transfer.

Additional Requirements

- Dust Control Plan. Please be aware that you may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.
- Asbestos Requirements for Demolitions. If demolition is involved, a Certified Asbestos Consultant will need to perform an asbestos survey prior to the demolition of a regulated facility. Following the completion of an asbestos survey; the asbestos survey, Asbestos Notification, Demolition Permit Release, and the proper fees are to be submitted to the District 10 working days prior to the removal of the Regulated Asbestos Containing Material and/or the demolition when no asbestos is present.
- Permits. Per District Rule 2010 (Permits Required), you may be required to obtain a District Authority to Construct prior to installation of equipment that controls or may emit air contaminants, including but not limited to emergency internal combustion engines, boilers, and baghouses.

To identify other District rules or regulations that apply to this project or to obtain information about District rules and permit requirements, the applicant is strongly encouraged to visit www.valleyair.org or contact the District's Small Business Assistance office nearest you:

Fresno office: (559) 230-5888

Modesto office: (209) 557-6446

Bakersfield office: (661) 392-5665

Mr. Podesta
Page 3

Thank you for your cooperation in this matter. Please note the District also issued a letter to the land-use agency notifying the agency of this AIA approval. If you have any questions, please contact Mr. Eric S McLaughlin by telephone at (559) 230-5808 or by email at eric.mclaughlin@valleyair.org.

Sincerely,

Brian Clements
Director of Permit Services

A handwritten signature in black ink, appearing to read "Brian Clements", with a stylized flourish at the end.

For Mark Montelongo
Program Manager

Enclosures

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

Project Name:	8100 PODESTA LANE DEVELOPMENT
Applicant Name:	FRED PODESTA
Project Location:	8100 N PODESTA LANE STATE HIGHWAY 26 APN(s): 091-350-26
Project Description:	LAND USE: Light Industrial - 25000 Square Feet - General Light Industry Light Industrial - 25000 Square Feet - General Light Industry Light Industrial - 6545 Square Feet - General Light Industry Light Industrial - 25000 Square Feet - General Light Industry Light Industrial - 6545 Square Feet - General Light Industry ACREAGE: 67.8
ISR Project ID Number:	C-20220472
Applicant ID Number:	C-303744
Permitting Public Agency:	COUNTY OF SAN JOAQUIN
Public Agency Permit No.	PA-2200151

Existing Emission Reduction Measures

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

Non-District Enforced Emission Reduction Measures

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

District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Exempt from Off-site Fee	For each project phase, within 30-days of issuance of the first certificate of occupancy, if applicable, submit to the District a summary report of the construction start, and end dates, and the date of issuance of the first certificate of occupancy. Otherwise, submit to the District a summary report of the construction start and end dates within 30-days of the end of each phase of construction.	(Compliance Dept. Review)	

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

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	
SJVAPCD	Increase Density	.008 Jobs/Acre .012 DU/Acre	(Compliance Dept. Review)	
SJVAPCD	Improve Destination Accessibility	3.8 miles (distance to downtown or job center)	(Compliance Dept. Review)	

Number of District Enforced Measures: 5