

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: Dillon & Murphy Engineering

PROJECT TITLE/FILE NUMBER(S): PA-2300015 (VR)

PROJECT DESCRIPTION: A Variance application to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone in order to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel.

The project site is located on the north side of East Eight Mile Road, 3,100 feet east of North Tully Road, Linden.

ASSESSOR PARCEL NO.: 065-100-18

ACRES: 37.52 acres

GENERAL PLAN: A/G (General Agriculture) and OS/RC (Resource Conservation)

ZONING: AG-40 (General Agriculture, 40-acre minimum)

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
Maximum of 2 residences per resultant lot for a total of 4 residences.

SURROUNDING LAND USES:

NORTH: Agriculture with scattered residences, Mosher Creek

SOUTH: Agriculture with scattered residences

EAST: Agriculture with scattered residences, Calaveras River

WEST: Agricultural with scattered residences, Calaveras River

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

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

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

TRIBAL CULTURAL RESOURCES:

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

No

GENERAL CONSIDERATIONS:

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

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

2. Will the project require approval or permits by agencies other than the County?

Yes No

Agency name(s): Enter agency name(s).

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes No

City: 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: Sol Jobrack
Assistant Planner

6/16/2023

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
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) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The project site is on East Eight Mile Road in a rural area outside of Linden, and is not located along a designated scenic route pursuant to 2035 General Plan Figure 12-2. The surrounding area is a mixture of agricultural, industrial, commercial, and residential uses. The potential of two additional dwelling units would not have a significant or adverse effect on the visual character, public views, or scenic vistas. Additionally, any future development would be required to follow the San Joaquin Development Title requirements contained in Chapter 9-403 Lighting and Illumination, and as a result, the proposed project is not anticipated to create any new source of substantial light or glare affecting day or nighttime views in the area. As a result, the proposed project is anticipated to have a less than significant 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:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot. Two existing houses would remain with the 4.10-acre lot. The parcel is designated as Prime Farmland and Unique Farmland on the Farmland Mapping and Monitoring Program of the California Resources Agency.

Subdivision of the property would not convert prime farmland, unique farmland, or statewide importance farmland to a non-agricultural use. Potential future development of a single-family residence and an accessory dwelling unit is permitted in the AG-40 zone. As a result, potential impacts related to conversion of Farmland to a non-agricultural use would be less than significant.

- b) The project parcel is under Williamson Act contract No. 70-C1-0101, and as noted above, is zoned AG-40. In the event the proposed Variance and subsequent Minor Subdivision are approved, the applicant is requesting to enter into a Joint Management Agreement under Government Code Section 66474.4(c)(1), which allows a legislative body to approve a subdivision with parcels smaller than the minimum size if it is found that the parcels can sustain an agricultural use at the reduced size. Additionally, the parcels would be subject to a written agreement for joint management pursuant to Section 51230.1 and must total at least 10 acres in size in the case of prime agriculture land. The proposed parcels total 37.52 acres and would meet the acreage requirement. If the Minor Subdivision application is applied for and approved, the recommended Conditions of Approval would also include a condition to record a Joint Management Agreement prior to recordation of the Parcel Map. This would allow for the creation of smaller parcels while also ensuring that the parcels can sustain an agricultural use. As a result, conflicts with the existing AG-40 zoning or Williamson Act contract are expected to be less than significant.
- c-e) The site is not zoned for uses related to timberland or timberland production. The project site is also not existing forest land, and therefore, does not propose the conversion or loss of forest land to a non-forest use. There are no proposals to make changes to the existing environment resulting in the conversion of farmland to a non-agriculture use. As stated above, a Joint Management Agreement would be required if the Variance and subsequent Minor Subdivision are approved to ensure that the parcels can sustain an agricultural use. As a result, the proposed project is anticipated to have a less than significant impact related to the loss or conversion of forest land, timberland, and Farmland.

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

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

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

Impact Discussion:

a-d) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The project site is located in the San Joaquin County Valley Air Basin, which is regulated by the San Joaquin County Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is the lead air quality regulatory agency for San Joaquin County. In the event that any new construction occurs, the project would be subject to the District's rules and regulations. As a result, any impacts to air quality will be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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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 type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-f) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The Natural Diversity Database identifies the *Andrena subapasta* (Vernal pool andrenid bee), *Buteo swainsoni* (Swainson hawk), *Desmocerus californicus dimorphus* (Valley elderberry longhorn beetle), and *Agelaius tricolor* (tricolored blackbird) as rare, threatened, or endangered species in the project vicinity. A referral was sent to the San Joaquin Council of Governments (SJCOG) on February 9, 2023, for review. The San Joaquin Council of Governments (SJCOG) has determined that the project is subject to the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP) for any future development that results in ground disturbance. Participation in the SJMSCP provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. If the Variance and subsequent Minor Subdivision are approved, any future ground disturbance at the site would be subject to the SJMSCP as a Condition of Approval of the Minor Subdivision. As a result, the anticipated impact to Biological Resources is less than significant.

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

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The site does not contain any known historical or archaeological resources, or other human remains. In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations. Therefore, impacts to 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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VI. ENERGY.

Would the project:

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

Impact Discussion:

- (a-b) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

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.

Any future development for residential dwellings of the project site will be subject to the California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings). These requirements will also be applicable to any future proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and also preventing any conflict with state or local plans for energy efficiency and renewable energy.

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

Impact Discussion:

The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The Soil Survey of San Joaquin County classifies the soil on the parcel as *Cogna fine sandy loam, 0 to 2 percent slopes*. According the survey, the site also contains *Water* (Calaveras River). *Cogna fine sandy loam's* permeability is moderate and water capacity is high. This unit is well suited to irrigated row, field, and orchard crops. *Cogna fine sandy loam* has a storie index rating of 90 and a land capability of I irrigated and IVc nonirrigated.

- a) According to the California Department of Conservation's California Geological Survey, the project site is not located within an earthquake fault zone. However, like other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, and the site would not be affected by ground shaking more than any other area in the region. The project site is relatively flat and is not anticipated to directly or indirectly cause potential substantial adverse effects related to seismic-related ground failure or landslides. Therefore, any related impacts are anticipated to be less than significant.

- b-c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any loss of topsoil, soil erosion, potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) The proposed project is located on expansive soil; however, the Building Department will review the required soil study and will not issue a Building Permit if it is found the development of the site could lead to the risk of a loss of life because of the expansiveness of the soil. As a result, it can be anticipated that any risk to life would be considered less than significant.
- e) The project site is currently served by two onsite wastewater septic systems. Any changes or additions to the system will be under permit and approval by the San Joaquin County Environmental Health Department and will have to meet the county's standards. As such, the project is expected to have a less than significant impact related to adequately supporting a wastewater system.
- f) The project area has not been determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by potential future site development. The project site also does not contain any known unique geologic features. Therefore, damage to unique paleontological resources, sites or geologic features is expected to be less than significant.

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

Impact Discussion:

- a-b) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the 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 greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change.

¹San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-g) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

Any future development of the parcels will be residential or agricultural and is not anticipated to be the site of an industrial or commercial use that might include the use and/or storage of hazardous materials/waste. The site is also not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Additionally, the proposed application will not result in, create, or induce hazards and associated risks to the public. As the proposed application does not include the construction of any dwellings or structures, impacts are anticipated to be less than significant related to the transport, use, or storage of hazardous materials during construction activities. However, potential future construction activities for the project site may involve the use of toxic or hazardous materials such as paint, fuels, and solvents, but these 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 project's propensity for releasing toxins into the environment is also expected to be less than significant.

- e) The project site is not located within the vicinity of a private airstrip, an airport land use plan, or, where such a plan

has not been adopted, within 2 miles of a public airport or public use airport. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area related to airports.

- f) The project does not include any proposed construction, but any future development of the site would be reviewed for emergency access. As a result, impacts related to the impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant.
- g) The project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by the California Department of Forestry and Fire Protection (CAL FIRE 2020). Therefore, the project is not expected to expose people or structure, directly or indirectly, to wildland fires and would have a less than significant impact related to wildlands.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-b, e) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

As there is no proposed construction, the proposed Variance application and subsequent Minor Subdivision will not degrade surface or ground water quality, substantially decrease groundwater supplies, or interfere substantially with groundwater recharge. However, any future development of the site would be subject to the rules and requirements of the Environmental Health Department related to water quality, and subject to the rules and requirements of the Department of Public Works related to storm drainage and groundwater. As a result, impacts to water quality, groundwater, and storm drainage and any related implementation or management plans are expected to be less than significant.

c) The Calaveras River runs east to west through the site. The site is also approximately 250 feet south of Mosher Creek. The proposed project does not include the construction of any new dwellings or structures, and the potential future Minor Subdivision will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. A Building Permit will be required for any future development

of the project site, and any necessary drainage improvements will be subject to the San Joaquin County Development Standards, which are reviewed by the Department of Public Works. Additionally, if the Variance and subsequent Minor Subdivision are approved, the site will be conditioned to maintain a natural open space area for riparian habitat and waterway protection to provide nesting and foraging habitat and the protection of waterway quality parallel to the Calaveras River, as a recommended Condition of Approval. The minimum width of said 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. Water-dependent uses may be permitted in this buffer. The mean high-water level and the edge of the riparian habitat are also required to be shown on the recorded Parcel Map. Therefore, the project and any future potential development is expected to have a less than significant impact on the drainage pattern of the site.

- d) The project site is located within a Federal Emergency Management Agency Designated Flood Hazard Area Zone AE and X. The project site is not located within a tsunami or seiche zone. A referral was sent to the Department of Public Works, Flood Control Division on February 9, 2023, for comments. No recommendations were provided; however, the any future development of the site would be subject to flood hazard requirements. As a result, impacts related to flooding 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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XI. LAND USE AND PLANNING.

Would the project:

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

Impact Discussion:

- a) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot. The project site is allocated within a rural area outside of a General Plan-defined community. Therefore, the project will not physically divide an established community.
- b) The existing AG-40 (Agriculture, minimum 40 acres) zoning and General Plan designations of A/G (General Agriculture) and OS/RC (Resource Conservation) will remain the same for the project site, even if the project is approved. If the Variance application and subsequent Minor Subdivision application are approved, 2 additional units could be built under the current AG-40 zoning. The potential for 2 new units is anticipated to have a less than significant impact on surrounding parcels and will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses. Additionally, the proposed project will not be a conflict with any existing or planned uses or set a significant land use precedent, nor will it be in conflict with any Master Plans, Specific Plans, or Special Purpose Plans, or any other applicable plan adopted by the County. Therefore, impacts related to land use conflicts 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) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The project site is in an area designated MRZ-1 and may 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. However, there is currently no mining activity on the parcel or in the area, and the surrounding area is developed with agricultural uses and scattered residences. Therefore, the proposed project is anticipated to have a less than 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	No Impact	Analyzed In The Prior EIR
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XIII. NOISE.

Would the project result in:

- | | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Generation of excessive ground borne vibration or ground borne 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

While there is no proposed project at this time, any subsequent development project may have equipment utilized in the grading of the site that will temporarily increase the areas ambient noise levels and will be required to comply with the County's Noise Ordinance including Development Title 9-404.060, which states that noise sources associated with construction are exempt from the provisions of the Noise Ordinance, provided such activities do not take place before 6:00 am or after 9:00 om on weekdays. Therefore, noise generation associated with a future project is anticipated to be less than significant.

- c) The project is not located within two miles of a public airport, airport land use plan or private air strip. As a result, there are no anticipated impacts related to excessive noise levels related to people residing or working in the project area.

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

Would the project:

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

Impact Discussion:

- a-b) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

If the Variance application and underlying Minor Subdivision application are approved, the creation of 2 parcels could result in a maximum of 4 residences. This would not provide for substantial population growth. The project also would not displace substantial numbers of existing people or housing or necessitate the construction of replacement housing. Therefore, the project is expected to have a less than significant impact on population and housing.

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

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

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

Impact Discussion:

a) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The site is currently served by the Linden -Peters Fire District for Fire Protection, the Sheriff's Office for police protection, and Linden Unified School District for school services. There are no parks near the project site, and the proposed Variance and underlying Minor Subdivision would not require additional parkland. If the Variance application and underlying Minor Subdivision application are approved, the creation of 2 parcels could result in a maximum of 4 residences. which would not have a substantial impact on these public services. Therefore, the project is expected to have a less than significant impact on existing public services and would not create a need for new public services.

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input 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) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

If the Variance application and underlying Minor Subdivision application are approved, the creation of 2 parcels could result in a maximum of 4 residences. Therefore, the project is expected to have a less than significant impact on the use of recreational facilities and does not include or require the construction or expansion of recreation facilities.

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

Would the project:

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

Impact Discussion:

- a) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot. The proposed Variance application and underlying Minor Subdivision do not propose to change the General Plan designation or zoning, and any use resulting from the proposed project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities.
- b) While San Joaquin County has not yet adopted guidelines for implementing the requirements of SB 743 to address VMT, it is possible to make a determination of the project's impacts based on Office of Planning and Research (OPR) direction and the preliminary background information developed by the County based on these findings. The project is a small project that is consistent with the San Joaquin Council of Governments Sustainable Communities Strategy and the 2035 General Plan. According to the screening tool developed by the San Joaquin County Department of Public Works, the project will generate fewer than 110 daily automobile trips. Based on this information, the project can be deemed to have a less than significant impact on transportation.
- c) Although the proposed project does not propose any new development, if future development is proposed, the applicant would be required to meet design standards for driveways, egress, and ingress as required by the Development Title, the San Joaquin County Development Standards, and the Public Works Department. Therefore, potential impacts from hazards related to geometric design features or incompatible uses are considered to be less than significant.
- d) The Linden-Peters Fire Department is responsible for providing fire protection services and will review any proposed future development projects to ensure the property is able to adhere to development requirements related to fire access. As a result, the project and any future development is anticipated to have adequate emergency access and create a less than significant impact.

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.

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

Impact Discussion:

a) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

A referral was sent to the California Native American Heritage Commission, North Valley Yokuts Tribe, United Auburn Indian Community, Buena Vista Rancheria, and California Valley Miwok tribe for review on February 9, 2023. If human burials found to be of Native American origin are encountered at the time of development all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the find. The developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations. Therefore, the proposed project is anticipated to have a less than significant impact on Tribal Cultural 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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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

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

Impact Discussion:

- a-e) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot. There are 2 existing residences, 2 existing septic systems, 2 existing leach line systems, 2 existing wells, an existing detached garage and an existing orchard.

There are no public services available in the area for water, sewer, or storm water drainage. However, the application does not propose any new buildings and the site is already served by an existing well and septic system which must be maintained under a permit by the San Joaquin County Environmental Health Department. Additionally, as an ordinance requirement, the property is required to keep all storm drainage on site and follow all San Joaquin County Public Works rules and requirements pertaining to storm drainage. Any future development utilizing on-site services will also be required to obtain the proper permits for any proposed well or septic system, and retain all stormwater on site. Therefore, the project is expected to have a less than significant impact related to new or expanded utilities and service systems.

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

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-d) The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. While the applicant is not proposing to construct any additional dwellings or structures, the resulting subdivision would allow for 2 additional dwelling units on the newly created 33.40-acre lot.

The project location is in a rural, agricultural area east of the City of Stockton, CA, and is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impacts related to wildfires are expected to be less than significant.

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

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

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

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

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

a-c). The proposed project is a Variance application requesting to reduce the minimum required parcel size in the AG-40 (General Agriculture, 40 acre minimum) zone to facilitate a Minor Subdivision to subdivide a 37.52-acre parcel into a 4.10-acre parcel and a 33.40-acre parcel. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures, included as Conditions of Approval, will reduce any potential impacts to a less than significant level.

Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions	
		Monitoring	Reporting			By	Date
IV. Biological Resources	Participation in the SIMSCP	X		San Joaquin Council of Governments	Certificate of Payment and Signed ITMM		

ATTACHMENT: TENTATIVE MAP

APN 065-105-16
 8/15/2015
 Approved by [Signature] on 8/15/2015

TENTATIVE MAP

OWNER

RONALD D. WILSON AND CONYLLI
 1971 E. EIGHT MILE RD.,
 TALEY, CALIFORNIA 95701
 (916) 383-2070

ENGINEER

ELDON A. MURPHY
 1200 S. GARDEN ST., SUITE A-2
 LAKELAND, CALIFORNIA 92549
 (951) 244-8873

NOTES

1. APN 065-105-16
2. ZONING AS-42
3. WATER PRIVATE WELL
4. SEWER PRIVATE SEPTIC
5. STORM DRAINAGE NATURAL DRAINAGE
6. SITE ADDRESS: 1971 E EIGHT MILE ROAD LAKELAND, CA 92549
7. FLOOD ZONE: UNDESIGNATED FLOOD ZONE (UNDF) - FLOOD ZONE MAP DATED OCTOBER 11, 2010
8. THESE ARE NOT AN TREE OR OTHER TREES PROPOSED FOR REMOVAL WITH THE APPLICATION
9. ALL IMPROVEMENTS SHOWN ARE EXISTING UNLESS OTHERWISE NOTED

LEGEND

