

STANISLAUS COUNTY PLANNING COMMISSION

May 2, 2024

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2023-0060
AEMETIS BIOGAS, LLC – FAITH HOME ROAD

REQUEST: TO OPERATE A TEMPORARY FACILITY TO OVERSEE CONSTRUCTION OF OFF-SITE DAIRY DIGESTERS AND A RELATED BIOGAS PIPELINE NETWORK, CONSISTING OF A 4,320± SQUARE-FOOT OFFICE TRAILER, AN 800± SQUARE-FOOT EMPLOYEE BREAKROOM, A 2,300 SQUARE-FOOT STORAGE SHED, AND A 2-ACRE OUTDOOR CONSTRUCTION MATERIALS STORAGE YARD, ON AN 8.28± ACRE PARCEL IN THE GENERAL AGRICULTURE (A-2-40) ZONING DISTRICT.

APPLICATION INFORMATION

| | |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant: | Aemetis Biogas, LLC (Eric McAfee, Andy Foster, Robbie Macias, Danielle Illig, Gerald Hill, Lynzee Corvelo, Jessica Cardoso, Row Dowd, Juan Linarez, Danny Hermosillo, Kasey Mununia, John Sprinkle, Jeff Linderman, Anthony Phillips). |
| Property owner: | Aemetis Carbon Capture, LLC (Eric McAfee, Todd Waltz, Andy Foster, Sanjeev Gupta, Lydia Beebe, John Block, Fran Barton, Naomi Boness, Timothy Simon). |
| Agent: | Jessica Cardoso, Aemetis Biogas, LLC. |
| Location: | 6042 Faith Home Road, between East Keyes and East Barnhart Roads, in the Keyes area. |
| Section, Township, Range: | 31-4-10 |
| Supervisory District: | Two (Supervisor Chiesa) |
| Assessor's Parcel: | 045-045-026 |
| Referrals: | See Exhibit F Environmental Review Referrals |
| Area of Parcel(s): | 8.28± acres |
| Water Supply: | Private well |
| Sewage Disposal: | Private septic system |
| General Plan Designation: | Agriculture |
| Community Plan Designation: | N/A |
| Existing Zoning: | General Agriculture (A-2-40) |
| Sphere of Influence: | N/A |
| Williamson Act Contract No.: | N/A |
| Environmental Review: | Negative Declaration |
| Present Land Use: | A storage shed, an office trailer, and a 2-acre storage yard. |

Surrounding Land Use:

Industrial buildings and uses to the north and east; the Community of Keyes to the northeast; irrigated farmland and scattered single-family dwellings to the south and west; and an unpermitted truck parking facility to the south.

RECOMMENDATION

Staff recommends the Planning Commission approve this request based on the discussion below and on the whole of the record provided to the County. If the Planning Commission decides to approve the project, Exhibit A provides an overview of all of the findings required for project approval, which include use permit findings.

PROJECT DESCRIPTION

The project is a request to operate a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of a 4,320± square-foot office trailer, an 800± square-foot trailer used as an employee locker room, a 2,300 square-foot storage shed, and a 2-acre outdoor construction materials storage yard, on an 8.28± acre parcel in the General Agriculture (A-2-40) zoning district. The proposed facility will be graveled and will provide up to 15 parking stalls abutting the office trailer, which is already installed on the property without permits. Conditions of approval will be added to the project requiring building permits for the existing, unpermitted office and proposed locker and changing room trailer to be obtained from the Stanislaus County Building Permits Division. The office trailer will be used by 10 full time employees in order to oversee and coordinate multiple dairy digester and biogas collection pipeline construction projects within Stanislaus and Merced Counties. The employee locker room will be used by on-site employees prior to starting and ending shifts, and consists of a temporary trailer with lockers and changing rooms. The existing 2,300 square-foot storage shed will be utilized for miscellaneous storage of spare parts such as filters and pumps. The 2-acre outdoor storage area will be temporarily utilized for storage of materials used for construction of the various digesters and associated biogas pipeline network.

Hours of operation will be Monday through Friday, 8:00 a.m. to 5:00 p.m. The facility is proposed to operate for a period of up to 24 months, after which the structures and on-site storage will be removed from the property, with the exception of the existing permitted storage shed, which will be emptied upon decommissioning. Up to two truck deliveries and pick-ups of construction materials will occur per month, and 10 employee trips per-day are proposed. Stormwater will be maintained on-site via overland runoff.

The proposed facility will provide logistics and management support for the construction of anaerobic digester infrastructure located at various dairies within Stanislaus and Merced Counties. The biogas captured by digesters at up to 17 dairies will be piped to the Aemetis Advanced Fuels Keyes processing facility located approximately 700-feet to the northeast of this proposed facility, at 4209 and 4215 Jessup Road (further identified by Assessor Parcel Number 045-026-039), for processing into compressed natural gas (CNG). The project site was chosen as a “base of operations” due to its proximity to both the existing processing facility as well as the local digester construction projects for which the facility intends to manage.

SITE DESCRIPTION

The project site is located at 6042 Faith Home Road, between East Keyes and East Barnhart Roads, in the Keyes area (see Exhibit B – *Maps and Plans*). The site is currently improved with a 2,300± square-foot storage shed that will be used for miscellaneous parts storage, a 4,320 square-foot office trailer which is already installed, and a 2-acre storage yard which is already being utilized for digester construction material storage. The balance of the property is unimproved. The property was previously improved with a single-family dwelling which was demolished in 2022. The project site is currently served by an existing private well and septic system. An existing 25-foot-wide Turlock Irrigation District (TID) easement, containing irrigation pipeline infrastructure, runs within the northeasterly portion of the parcel. At the request of TID to protect the pipeline infrastructure, a condition of approval has been added to the project restricting traffic associated with the delivery and offloading of stored construction materials from traveling over the easement.

The project site has existing access from County-maintained Faith Home Road via a 25± foot-wide graveled driveway.

Surrounding land uses consist of industrial buildings and uses to the north and east; the Community of Keyes to the northeast; irrigated farmland and scattered single-family dwellings to the south and west; and an unpermitted truck parking facility to the south.

ISSUES

The following issues has been identified as part of the review of the project:

The office trailer and materials storage yard have already been developed on the parcel without obtaining the necessary land use or building permits. The subject use permit application was submitted following a code enforcement investigation on the property for the unpermitted activities. The temporary use of office trailers and materials storage yards are permitted without land use entitlements when accessory to on-site construction activities. In this case, the office trailer and materials storage yard were developed to support off-site dairy digester construction projects within the Keyes and Turlock areas, and within Merced County and, thus, a use permit is required to permit the activities as a standalone use.

Conditions of approval have been added to the project requiring a building permit for the installed office trailer be obtained within six months of project approval and the permit be finalized within one year of project approval. Building permits will also be required for the employee breakroom trailer.

The requested use is temporary in nature, with all structures and storage areas associated with the project proposed to be removed from the property at the time the Aemetis digester and associated pipeline construction projects conclude. The applicant anticipates that construction will conclude within 24 months of use permit approval. The existing storage shed, which was developed with building permits, will remain on the parcel after decommissioning of the proposed use. A condition of approval has been added to the project requiring temporary facilities and storage yard be fully removed from the property within 24 months of use permit approval, with the allowance for an extension, subject approval of a staff approval permit, at the discretion of the Planning Director.

Standard conditions of approval, along with those discussed in the *Environmental Review* section of this report, have been added to the project.

GENERAL PLAN CONSISTENCY

The site is currently designated “Agriculture” in the Stanislaus County General Plan. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas. This designation establishes agriculture as the primary use in land so designated, but allows dwelling units, limited agriculturally related commercial services, agriculturally related light industrial uses, and other uses which by their unique nature are not compatible with urban uses, provided they do not conflict with the primary use.

Goal One, Objective 1.2 of the General Plan’s Agricultural Element encourages vertical integration of agriculture by organizing uses requiring use permits into three tiers based on the type of uses and their relationship to agriculture. Tier Two uses include agriculture-related commercial and industrial uses, such as agricultural processing plants and facilities, and agricultural services establishments. Agricultural processing facilities and service establishments are allowed in the A-2 zoning district when the Planning Commission finds that the operation will not be substantially detrimental to or in conflict with the agricultural use of other property in the vicinity; the establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and it is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned commercial or industrial. The proposed temporary use has been determined to meet the definition of an agricultural service establishment requiring approval of a Tier Two use permit.

To minimize conflicts between agricultural operations and non-agricultural operations, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted. The purpose of these guidelines is to protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the General Agriculture (A-2) zoning district. Appendix A of these guidelines states that all projects shall incorporate a minimum 150-foot-wide buffer setback for low people intensive uses. Permitted uses within a buffer area shall include: public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses. However, low people intensive Tier One and Tier Two uses which do not serve the general public shall not be subject to compliance with these guidelines.

The proposed improvements will meet the 150-foot buffer setback to the north and west. The parcels to the east are zoned Planned Development and are therefore not required to be considered for an agricultural buffer. Due to the irregular orientation of the parcel, the construction materials storage is approximately 30± feet from the farmed parcel to the south but the construction trailer and proposed locker trailer will meet the 150-foot buffer setback from the farms parcel to the south. Given the nature of the proposed use and with only 10 full-time employees, the project is not anticipated to increase the potential of trespassing onto adjacent agricultural lands. Based on the project description, staff believes the use to be low people intensive and, as such, not subject to providing an agricultural buffer. The decision-making body (Planning Commission) shall have the ultimate authority to determine if a use is low people intensive. This project was referred to the Stanislaus County Agricultural Commissioner’s office and no comment was received.

As required by the General Plan's Land Use Element Sphere of Influence Policy, all discretionary projects within the sphere of influence (SOI) of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. If the district serves an unincorporated community with a Municipal Advisory Council (MAC), the proposal shall also be referred to the MAC for comment. The proposed project is not within the SOI of a sanitary sewer, domestic water, or community services district; however, it is within the boundary of the Keyes MAC and, accordingly, was referred to the MAC for comment. To date, no response from the Keyes MAC has been received.

ZONING ORDINANCE CONSISTENCY

The project site is currently zoned General Agriculture (A-2-40) which provides allowances for the operations of dairies. The proposed facility will be serving existing dairies within Stanislaus and Merced County as an office providing logistical and administrative support for construction of infrastructure projects aimed at capturing and conveying biogas captured by anaerobic digesters. The proposed temporary use has been determined to meet the definition of an agricultural service establishment requiring approval of a Tier Two use permit. In accordance with Section 21.20.020(B) of the Stanislaus County Zoning Ordinance, Tier Two uses, which generally consist of agriculturally related commercial and industrial uses may be allowed when the Planning Commission makes the following findings:

1. The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
2. The establishment as proposed will not create a concentration of commercial and industrial uses in the vicinity; and
3. It is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage.

An agricultural service establishment is defined by Section 21.12.030 of the Stanislaus County Zoning Ordinance as meaning "a business engaging in activities designed to aid production agriculture. Service does not include the provision of tangible goods except those sold directly to farmers and used specifically to aid in production of farm animals or crops. Nor does service include any business which has the primary function of manufacturing products." Production agriculture is defined by Section 21.12.495 as meaning "agriculture for the purpose of producing any and all plant and animal commodities for commercial purposes."

Section 21.20.030(B)(3)(a) recognizes agricultural service establishments as a Tier Two use when primarily engaging in the provision of agricultural services to farmers and when such establishments are designed to serve the immediately surrounding area as opposed to having a widespread service area.

Neither the County's General Plan nor the Zoning Ordinance define the appropriate service area for an agricultural service establishment and, as such, each proposed use must be individually assessed. In this case, the project proposes to provide support services for construction projects occurring at dairy sites in Stanislaus County and Merced County. While the location of the dairy sites being served by the proposed facility is widespread, the spread-out nature of the dairy industry lends itself to a larger service area for supporting agricultural service establishment. This larger service area, along with the temporary nature of the facility, lends itself to being located within the agricultural area in closer proximity to the dairy facilities. In this case, the facility is located on the edge of the agricultural area on an eight-acre parcel with limited agricultural use.

Staff believes the establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and that the proposed use will not create a concentration of commercial or industrial uses in the vicinity.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to interested parties and responsible agencies for review and comment and no significant issues were raised (see Exhibit F - *Environmental Review Referrals*). A Negative Declaration has been prepared for approval prior to action on the project itself as the project will not have a significant effect on the environment (see Exhibit E - *Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C - *Conditions of Approval*).

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,973.75** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk-Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Kristen Anaya, Associate Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps and Plans
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - Environmental Review Referrals
- Exhibit G - Campaign Contribution (Levine Act) Disclosure Form






Findings and Actions Required for Project Approval

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - a. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Agriculture" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
 - b. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.
 - c. The use as proposed will not create a concentration of commercial and industrial uses in the vicinity.
 - d. It is desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage.
 - e. That the proposed Tier Two use is "low-people intensive" and not subject to the agricultural buffer.
4. Approve Use Permit Application No. PLN2023-0060 – Aemetis Biogas, LLC – Faith Home Road.

**AEMETIS
BIOGAS LLC**
UP
PLN2023-0060

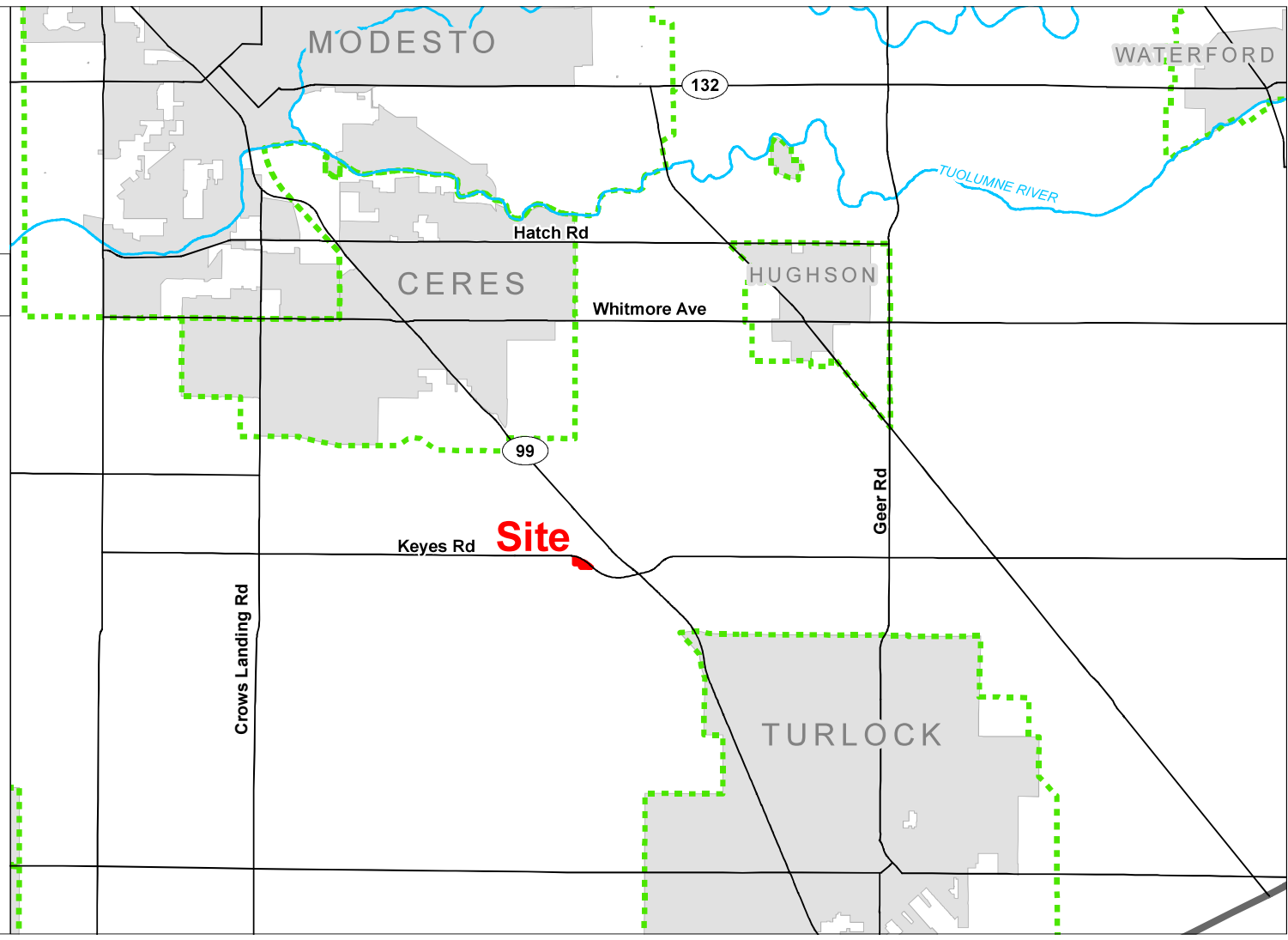
AREA MAP

LEGEND

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



Source: Planning Department GIS Date: 6/21/2023



8

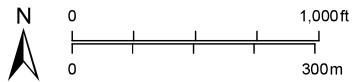
EXHIBIT B

**AEMETIS
BIOGAS LLC**
UP
PLN2023-0060

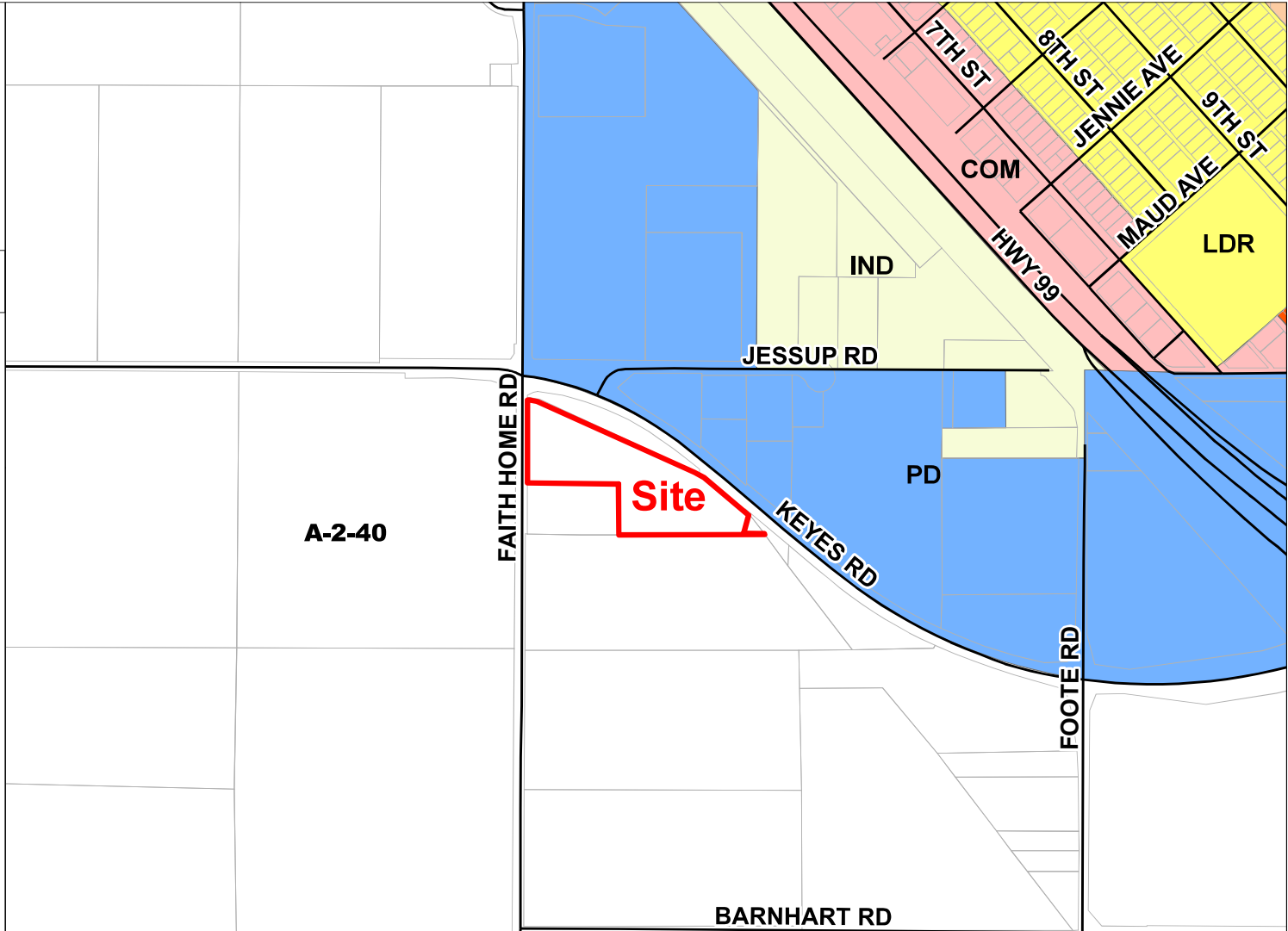
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Road
- General Plan**
-  Agriculture
-  Low Density Residential
-  Planned Development
-  Commercial











Source: Planning Department GIS Date: 6/21/2023

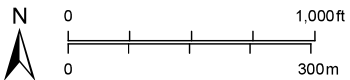


**AEMETIS
BIOGAS LLC**
UP
PLN2023-0060

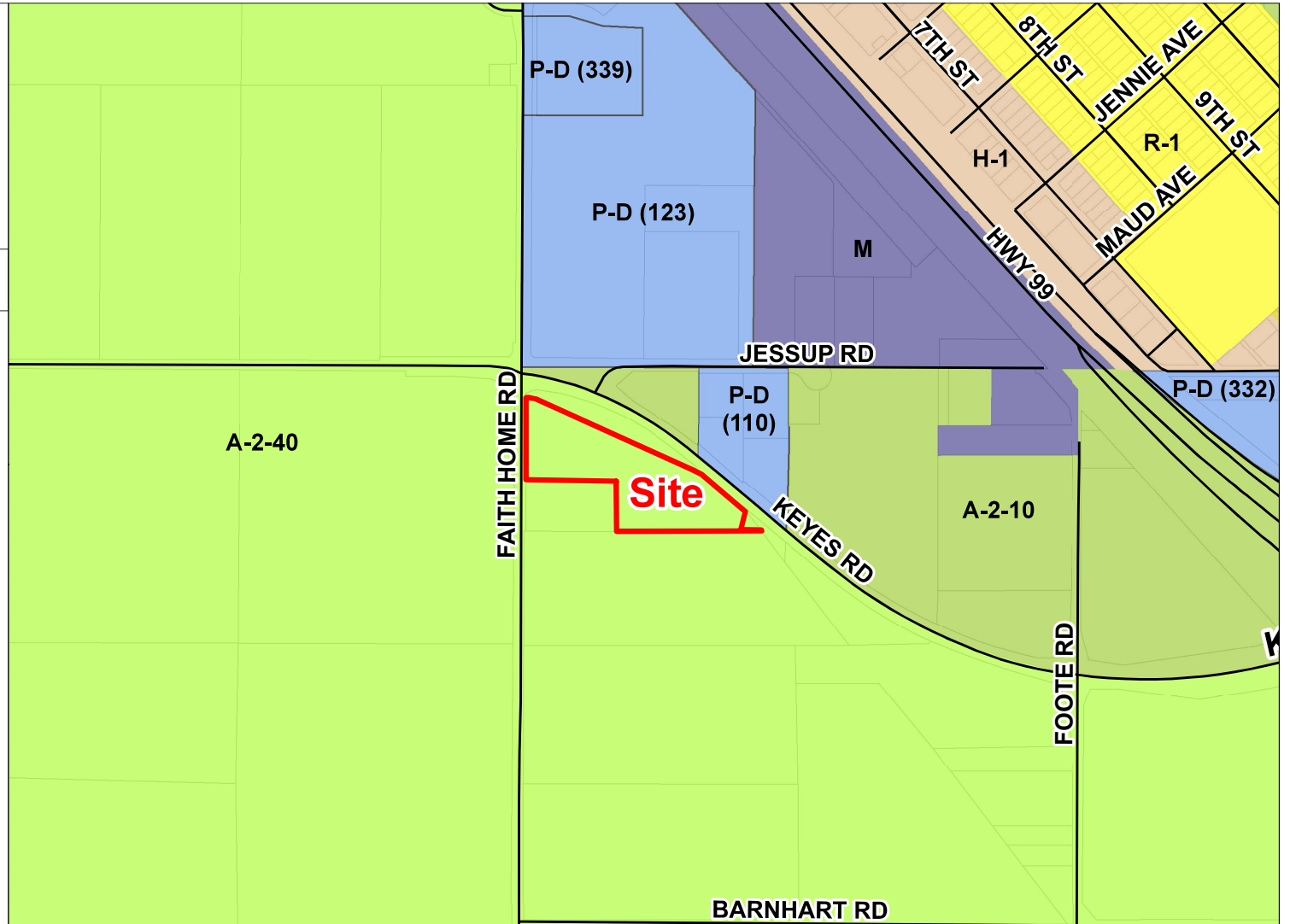
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  Road
- Zoning Designation**
-  General Agriculture 40 Acre
-  General Agriculture 10 Acre
-  Highway Frontage
-  Industrial
-  Single Family Residential



Source: Planning Department GIS Date: 6/21/2023

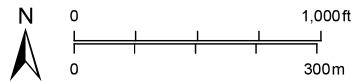


**AEMETIS
BIOGAS LLC
UP
PLN2023-0060**

ACREAGE MAP

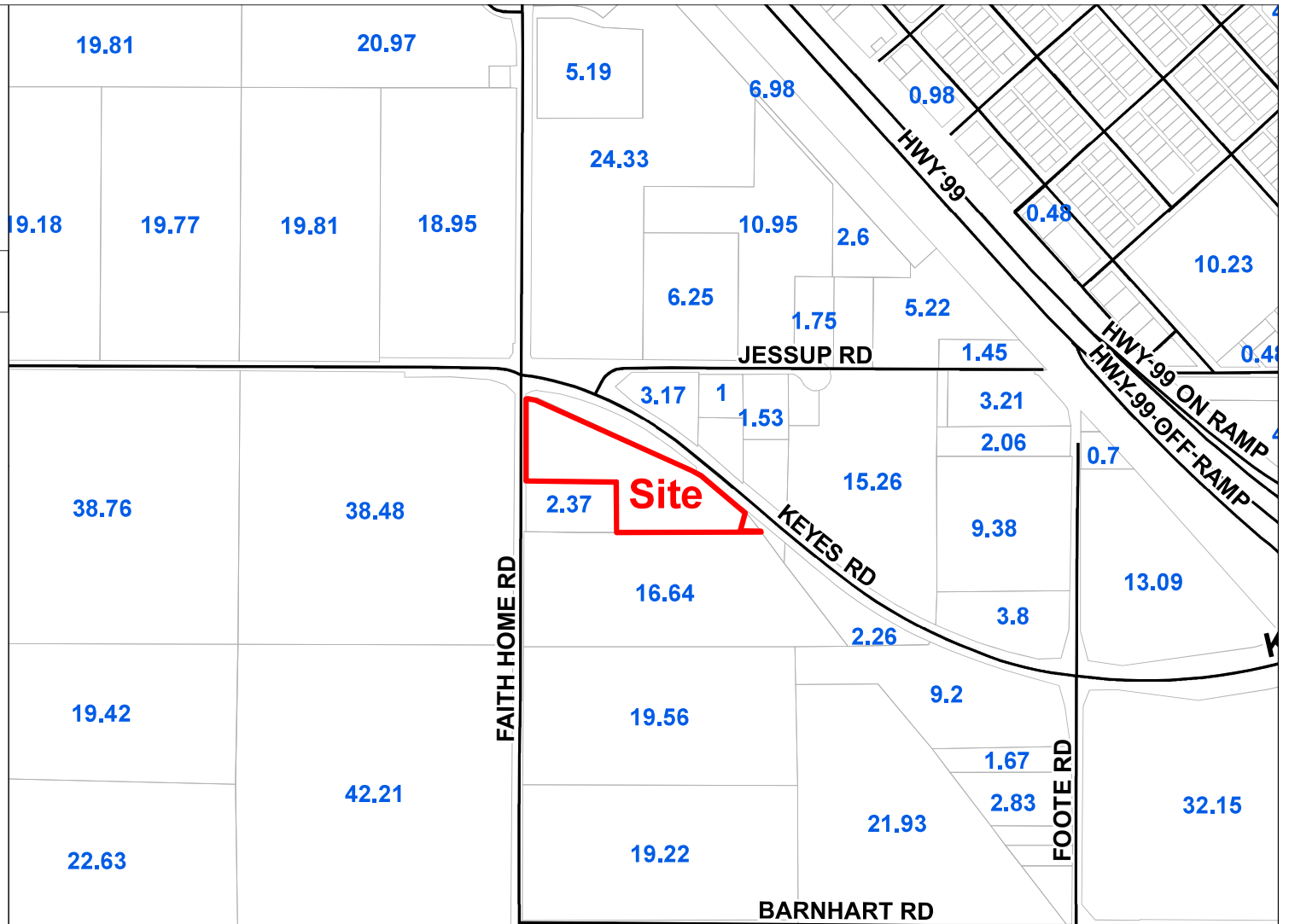
LEGEND

-  Project Site
-  Parcel/Acres
-  Road



Source: Planning Department GIS

Date: 6/21/2023



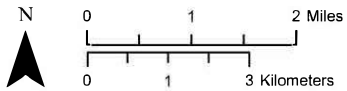
**Aemetis Biogas,
LLC - Faith Home Road**

**UP
PLN2023-0060**

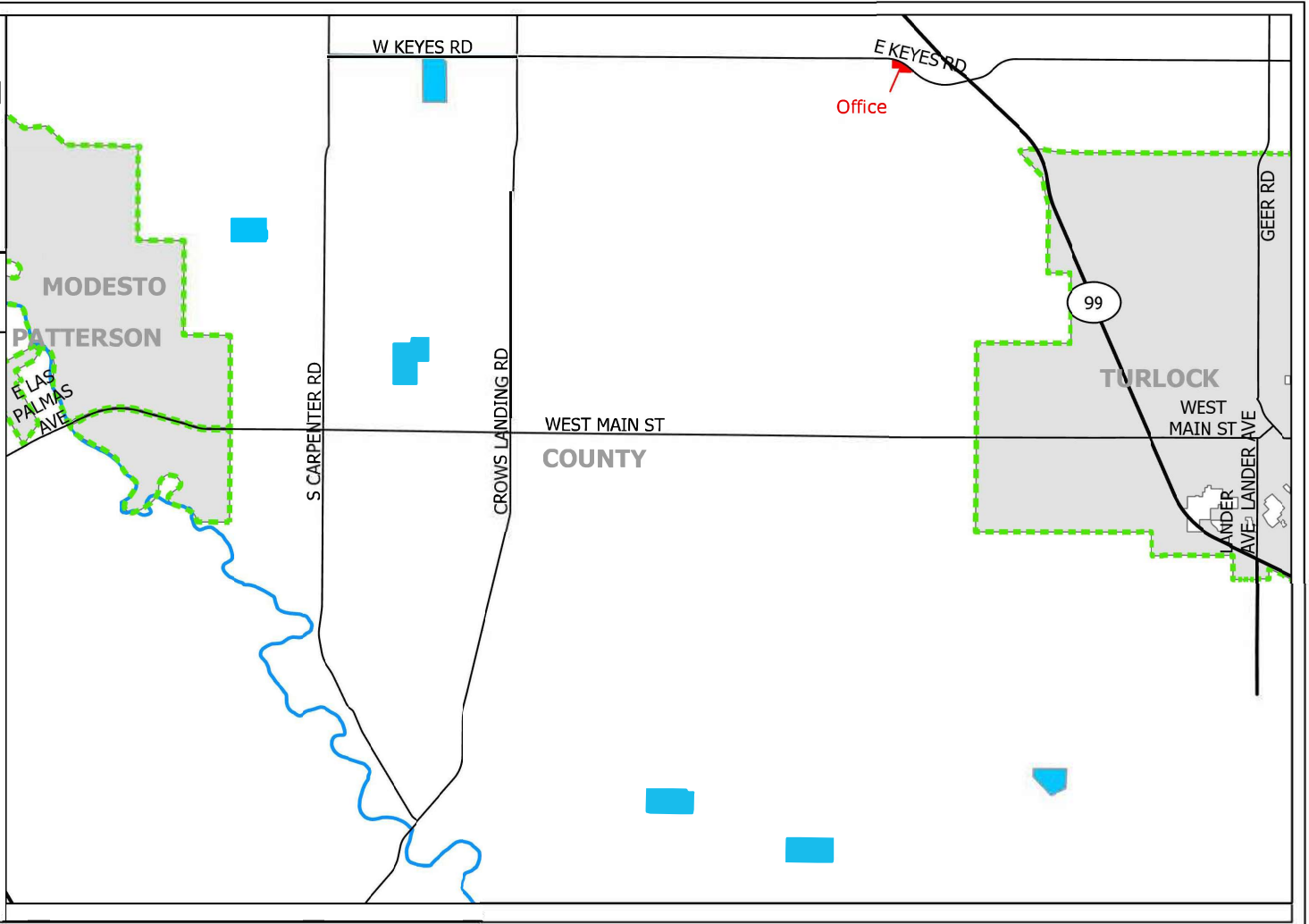
DIGESTER MAP

LEGEND

- Office
- Digester
- Sphere of Influence
- Highway
- Major Road
- Rivers






Source: Planning Department GIS Date Exported: 11/3/2023

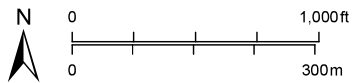


**AEMETIS
BIOGAS LLC**
UP
PLN2023-0060

2022 AERIAL AREA MAP

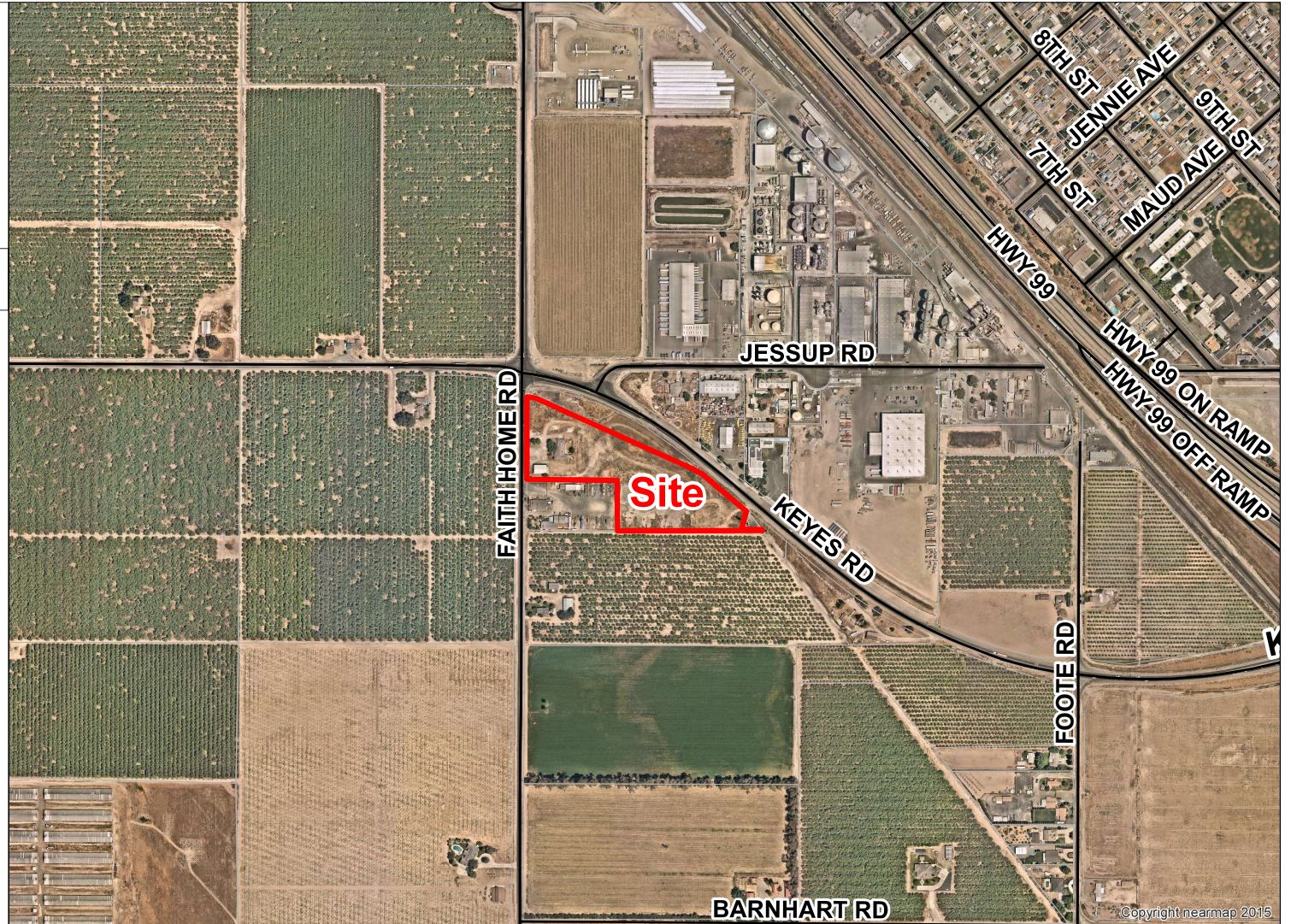
LEGEND

-  Project Site
-  Road
-  Canal



Source: Planning Department GIS

Date: 6/21/2023





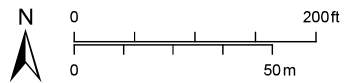
Copyright nearmap 2015

**AEMETIS
BIOGAS LLC
UP
PLN2023-0060**

2022 AERIAL SITE MAP

LEGEND

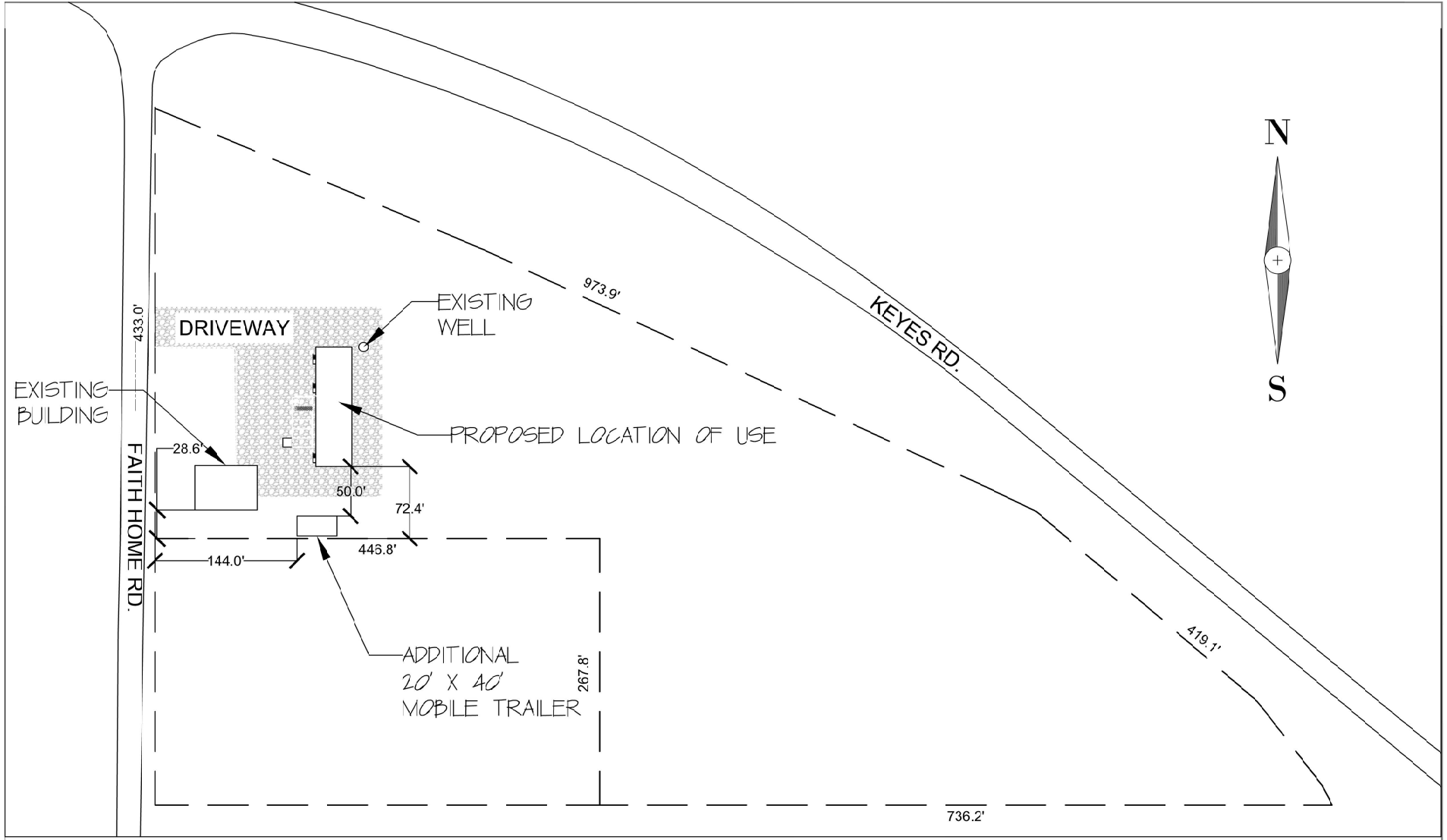
-  Project Site
-  Road



Source: Planning Department GIS

Date: 6/21/2023





| REV | DATE | DESCRIPTION | DRN BY | CHK BY | APRV BY |
|-----|------|-------------|--------|--------|---------|
| | | | | | |
| | | | | | |
| | | | | | |

OWNER:



AEMETIS

AEMETIS, INC.
4209 JESSUP ROAD
CERES, CA 95307

| PLOT PLAN | |
|--------------------------------------------------------------------|-----------------------------|
| TEMPORARY MOBILE OFFICE 6042 FAITH HOME ROAD CERES, CA 95307 | DRAWING NO. G1.01 |

MODIFIED

materials & labor included in agreement

UNIT #3683

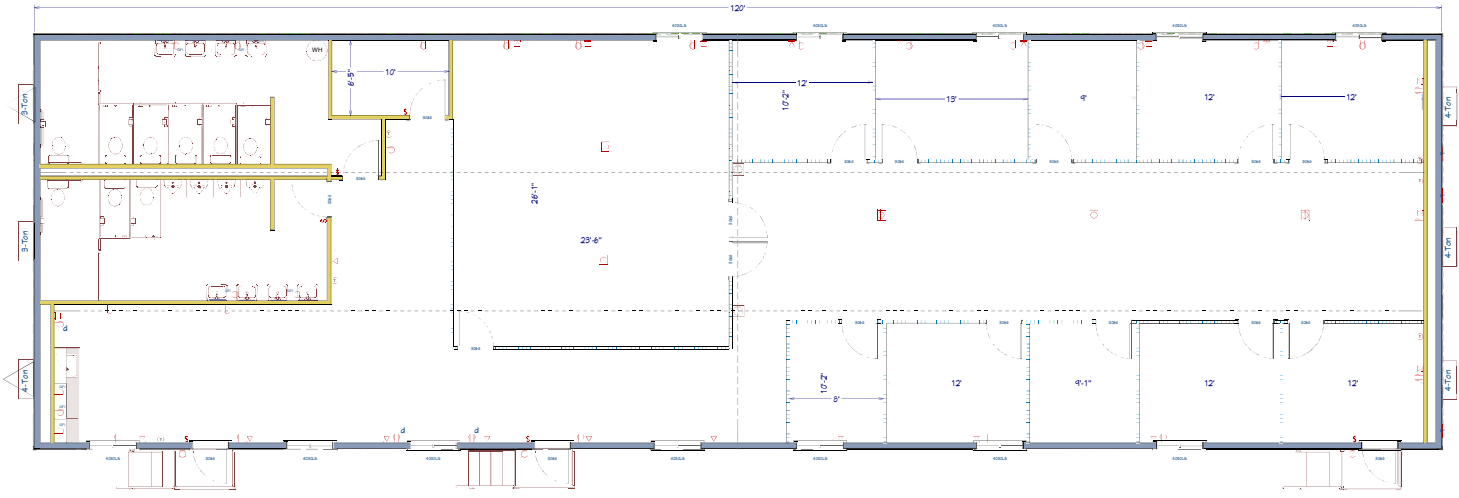
36' X 120' MOBILE OFFICE



This drawing is the property of Pacific Mobile Structures, Inc. and may not be duplicated without approval. Actual features may vary due to available inventory.

FEATURES

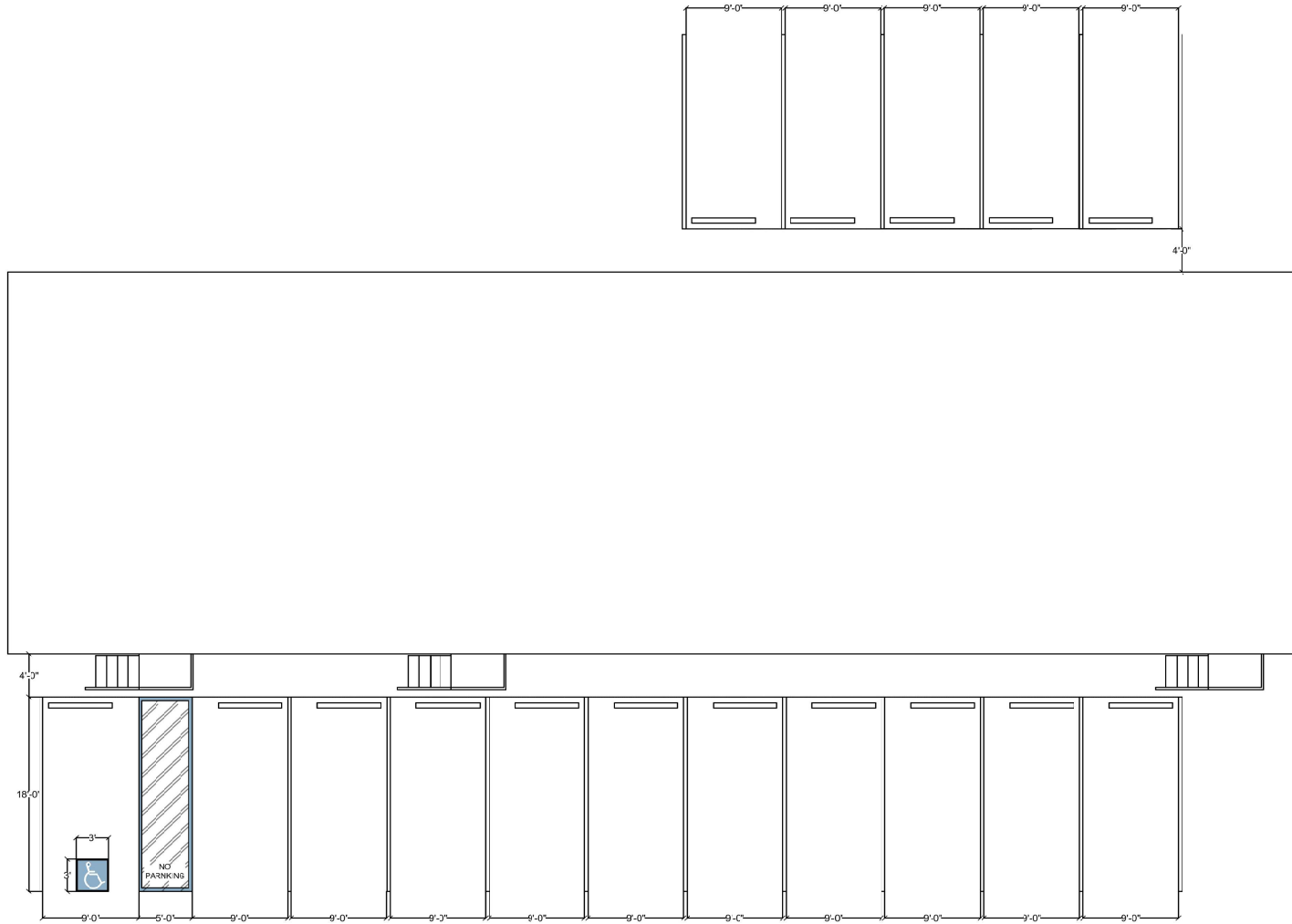
- Outrigger Chassis w/hitch
- VCT & Carpet Flooring
- Vinyl wrapped interior wall covering
- 8' suspended ceiling
- 2x4 troffer lights
- Endwall HVAC w/ducted supply Plenum wall ducted return
- White EPDM roof covering
- LP SmartPanel siding
Grey siding / Blue trim
- 4030 Exterior sliding windows
- 3068 Painted steel exterior doors w/closer, passage, and deadbolt
- 3068 Prefinished interior doors w/Timely frame and passage



LEGEND Panel Box Porch Light Thermostat Duplex Outlet Light Switch Empty data box Perm. Interior wall Temp. Interior wall

16

EXHIBIT B-8



| REV | DATE | DESCRIPTION | DRW BY | CHK BY | APRV BY |
|-----|------|-------------|--------|--------|---------|
| | | | | | |
| | | | | | |
| | | | | | |

OWNER:



ENGINEER:

PARKING LOT PLAN

DRAWING NO.

P1.01

NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2023-0060 AEMETIS BIOGAS, LLC – FAITH HOME ROAD

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a “Notice of Determination.” Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,973.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. Prior to installation of any on-site exterior lighting, a photometric lighting plan shall be submitted for review and approval by the Planning Department and a building permit, if applicable, shall be obtained. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into

the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties). The height of the lighting fixtures shall not exceed 15 feet above grade.

6. During the construction phases of the project, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist.
7. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval and a project area map.
8. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
9. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
10. Within 24 months of use permit approval or upon completion of all Aemetis biogas digester and biogas pipeline projects, whichever comes first, a demolition permit for the removal of all structures associated with the project, excluding the storage shed, shall be obtained. Continuation of the use after this time frame, or maintenance of the proposed structures on-site shall be subject to a staff approval permit to allow modification or application of conditions of approval as determined necessary by the Planning Director.
11. Within six (6) months of use permit approval, a building permit for the office trailer shall be issued and the permit shall be finalized within one (1) year of use permit approval.
12. Building permits are required and the project must conform with the California Code of Regulations, Title 24.

Department of Environmental Resources – Environmental Health Division

13. Prior to issuance of a building permit for the project, the applicant shall complete and submit a water system classification determination form to the satisfaction of Department of Environmental Resources staff.
14. At such time when the operation meets the definition of a regulated water system, the owner/operator shall be subject to all applicable new water system regulations, such as SB1263. The property owner shall provide to the Department of Environmental Resources

an application for a water supply permit along with a full technical report demonstrating that the water system will meet all requirements of a water system: including, but not limited to capacity, source water, treatment plant modifications, water works standards, and the California Environmental Quality Act (CEQA). If it is determined that the subject property meets the definition of a regulated water system, a water supply permit shall be obtained prior to final of any building permits for the proposed project.

15. Prior to issuance of any grading or building permit, the applicant shall submit a site plan that includes the location, layout and design of all-existing and proposed on-site wastewater treatment systems (OWTS) and the future 100 percent expansion (replacement) areas.
16. Prior to the issuance of any building permit, the applicant shall submit to the Department of Environmental Resources evidence that the existing on-site wastewater treatment system (OWTS) meets minimum sizing standards and setback requirements, as required by the County's Local Agency Management Program (LAMP).
17. Prior to the issuance of any building permit, the applicant shall submit to the Department of Environmental Resources (DER) evidence that the existing and/or proposed on-site wastewater treatment system (OWTS) meets conditions and guidelines, as established by Measure X, regarding Primary and Secondary wastewater treatment. Any new building requiring an on-site wastewater treatment system (OWTS), shall be designed according to type and/or maximum occupancy of the proposed structure to the estimated waste/sewage design flow rate.
18. The applicant shall demonstrate and secure any necessary permits for the destruction/relocation of all on-site wastewater treatment systems (OWTS) and/or water wells impacted or proposed by this project, under the direction of the Stanislaus County Department of Environmental Resources (DER).
19. If new wells or septic tanks are installed or relocated, all applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met.

Department of Environmental Resources – Hazardous Materials

20. The applicant shall contact the Department of Environmental Resources (DER) regarding regulatory requirements for handling hazardous materials or generating wastes must notify the DER prior to operation.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

21. Any construction resulting from this project shall comply with standardized dust control adopted by the SJVAPCD and may be subject to additional regulations/permits, as determined by the SJVAPCD.
22. The proposed project shall be subject to SJVAPCD Rules and Regulations in place at the time of grading or building permit issuance. Prior to issuance of a grading or building permit, the applicant shall contact the SJVAPCD's Small Business Assistance Office to determine if any SJVAPCD permits are required, including but not limited to an Authority to Construct (ATC).

Turlock Irrigation District (TID)

23. Vehicle traffic associated with the delivery and offloading of stored construction materials and subsequent transport to job sites shall avoid the existing 25-foot TID easement on the parcel.

Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in bold font, and deleted wording will be in strikethrough text.



CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

1. **Project title:** Use Permit Application No. PLN2023-0060 – Aemetis Biogas, LLC – Faith Home Road
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Kristen Anaya, Associate Planner
(209) 525-6330
4. **Project location:** 6042 Faith Home Road, between East Keyes and East Barnhart Roads, in the Keyes area (APN: 045-045-026).
5. **Project sponsor's name and address:** Jessica Cardoso, Aemetis Biogas, LLC
4209 Jessup Road
Ceres, CA 95307
6. **General Plan designation:** Agriculture
7. **Zoning:** General Agriculture (A-2-40)
8. **Description of project:**

Request to operate a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of a 4,320± square-foot office trailer, an 800± square-foot employee breakroom, and a 2-acre outdoor construction materials storage yard, on an 8.28± acre parcel in the General Agriculture (A-2-40) zoning district. The proposed facility footprint will be graveled and provide up to 15 parking stalls abutting the office trailer. The office trailer will be used by ten full time employees in order to oversee and coordinate multiple dairy digester and biogas collection pipeline construction projects within the vicinity. The employee breakroom will be used by digester operators prior to starting and ending shifts, as needed, and consists of a temporary trailer with lockers and changing rooms. The 2-acre outdoor storage area will be temporarily utilized for storage of materials used for construction of the various digesters and associated biogas pipeline network. The proposed facility will be directly in support of existing dairies within Stanislaus County by providing logistics and management for the construction of infrastructure that will capture biogas emitted from dairy herds after it is broken down in anaerobic digesters collocated at various dairies within the vicinity, and piped to the Aemetis Advanced Fuels Keyes processing facility located at 4209 and 4215 Jessup Road (further identified by Assessor's Parcel Number 045-026-039) for processing into compressed natural gas (CNG). Ultimately, the infrastructure that is overseen will aid dairies in reducing greenhouse gas emissions, meeting Air District air quality standards. The project site was chosen for the proposed "base of operations" due to the proximity to both the existing processing facility as well as the local digester construction projects within Stanislaus County and Merced County for which the facility intends to manage. Temporary construction offices are a permitted use when it is an accessory to ongoing construction occurring on-site; however, in this case, all construction projects overseen by the subject facility are located off-site and therefore, the use requires a Tier Two Use Permit for an agricultural service establishment.

Hours of operation will be Monday through Friday, 8:00 a.m. to 5:00 p.m. The facility is proposed to operate for a period of up to 24 months, after which the structures and on-site storage will be removed from the property. The project site is currently improved with a 2,300± square-foot storage shed that is not part of the proposed agricultural service establishment, the 4,320 square-foot office trailer which was installed without a building permit, and the 2-acre storage yard which is already being utilized for material storage. The balance of the property is unimproved. Conditions of

approval will be added to the project requiring building permits for the existing, unpermitted office and proposed locker and changing room trailer to be obtained from the Stanislaus County Building Permits Division.

Up to two truck deliveries and pick-ups of construction materials will occur per month, and 12 employee trips per-day are proposed. The site will be served by an existing private septic system and well, and proposes to take access off County-maintained Faith Home Road via an existing 25± foot-wide graveled driveway. Stormwater will be maintained on-site via overland runoff.

The construction projects overseen by the proposed facility include digesters at the sites of multiple dairies within Stanislaus County, as well as a 59.1± mile pipeline system which pipes biogas from existing dairies located throughout Stanislaus and Merced Counties to the Aemetis Advanced Fuels Keyes facility. The biogas pipeline system is approved but has only been partially constructed. On January 26, 2021, a Mitigated Negative Declaration, which was prepared by the Stanislaus County Public Works Department, was adopted by the Board of Supervisors to allow 32.5 miles of pipeline to be constructed in County right-of-way for the transmission of biogas from 17 private dairies. Subsequently, a Supplemental Initial Study and Mitigated Negative Declaration were adopted by the Stanislaus County Board of Supervisors on November 28, 2023, to permit the connection of 21 additional dairies to the biogas pipeline system. Impacts associated with the processing and refining of biogas at the Aemetis facility were addressed under separate environmental documentation and agency permits authorized by the San Joaquin Valley Unified Air Pollution Control District.

- | | |
|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. Surrounding land uses and setting: | Industrial buildings and uses, and the Community of Keyes to the northeast; irrigated farmland and scattered single-family dwellings to the south and west; and an unpermitted truck parking facility to the south. |
| 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): | Stanislaus County Department of Planning and Community Development – Building Permits Division Stanislaus County Department of Public Works and Department of Environmental Resources San Joaquin Valley Air Pollution Control District |
| 11. Attachments: | None. |

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.

- Aesthetics
- Agriculture & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfire
- 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 on File
Prepared by Kristen Anaya, Associate Planner

3/14/2024
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 Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

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

Discussion: The project site is currently improved with a 4,320± square-foot office trailer, a 2-acre outdoor construction materials storage yard, a 2,000± square-foot storage shed, a wireless communication facility appurtenant equipment, and proposes to install a new 800 square-foot breakroom trailer consisting of lockers and changing rooms for Aemetis employees operating digesters facilities at off-site dairies following the end of their shifts; the balance of the parcel is unimproved. The request will also include staging of supplies and equipment for each project. The only scenic designation in the County is along I-5, which is not near the project site. The site itself is not considered to be a scenic resource or a unique vista. The project will not degrade the existing visual character or quality of the site or its surroundings. No on-site signage or lighting is proposed; however, standard conditions of approval will be added to this project to address glare from any new on-site lighting. Conditions of approval will be added to the project requiring building permits for the modular office and locker room trailer, this shall be obtained from the Stanislaus County Building Permits Division prior to operation. No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

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

| II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| | | | | |

| | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|
| <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> | | | X | |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> | | | X | |
| <p>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))?</p> | | | X | |
| <p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p> | | | X | |
| <p>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?</p> | | | X | |

Discussion: The 8.38± acre project site is classified as “Rural Residential Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that approximately three-quarters of the property is comprised of Dinuba sandy loam, 0 to 1 percent slopes (DrA), with a California Revised Storie Index Grade of 1 and Index rating of 86. The remaining one-quarter of the property is comprised of Hanford sandy loam (HdA), 0 to 1 percent slopes, with a Grade of 1 and an Index rating of 93. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an Index rating of 81 and 100 as excellent soils to be used for irrigated farmland. Stanislaus County considers land that meets at least one of the following requirements to be prime farmland under the Uniform Rules: parcels comprised of Grade 1 or 2 soils; irrigated pastureland which supports livestock used for the production of food and fiber; and land used for unprocessed agricultural plant production with an annual gross value of not less than eight hundred dollars per acre. The project site does meet the definition of prime farmland under the County’s Uniform Rules. The proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

The project proposes to establish a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of a 4,320± square-foot office trailer, an 800± square-foot employee breakroom, and a 2-acre outdoor construction materials storage yard on an 8.38± acre parcel in the General Agriculture (A-2-40) zoning district. The proposal includes the permitting of an existing 4,320 square-foot modular office, installation of a new 800 square-foot trailer with lockers and changing rooms for off-site digester operators, and an outdoor materials storage site for construction materials used in digester and pipeline construction projects. The office is for the coordination of multiple off-site dairy digester and pipeline construction projects in Stanislaus County. The eastern portion of the property will be used to temporarily store pipes and liner material for the dairy digesters. The surrounding area is comprised of industrial buildings and uses; the Community of Keyes to the northeast; irrigated farmland and scattered single-family dwellings to the south and west; and an unpermitted truck parking facility to the south.

The project site has general plan designation of Agriculture and Zoning Destination of General Agriculture(A-2-40). Within the A-2 zoning district, the County has determined that certain uses related to agricultural production are “necessary for a healthy agricultural economy.” The County allows agriculture service establishments, including agriculture processing plants and facilities by obtaining a Tier Two Use Permit if specific criteria can be met and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other properties in the vicinity; that the use is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage; and that it will not create a concentration of commercial and industrial uses in the vicinity. Agricultural service establishments under a Tier Two Use Permit must also serve the immediately surrounding area, or local agriculture and customers, as opposed to having a widespread service area. In addition, the Planning Commission must find that the establishment, maintenance, and

operation of the proposed use is consistent with the General Plan and will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. The proposed facility will be mostly automated and will operate with a maximum of three employees, 8:00 a.m. to 5:00 p.m., Monday through Friday, for a period of two years. The facility will be owned, operated by, and serve the Aemetis biogas facility to the northeast, as well as individual digesters collocated at various dairies within a 20-mile radius within Stanislaus County, for the purpose of coordinating and maintenance of multiple off-site dairy digester and pipeline construction projects. The proposed project is considered a Tier Two use.

The project site is not enrolled under a Williamson Act Contract. The request is not expected to perpetuate any significant or permanent conversion of farmland to non-agriculture use. The existing mobile trailer, proposed locker room trailer, and on-site construction material staging for dairy biogas projects are temporary in nature and will be removed from the site following completion of digester and pipeline construction projects collocated at various dairy sites in the County. A 38-acre parcel and 16-acre parcels are adjacent to the project site to the west and south, respectively, and enrolled in Williamson Act Contracts. No impacts to agriculture are anticipated to occur as a result of this project.

During project review, this application was referred to the Department of Conservation (DOC) for review and input and no response has been received to date.

The project was referred to the Turlock Irrigation District (TID) who responded indicating that an existing TID irrigation pipeline and 25-foot TID easement cross the project site and requested that no delivery or off-loading of stored materials occur within the affected areas. A condition of approval will be applied to the project requiring any development that impacts irrigation facilities to meet the District's requirements.

Buffer and Setback Guidelines are applicable to new or expanding uses approved in or adjacent to the General Agriculture (A-2-40) zoning district, and are required to be designed to physically avoid conflicts between agricultural and non-agricultural uses. General Plan Amendment No. 2011-01 – *Revised Agricultural Buffers* was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier Two use, if not considered people-intensive by the Planning Commission, the project is not subject to agricultural buffers. As mentioned previously, the proposed operation will occur primarily indoors within the mobile office or locker room trailers, between 8 a.m. to 5:00 p.m., Monday to Friday. Up to two truck trips per month and up to 12 employee trips are anticipated to occur daily. The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date. Staff believes the project can be considered low people-intensive, thus not subject to the County's Agricultural Buffer requirements.

No forest lands exist in Stanislaus County.

Based on the specific features and design of this project, it does not appear this project will impact the long-term productive agricultural capability of surrounding contracted lands in the A-2 zoning district. There is no indication this project will result in the removal of adjacent contracted land from agricultural use. The project will have less than significant impacts to Agriculture and Forest Resources.

Mitigation: None.

References: Application Materials; Referral response from Turlock Irrigation District, dated November 30, 2023; Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan and Support Documentation¹.

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

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

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

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. The project will increase traffic in the area and, thereby, impact air quality.

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

The Air District provided a project referral response indicating that the proposed project is below the District’s thresholds of significance for construction and operation emissions. For this reason, the proposed project would be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

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

Construction activities associated with the proposed project would consist primarily of installation of the proposed 800 square-foot trailer with lockers and changing facilities. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Consequently, emissions would be minimal. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

Mitigation: None.

References: Referral response from the San Joaquin Valley Air Pollution Control District, dated November 30, 2023; Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan and Support Documentation¹.

| IV. BIOLOGICAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | X | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | X | |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | X | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | X | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | X | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | X | |

Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There is no known sensitive or protected species or natural community located on the site. The project is located within the Ceres Quad of the California Natural Diversity Database. Based on the California Natural Diversity Database for the Ceres Quad, the following special-status species have been recorded to occur: Swainsons hawk, tricolored blackbird, burrowing owl, riffle sculpin, hardhead, steelhead, chinook salmon, obscure bumble bee, Crotchs bumble bee, American bumble bee, valley elderberry longhorn beetle, moestan blister beetle, Townsends big-eared bat, Oregon floater, western ridged mussel, heartscale, and cuble orache. Specifically, subtle orache and heartscale, both rare plants but otherwise not formally registered as protected species were documented over a mile to the southeast. In the Riverbank Quad, approximately 1.7 miles to the northwest, the American bumble bee, Crotch's bumble bee, obscure bumble bee, moestan blister beetle, and valley elderberry longhorn beetle were documented. All documented species mentioned are identified as presumed extant.

The project site is currently improved with a 4,320 square-foot modular office, storage shed, and a wireless communication facility. The site was previously disturbed by graveled truck parking, irrigated pasture, and several accessory and residential accessory structures that have since been removed. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

An Early Consultation was referred to the California Department of Fish and Wildlife and no response was received.

Mitigation: None.

References: Application information; California Department of Fish and Wildlife’s Natural Diversity Database Quad Species List; California Natural Diversity Database, Planning and Community Development GIS, assessed February 28, 2024; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: It does not appear this project will result in significant impacts to any archaeological or cultural resources. The project site is improved with a 4,320 square-foot modular office, storage shed, and a wireless communication facility. An 800-square-foot trailer with lockers and changing room is proposed to be installed on the property; however, conditions of approval will be placed on the project, requiring that any construction activities shall be halted, if any resources are found, until appropriate agencies are contacted, and an archaeological survey is completed.

Mitigation: None.

References: Application Materials; Stanislaus County General Plan and Support Documentation¹.

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

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

The project was referred to Turlock Irrigation District (TID); however, no comments were received related to electrical service or facilities.

Energy consuming equipment and processes include construction equipment, trucks, and the employee and customer vehicles. As discussed in Section III – Air Quality, these activities would not significantly increase Vehicle Miles Traveled (VMT), due to the number of vehicle trips not exceeding a total of 110 vehicle trips per-day. There will be a maximum total of two heavy-truck trips per month (four combined inbound and outbound of truck trips), and a total of 12 vehicle trips per-day (24 combined inbound and outbound trips by employees). Additionally, the passenger vehicles and heavy trucks are the main consumers of energy associated with this project but will be subject to applicable Air District regulations, including

rules and regulations that increase energy efficiency for heavy trucks. Consequently, emissions would be minimal. Therefore, consumption of energy resources would be less than significant without mitigation for the proposed project.

The proposal includes permitting an existing 4,320 square-foot modular office for use as a temporary office to coordinate multiple off-site dairy digester and pipeline construction projects, and for installation of a proposed 800 square-foot trailer with lockers and changing facilities for construction and operations employees. As discussed in Section III – Air Quality, the Air District confirmed that the project’s associated operations and emissions will have a less than significant impact on air quality. Based on the Air District’s referral response, an Authority to Construct (ATC) permit will be required to be obtained from the SJVAPCD for the proposed project prior to construction. The project may also be subject to other applicable Air District permits including but not limited to the following District Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 Nuisance, Rules 4601 Architectural Coatings, 4641 Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations, Rule 4550 (Conservation Management Practices), and Rule 4570 (Confined Animal Facilities). Staff will include a condition of approval on the project requiring that the applicant be in compliance with the District’s rules and regulations. As the project must comply with District regulations, the project would result in less than significant impacts to energy.

The proposed structures are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Conditions of approval will be added to the project requiring building permits for a temporary modular office and locker room trailer from the Stanislaus County Building Permits Division prior to operation.

Mitigation: None

References: Application information; CEQA Guidelines; Referral response from Turlock Irrigation District, dated November 30, 2023; Referral response from the San Joaquin Valley Air Pollution Control District, dated November 30, 2023; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Governor’s Office of Planning and Research Technical Advisory, December 2018; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

| VII. GEOLOGY AND SOILS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | X | |
| ii) Strong seismic ground shaking? | | | X | |
| iii) Seismic-related ground failure, including liquefaction? | | | X | |
| iv) Landslides? | | | X | |
| b) Result in substantial soil erosion or the loss of topsoil? | | | X | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | X | |

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | | | X | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | X | |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | X | |

Discussion: The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that approximately two-thirds of the property is comprised Dinuba sandy loam (DrA), 0 to 1 percent slopes and Hanford sandy loam (HdA), 0 to 1 percent slopes. As contained in Chapter Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required with the building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any addition or expansion of a septic tank or alternative wastewater disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit is requested.

The project was referred to the Department of Environmental Resources (DER) which provided a response to the project requiring the applicant/developer to notify DER regarding any modifications to the on-site wastewater treatment system (OWTS) and that all modifications will be subject to review and approval by DER; and that the OWTS will be subject to review and required to upgrade to accommodate the change in wastewater flows if there is an increase to the facility’s drainage fixtures or the number of users on-site. Additionally, DER will require any new building requiring a new OTWS to be designed according to DER standards and that all applicable Local Agency Management Program (LAMP) standards and required setbacks are met. DER’s comments will be added to the project as conditions of approval.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area; therefore, impacts are anticipated to be less than significant.

Mitigation: None.

References: Referral response from the Department of Environmental Resources (DER), dated December 1, 2024; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The principal Greenhouse Gases (GHGs) are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), sulfur hexafluoride (SF6), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H2O). CO2 is the

reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40 percent of 1990 levels by 2030.

The project is a request to operate a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of a 4,320± square-foot office trailer, an 800± square-foot employee breakroom, and a 2-acre outdoor construction materials storage yard on an 8.38± acre parcel, in the General Agriculture (A-2-40) zoning district. The proposal permitting of an existing 4,320 square-foot modular office, installation of an 800 square-foot trailer with lockers and changing rooms, and outdoor materials storage. The facility will be temporary in nature, occupied for up to 24 months with a maximum of ten employees, 8:00 a.m. to 5:00 p.m., Monday through Friday, while ongoing construction for Aemetis biogas digester and pipeline projects are completed around the County. A maximum of two truck trips per month are proposed. Conditions of approval will be added to the project requiring building permits for modular office, which has already been installed on the parcel, to be obtained from the Stanislaus County Building Permits Division.

The short-term emissions of GHGs during construction, primarily composed of CO₂, CH₄, and N₂O, would be the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF₆) are typically associated with specific industrial sources and are not expected to be emitted by future construction at this project site. As described above in Section III - Air Quality, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO₂ from future construction would be less than significant. Additionally, the construction of any future proposed buildings is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Construction activities associated with this project are considered to be less than significant as they are temporary in nature and are subject to meeting San Joaquin Valley Air Pollution Control District (SJVAPCD) standards for air quality control.

Direct emissions of GHGs from the operation of the proposed project are primarily due to truck trips. Therefore, the project would result in direct annual emissions of GHGs during operation. As required by California Environmental Quality Act (CEQA) Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. Total vehicle trips as a result of this project will not exceed 110 trips per-day. As discussed above, the proposed project will generate a total of two heavy-truck trips per month (four combined inbound and outbound of truck trips), and a total of 12 vehicle trips per-day (24 combined inbound and outbound trips by employees).

Based on the Air District's referral response, the project is not expected to exceed air quality thresholds for emissions and operations and will require an Authority to Construct (ATC) permit. The project may also be subject to other applicable Air District permits including but not limited to the following District Rules: Regulation VIII (Fugitive PM₁₀ Prohibitions), Rule 4102 Nuisance, Rules 4601 Architectural Coatings, 4641 Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations, Rule 4550 (Conservation Management Practices), and Rule 4570 (Confined Animal Facilities). Based on project details and the conditions of approval to be placed on the project requiring that the applicant be in compliance with the District's rules and regulations, GHG emissions are considered to be less than significant for the project.

Mitigation: None.

References: Referral response from the San Joaquin Valley Air Pollution Control District, dated November 30, 2023; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. This project was referred to the Department of Environmental Resources – Hazardous Materials Division, which responded that the project will not have a significant effect on the environment. A standard condition of approval will be added to the project requiring the applicant contact DER for any appropriate permitting requirements for hazardous materials and/or wastes. The proposed use is not recognized as a generator and/or consumer of hazardous materials, therefore no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater from drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people.

Buffer and Setback Guidelines are applicable to new or expanding uses approved in or adjacent to the General Agriculture (A-2) zoning district, and are required to be designed to physically avoid conflicts between agricultural and non-agricultural uses. General Plan Amendment No. 2011-01 – *Revised Agricultural Buffers* was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier Two use, if not considered people-intensive by the Planning Commission, the project is not subject to agricultural buffers. The proposed operation will be mostly automated within an existing building and will operate with a maximum of ten employees, from 8:00 a.m. to 5:00 p.m., Monday through Friday for up to a period of 24 months. Up to two truck trips will occur per month. The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date.

Therefore, staff believes the project can be considered low people-intensive, thus not subject to the County's Agricultural Buffer requirements.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, and no comments have been received to date. A referral response from the DER Health Division, requesting that the applicant notify DER regarding any modifications of the on-site waste water treatment system (OWTS) and that the existing OWTS will be subject to further review if an increase in the number of users (people on-site) or drainage fixtures occurs. All applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met. DER's requirements will be added to the project as conditions of approval.

No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Referral response from the Department of Environmental Resources – Hazardous Materials Division, dated December 1, 2023; Referral response from Department of Environmental Resources – Environmental Health Division, dated December 1, 2023; Department of Toxic Substances Control's data management system (EnviroStar); Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

| X. HYDROLOGY AND WATER QUALITY -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | | | X | |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | | | X | |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | | | | |
| i) result in substantial erosion or siltation on- or off-site; | | | X | |
| ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site. | | | X | |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | | | X | |
| iv) impede or redirect flood flows? | | | X | |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | | | X | |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | | | X | |

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2 percent annual chance floodplains. The project proposes to handle stormwater drainage overland. The project was referred to the Department of Public Works who has not commented on the project. Runoff associated with the construction at the proposed project site will be reviewed as part of the building permit review process and be required to be maintained on-site. Additionally, any construction will be reviewed under the Building Permit process and must be reviewed and approved by DER and adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setback from wells to prevent negative impacts to groundwater quality. An existing domestic well will be used for the project. However, any future new wells are to be constructed on-site, they will be subject to review under the County's Well Permitting Program, which will determine whether a new well will require environmental review.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California's groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the West Turlock Subbasin GSA. The East Turlock Subbasin GSA and West Turlock Subbasin GSA collaboratively developed one GSP to manage groundwater sustainably through at least 2042. The GSAs adopted the Turlock Subbasin GSP on January 6, 2022, and submitted the GSP to the California Department of Water Resources (DWR) on January 28, 2022. DWR has until the end of 2024 to review the plan. Currently, the GSAs are preparing for GSP implementation.

The California Safe Drinking Water Act (California Health and Safety Code (CHSC) Section 116275(h)) defines a Public Water System as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

1. Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
2. Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
3. Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

The project is served by an existing on-site domestic well. DER indicated that the any new well on the project site shall be required to obtain a well construction permit and be reviewed for conformance with the adopted GSP and Stanislaus County Groundwater Ordinance Code Section 9.37.040 demonstrating that the well is exempt from prohibit, or that the well will not constitute unsustainable extraction of groundwater, pursuant to 9.37.045. The project does not currently meet the definition of a Public Water System as defined in CHSC Section 116275(h). However, DER requested that the applicant contacts DER if the water system ever meets the definition of a public water system. If the existing well is ever required to become a Public Water System, the applicant must submit an application for a water supply permit with the associated technical report to Stanislaus County DER which will determine if the well water meets State mandated standards for water quality and must also obtain concurrence from the State of California Water Resources Control Board (SWRCB), Drinking Water Division, in accordance to CHSC Section 116527 (SB1263). If the well water does not meet State standards, the applicant may need to either drill a new well or install a water treatment system for the current well. This requirement will be added as a condition of approval for the project.

The project was referred to the Turlock Irrigation District (TID); no comments regarding irrigation or domestic water were received. The project was referred to Regional Water; however, no response was received to date.

As a result of the conditions of approval required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

Mitigation: None.

References: Referral response from the Department of Environmental Resources – Groundwater Division, dated November 29, 2023; Referral response from Department of Environmental Resources – Environmental Health Division, dated December 1, 2023; Stanislaus County General Plan and Support Documentation¹.

| XI. LAND USE AND PLANNING -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Physically divide an established community? | | | X | |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | | | X | |

Discussion: The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-40). The applicant is requesting to establish a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of a 4,320± square-foot office trailer, an 800± square-foot employee breakroom, and a 2-acre outdoor construction materials storage yard, which requires obtaining a Tier Two Use Permit. The proposal includes installation of a 4,320 square-foot office trailer, an 800 square-foot trailer with lockers and changing rooms, and a 2-acre outdoor construction materials storage yard. The facility footprint will be graveled and provide up to 15 parking stalls abutting the office trailer. The office trailer will be used by ten full time employees in order to oversee and coordinate multiple dairy methane digester and biogas collection pipeline construction projects within Stanislaus County and the surrounding vicinity. The locker and changing room trailer will be used for digester operators prior to starting and ending shifts, as needed. The 2-acre outdoor storage area will be temporarily utilized for storage of materials used for construction of the various digesters and an associated biogas pipeline network which will pipe the captured biogas from the digesters to the Aemetis processing facility located at 4209 and 4215 Jessup Road, further identified by Assessor’s Parcel Number (APN) 045-026-039. Hours of operation will be Monday through Friday, 8:00 a.m. to 5:00 p.m. The facility is proposed to operate for a period of up to 24 months, after which the structures and on-site storage will be removed from the property. The project site is currently improved with a 2,300± square-foot storage shed that is not part of the proposed agricultural service establishment, the 4,320 square-foot office trailer which was installed without a building permit, and the 2-acre storage yard which is already being utilized for material storage. The balance of the property is unimproved. Conditions of approval will be added to the project requiring building permits for the existing, unpermitted office and proposed locker and changing room trailer to be obtained from the Stanislaus County Building Permits Division.

To be considered a Tier Two use, the proposed use is required to be found related to agricultural production and necessary for a healthy agricultural economy. The County allows agriculture service establishments provided a Tier Two Use Permit is obtained and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other properties in the vicinity; that the use is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage; and that it will not create a concentration of commercial and industrial uses in the vicinity. Agricultural processing plants and facilities under a Tier Two Use Permit must also serve the immediately surrounding area, or local agriculture and customers, as opposed to having a widespread service area. In addition, the Planning Commission must find that the establishment, maintenance, and operation of the proposed use is consistent with the General Plan and will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. The proposed facility will be directly in support of existing dairies within Stanislaus County by providing logistics and management for the construction of infrastructure that will capture biogas emitted from dairy herds after it is broken down in anaerobic digesters collocated at various dairies within the vicinity and piped to the Aemetis Advanced Fuels Keyes processing facility for processing into compressed natural gas (CNG). Ultimately, the infrastructure that is overseen will aid dairies in reducing greenhouse gas emissions, meeting Air District air quality standards. The project site was chosen for the proposed “base of operations” due to the proximity to both the existing processing facility as well as the local digester construction projects within Stanislaus County and Merced County for which the facility intends to manage.

With the application of conditions of approval, there is no indication that, under the circumstances of this particular case, the proposed operation will be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Buffer and Setback Guidelines are applicable to new or expanding uses approved in or adjacent to the General Agriculture (A-2) zoning district, and are required to be designed to physically avoid conflicts between agricultural and non-agricultural uses. General Plan Amendment No. 2011-01 – *Revised Agricultural Buffers* was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier Two use, if not considered people-intensive by the Planning Commission, the project is not subject to agricultural buffers. The proposed operation will operate with a maximum of ten employees, 8:00 a.m. to 5:00 p.m., during weekdays, for a 24-month period. total of two heavy-truck trips per month (four combined inbound and outbound of truck trips), and a total of 12 vehicle trips per-day (24 combined inbound and outbound trips by employees). The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date. Therefore, staff believes the project can be considered low people-intensive, thus not subject to the County’s Agricultural Buffer requirements. If the Planning Commission believes the facility is subject to an agricultural buffer, then the facility footprint is located over 300± feet from the farmed parcel to the north, 200± feet from the farmed parcel to the west, and the office and locker rooms are over 250± feet from the farmed parcel to the south; however, due to the irregular orientation of the parcel, the construction materials storage is approximately 30± feet from the farmed parcel to the south.

The project will not physically divide an established community nor conflict with any habitat conservation plans.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

| XII. MINERAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | X | |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | X | |

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

| XIII. NOISE -- Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | X | |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | | | X | |

| | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|----------|--|
| <p>c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</p> | | | <p>X</p> | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|----------|--|

Discussion: The proposed project shall comply with the noise standards included in the General Plan and Noise Control Ordinance. The Stanislaus County General Plan identifies noise levels up to 70 dB Ldn (or CNEL) as the normally acceptable level of noise for office uses and 75 dB Ldn as the normally acceptable level of noise for agricultural and industrial uses. On-site grading and construction resulting from this project may result in a temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. The site itself is impacted by the noise generated from a truck parking facility immediately to the south, and industrial processing facilities to the northeast. Moreover, operating hours are limited to 8:00 a.m. to 5:00 p.m. daily. The area’s ambient noise level will temporarily increase during grading/construction. As such, the project will be conditioned to abide by County regulations related to hours and days of construction. The nearest sensitive receptor is a dwelling on the parcel to the south, located approximately 170-feet from the facility footprint.

The site is not located within an airport land use plan.

Mitigation: None.

References: Application information; Stanislaus County Noise Control Ordinance (Title 10); Stanislaus County General Plan, Chapter IV – Noise Element, and Support Documentation¹.

| <p>XIV. POPULATION AND HOUSING -- Would the project:</p> | <p>Potentially Significant Impact</p> | <p>Less Than Significant With Mitigation Included</p> | <p>Less Than Significant Impact</p> | <p>No Impact</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------|-------------------------------------|------------------|
| <p>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)?</p> | | | <p>X</p> | |
| <p>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</p> | | | <p>X</p> | |

Discussion: The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th Cycle Regional Housing Needs Allocation (RHNA) for the County and will therefore not impact the County’s ability to meet their RHNA. No population growth will be induced, nor will any existing housing be displaced as a result of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

| XV. PUBLIC SERVICES -- | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Would the project result in the substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | | | X | |
| Police protection? | | | X | |
| Schools? | | | X | |
| Parks? | | | X | |
| Other public facilities? | | | X | |

Discussion: The project site is served by the Keyes Fire Protection District for fire service, Stanislaus County Sheriff's Department for police protection, Keyes Union and Turlock Unified for schools, and the Stanislaus County Department of Parks and Recreation for parks. The site is also within the service district of Turlock Irrigation District for irrigation and electrical service. The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. School Districts also have their own adopted fees. All applicable facility fees are required to be paid at the time of building permit issuance.

A response was received from the Turlock Irrigation District (TID) for the project identifying the presence of a 25-foot easement belonging to Improvement District 53A on the northeasterly portion of the parcel and prohibited driving of trucks for the purpose of delivery, offloading, and transport of stored construction materials or storage over the unreinforced pipeline contained within the easement. No comments regarding electrical services or infrastructure were received from TID. Any development that impacts irrigation facilities will be required to meet the District's requirements. Conditions of approval reflecting TID's comments will be added to the project.

The project was referred to Regional Water; however, no response was received to date.

This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the Early Consultation referral period and no concerns were identified with regard to public services.

Mitigation: None.

References: Referral response from Turlock Irrigation District, dated November 30, 2023; Stanislaus County General Plan and Support Documentation¹.

| XVI. RECREATION -- | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | X | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | X | |

Discussion: This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project proposes to establish a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of a 4,320± square-foot office trailer, an 800± square-foot employee breakroom, and a 2-acre outdoor construction materials storage yard. The facility footprint will be graveled and provide up to 15 parking stalls abutting the office trailer.

Potential impacts to transportation from the proposed project are also evaluated by Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. California Environment Quality Act (CEQA) Guidelines Section 15064.3, subdivision (a), defines VMT as the amount and distance of automobile travel attributable to a project. A technical advisory on evaluating transportation impacts in CEQA published by the Governor’s Office of Planning and Research (OPR) in December of 2018 clarified the definition of automobiles as referring to on-road passenger vehicles, specifically cars and light trucks. While heavy trucks are not considered in the definition of automobiles for which VMT is calculated for, heavy-duty truck VMT could be included for modeling convenience. According to the same OPR technical advisory, many local agencies have developed a screening threshold of VMT to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less than significant transportation impact. The proposed project will generate a very low amount of vehicle trips with two truck trips per month, for a total of two heavy-truck trips (four combined inbound and outbound trips for two trucks), and a maximum of 12 vehicle trips per-day (24 combined inbound and outbound trips by employees). As this is below the District’s threshold of significance for vehicle and heavy truck trips, no significant impacts from vehicle and truck trips to transportation are anticipated.

The project will take access off Faith Home Road, a County-maintained road identified as a 80-foot-wide Major Collector Rural Road. It is not anticipated that the project would substantially affect the level of service on Faith Home Road. The project was referred to Public Works, who has not provided a referral response to date.

All development on-site will be required to pay applicable County public facility fees (PFF) fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance, or policy.

Mitigation: None.

References: Application information; Governor’s Office of Planning and Research Technical Advisory, December 2018; Stanislaus County General Plan and Support Documentation¹.

| XVIII. TRIBAL CULTURAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Cause a substantial adverse change in the significance of a 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 | | | X | |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource 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. | | | X | |

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site consists of two single-family dwellings, one of which was an unpermitted conversion from a barn, a 125,000± square-foot agricultural storage building consisting of open floor area, and an unpermitted office area and restroom. In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. A condition of approval regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Application information; Stanislaus County General Plan and Support Documentation¹.

| XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|-----------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | | | X | |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | | | X | |

| | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|----------|--|
| <p>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?</p> | | | <p>X</p> | |
| <p>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?</p> | | | <p>X</p> | |
| <p>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p> | | | <p>X</p> | |

Discussion: Limitations on providing services have not been identified. The project proposes to utilize an existing private well and existing private septic facilities. There are no additional wells proposed as part of this request. If in the future the facility results in the formation of a new Public Water System, then the project site will be subject to all applicable rules, regulations and standards as discussed above in Section X - *Hydrology and Water Quality* of this document. A referral response received from DER requested that the applicant notify DER regarding any modifications of the on-site wastewater treatment system (OWTS) and that the existing OWTS will be subject to further review if an increase in the number of users (people on-site) or drainage fixtures occurs. All applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met. DER’s requirements will be added to the project as conditions of approval.

As discussed in Section X – *Hydrology and Water Quality*, DER confirmed that the private well on the project site does not currently meet the definition of a Public Water System as defined in California Health and Safety Code Section 116275(h). However, DER requested that the applicant contacts DER if the water system ever meets the definition of a public water system. If the existing well is ever required to become a Public Water System, the applicant will be subject to the process and regulations for a Public Water System as discussed in detail in Section X – *Hydrology and Water Quality*. These requirements will be added to the project as conditions of approval.

The project was referred to Turlock Irrigation District (TID) who did not provide comments related to on-site or nearby electrical facilities; however, they did provide feedback identifying irrigation pipeline infrastructure and an associated easement located on the northeasterly portion of the project site, and prohibited truck traffic over this unprotected pipeline easement. Any development that impacts irrigation facilities will be required to meet the District’s requirements. Conditions of approval reflecting TID’s comments will be added to the project.

The project was referred to Regional Water; however, no response was received to date.

The project is not anticipated to have a significant impact to utilities and service systems.

Mitigation: None.

References: Referral response from Turlock Irrigation District, dated November 30, 2023; Referral response from Department of Environmental Resources, Stanislaus County General Plan and Support Documentation¹.

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

| | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---|--|
| <p>c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p> | | | X | |
| <p>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?</p> | | | X | |

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The terrain of the site is relatively flat, and the site has access to two County-maintained roads. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, and no comments have been received to date. California Building and Fire Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and burning embers. The building permit for the mobile office, mobile locker, and changing room facility will be reviewed by the County’s Building Permits Division and Fire Prevention Bureau to ensure all State of California Building and Fire Code requirements are met prior to construction. Wildfire risks associated with postfire land changes are considered to be less-than significant.

Mitigation: None.

References: Application information; California Fire Code Title 24, Part 9; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The 8.38± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-40). The property is primarily comprised of Dinuba sandy loam, 0 to 1 percent slopes (DrA), with a California Revised Storie Index Grade of 1 and Index rating of 86, and Hanford sandy loam (HdA), 0 to 1 percent slopes, with a Grade of 1 and an Index rating of 93; the project site is considered “Rural Residential Land” by the California Department of Conservation’s Farmland Mapping and Monitoring Program. The parcel is not enrolled in a

Williamson Act Contract. The requested use is less than ten acres in size which is the presumed minimum parcel size to sustain an independently viable agricultural operation, and has previously been developed with several residential and agricultural accessory structures. Accordingly, it is not considered one of the County's "most productive" agricultural areas, thus it is not considered Prime Farmland. The proposed project will not permanently convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use as the proposed improvements are temporary in nature and proposed to be removed after a period of 24 months following project approval, if approved.

Due to the use of the facility as an operations and storage facility for digester construction projects for multiple dairies, discretionary approval is required to permit the operation as a Tier Two Use Permit. Within the A-2 zoning district, the County has determined that certain uses related to agricultural production are "necessary for a healthy agricultural economy." The County allows agriculture service establishments by obtaining a Tier Two Use Permit if specific criteria can be met and if specific findings can be made. Those findings include that the establishment, as proposed, will not be substantially detrimental to, or in conflict with, the agricultural use of other properties in the vicinity; that the use is necessary and desirable for such establishment to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage; and that it will not create a concentration of commercial and industrial uses in the vicinity. The proposed use is agriculturally-related and supports the agricultural community. The surrounding area is comprised of industrial buildings and the Community of Keyes to the northeast; irrigated farmland and scattered single-family dwellings to the south and west; and an unpermitted truck parking facility to the south. Any development of the surrounding area would be subject to the permitted uses of the A-2 Zoning District or would require additional land use entitlements and environmental review.

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

It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site has previously been developed and the project site has already been disturbed. Standard conditions of approval regarding the discovery of cultural resources during any future construction resulting from this request will be added to the project.

The project will not physically divide an established community. Any development of the surrounding area would be subject to the permitted uses of the A-2 Zoning District or would require additional land use entitlements and environmental review. Additionally, the majority of the surrounding parcels located within Stanislaus County are restricted by Williamson Act Contracts and are limited to the uses found to be compatible with the Williamson Act. Anything beyond those uses permitted in the A-2 zoning district would require a General Plan Amendment and rezoning of the property which would be evaluated through additional environmental review which would take into consideration impacts from the loss of farmland and the potential for farmland conversion and cumulative impacts to the surrounding area. Any additional request for expansion for the agricultural service establishment under this request, may be subject to further land use entitlement review.

The proposed project will generate a low amount of vehicle trips with a total of 12 vehicle round-trip per-day and a maximum of two truck trips per month. As this is below the threshold of significance for vehicle and heavy truck trips as discussed in Section XVII - *Transportation*, no significant impacts from the one vehicle trip to transportation are anticipated.

The digester and pipeline construction that will be overseen by this project is part of a 59.1± mile pipeline system which pipes biogas from existing dairies located throughout Stanislaus and Merced Counties to the Aemetis Advanced Fuels Keyes facility. The biogas pipeline system is approved but has only been partially constructed. On January 26, 2021, a Mitigated Negative Declaration, which was prepared by the Stanislaus County Public Works Department, was adopted by the Board of Supervisors to allow 32.5 miles of pipeline to be constructed in County right-of-way for the transmission of biogas from 17 private dairies. Subsequently, a Supplemental Initial Study and Mitigated Negative Declaration were adopted by the Stanislaus County Board of Supervisors on November 28, 2023 to permit the connection of 21 additional dairies to the biogas pipeline system. Mitigation measures were incorporated into the environmental review prepared for the biogas pipeline system which addressed Air Quality, Biological and Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, Transportation and Traffic, and Utilities and Services Systems. These mitigation measures are required to be met in conjunction with construction and operation of the biogas pipeline system and have been referenced throughout this document, where applicable. Impacts associated with the processing and refining of biogas at the Aemetis facility were addressed under separate environmental documentation and agency permits authorized by the San Joaquin Valley Unified Air Pollution Control District.

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

Mitigation: None.

References: Initial Study; Aemetis Biogas LLC Dairy Biogas Cluster Supplemental Initial Study and Mitigated Negative Declaration, dated July, 26 2023 as approved by the Stanislaus County Board of Supervisors on November 28, 2023; Stanislaus County General Plan and Support Documentation¹.

Stanislaus County General Plan and Support Documentation¹ adopted in August 23, 2016, as amended. **Housing Element** adopted on April 5, 2016.



NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit Application No. PLN2023-0060 – Aemetis Biogas, LLC – Faith Home Road

LOCATION OF PROJECT: 6042 Faith Home Road, between East Keyes and East Barnhart Roads, in the Keyes area. APN: 045-045-026.

PROJECT DEVELOPERS: Jessica Cardoso, Aemetis Biogas, LLC
4209 Jessup Road
Ceres, CA 95307

DESCRIPTION OF PROJECT: Request to operate a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of 4,320± square-foot office trailer, an 800± square-foot employee breakroom, a 2,300 square-foot storage shed, and a 2-acre outdoor construction materials storage yard, on an 8.28± acre parcel in the General Agriculture (A-2-40) zoning district.

Based upon the Initial Study, dated **March 14, 2024**, the Environmental Coordinator finds as follows:

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

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

Initial Study prepared by: Kristen Anaya, Associate Planner

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

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: USE PERMIT APPLICATION NO. PLN2023-0060 - AEMETIS BIOGAS, LLC. - FAITH HOME ROAD

| REFERRED TO: | | | | RESPONDED | | RESPONSE | | | MITIGATION MEASURES | | CONDITIONS | |
|----------------------------------------------------|------|--------|-----------------------|-----------|----|----------------------------------|-----------------------------|---------------------|---------------------|----|------------|----|
| | 2 WK | 30 DAY | PUBLIC HEARING NOTICE | YES | NO | WILL NOT HAVE SIGNIFICANT IMPACT | MAY HAVE SIGNIFICANT IMPACT | NO COMMENT NON CEQA | YES | NO | YES | NO |
| CA DEPT OF CONSERVATION LAND RESOURCES | X | X | X | | X | | | | | | | |
| CA DEPT OF FISH & WILDLIFE | X | X | X | | X | | | | | | | |
| CA OPR STATE CLEARING HOUSE | X | X | X | | X | | | | | | | |
| CA RWQCB CENTRAL VALLEY REGION | X | X | X | X | | | | | | | | |
| COOPERATIVE EXTENSION | X | X | X | | X | | | | | | | |
| DER GROUNDWATER RESOURCES DIVISION | X | X | X | | X | | | X | | X | X | |
| FIRE PROTECTION DIST: KEYES | X | X | X | | X | | | | | | | |
| GSA: WEST TURLOCK SUBBASIN | X | X | X | | X | | | | | | | |
| IRRIGATION DISTRICT: TURLOCK | X | X | X | X | | | | X | | X | X | |
| MUNICIPAL ADVISORY COUNCIL: KEYES | X | X | X | | X | | | | | | | |
| MOSQUITO DISTRICT: TURLOCK | X | X | X | | X | | | | | | | |
| MEDICAL | X | X | X | | X | | | | | | | |
| PACIFIC GAS & ELECTRIC | X | X | X | | X | | | | | | | |
| SAN JOAQUIN VALLEY APCD | X | X | X | X | | X | | | | X | X | |
| SCHOOL DISTRICT 1: KEYES UNION | X | X | X | | X | | | | | | | |
| SCHOOL DISTRICT 2: TURLOCK UNIFIED | X | X | X | | X | | | | | | | |
| STAN CO AG COMMISSIONER | X | X | X | | X | | | | | | | |
| STAN CO BUILDING PERMITS DIVISION | X | X | X | | X | | | | | | | |
| STAN CO CEO | X | X | X | | X | | | | | | | |
| STAN CO DER | X | X | X | X | | X | | X | | X | X | |
| STAN CO FARM BUREAU | X | X | X | | X | | | | | | | |
| STAN CO HAZARDOUS MATERIALS | X | X | X | X | | X | | X | | X | X | |
| STAN CO MILK AND DAIRY | X | X | X | | X | | | | | | | |
| STAN CO PUBLIC WORKS | X | X | X | X | | | | | | | | |
| STAN CO SHERIFF | X | X | X | | X | | | | | | | |
| STAN CO SUPERVISOR DIST 2: CHIESA | X | X | X | | X | | | | | | | |
| STAN COUNTY COUNSEL | X | X | X | | X | | | | | | | |
| STANISLAUS FIRE PREVENTION BUREAU | X | X | X | | X | | | | | | | |
| STANISLAUS LAFCO | X | X | X | | X | | | | | | | |
| TELEPHONE COMPANY: AT&T | X | X | X | | X | | | | | | | |
| STATE OF CA SWRBC - DIV OF DRINKING WATER DIST: 10 | X | X | X | | X | | | | | | | |
| SURROUNDING LAND OWNERS | | X | X | | X | | | | | | | |
| US FISH & WILDLIFE | X | X | X | | X | | | | | | | |

COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Application Number: PLN2023-0060
 Application Title: Aemetis Biogas, LLC - Faith Home Rd.
 Application Address: 6042 Faith Home Road, Ceres CA 95307
 Application APN: 045-045-026

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes No

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: Aemetis Biogas LLC

Contributor or Contributor Firm's Name: Aemetis Biogas LLC

Contributor or Contributor Firm's Address: 20400 Stevens Creek Blvd, Suite 700, Cupertino CA 95014

Is the Contributor:

| | | |
|---------------------------------|-----------------------------------------|----------------------------------------|
| The Applicant | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| The Property Owner | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| The Subcontractor | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| The Applicant's Agent/ Lobbyist | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: Chance Condit
 Name of Contributor: Aemetis Biogas LLC
 Date(s) of Contribution(s): July 2023
 Amount(s): 2,500

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

4/12/25
Date

Aemetis Biogas LLC
Print Firm Name if applicable


Signature of Applicant

Jessica Cardoso
Print Name of Applicant

UP APP. NO PLN2024-0060

**AEMETIS BIOGAS, LLC.
FAITH HOME ROAD**

**Planning Commission
May 2, 2024**

Overview

- Tier Two Use Permit
- Request to operate a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network on an 8.28± acre parcel in the General Agriculture (A-2-40) zoning district.

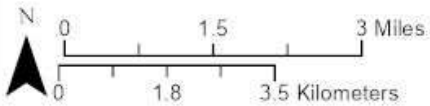
AEMETIS BIOGAS, LLC.

UP PLN2023-0060

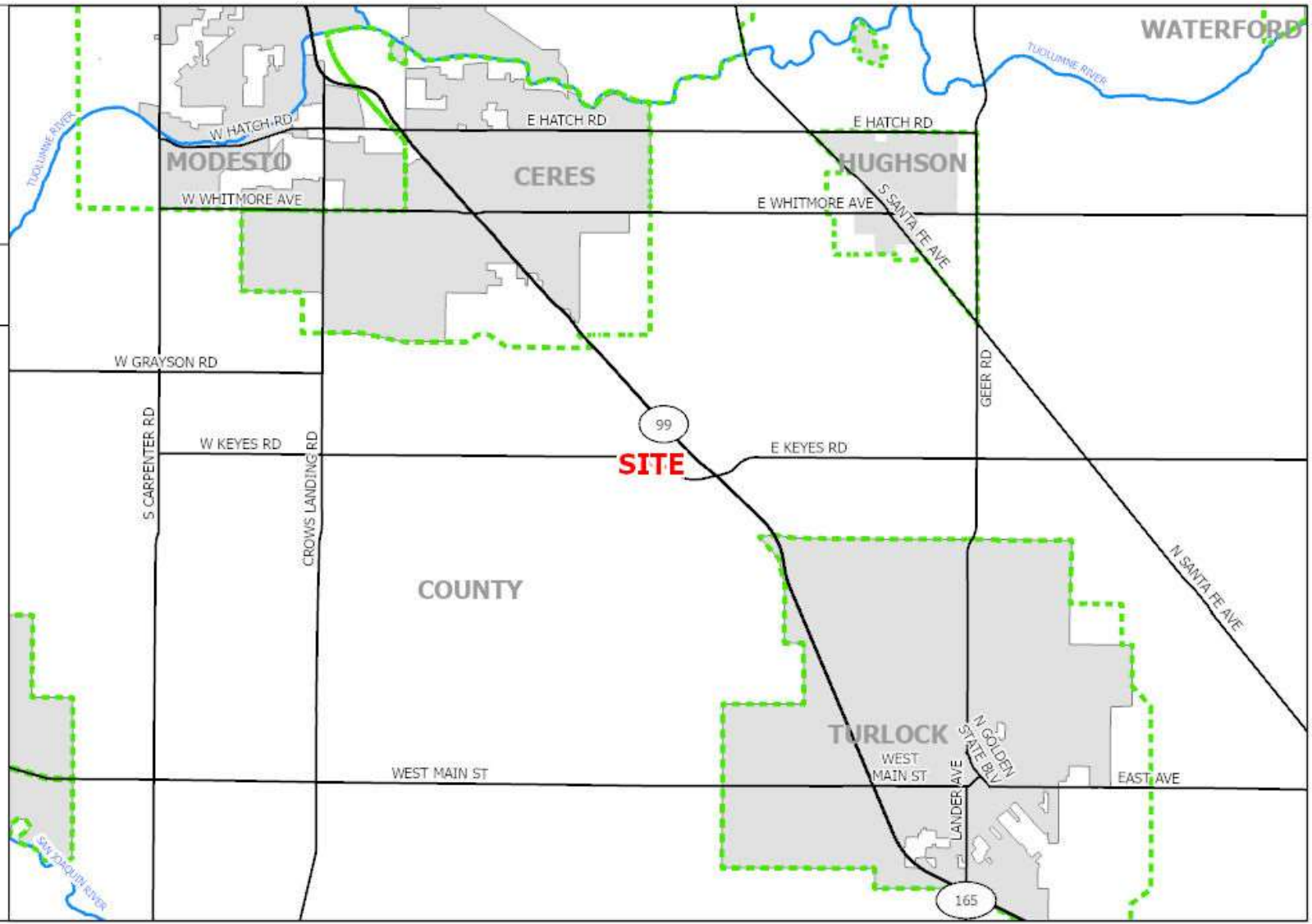
AREA MAP

LEGEND

-  Project Site
-  Highway
-  Major Road
-  River
-  Sphere of Influence



Source: Planning Department GIS Date Exported: 3/13/2024



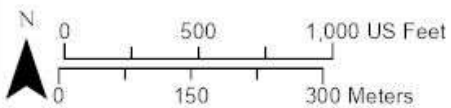
AEMETIS BIOGAS, LLC.

UP PLN2023-0060

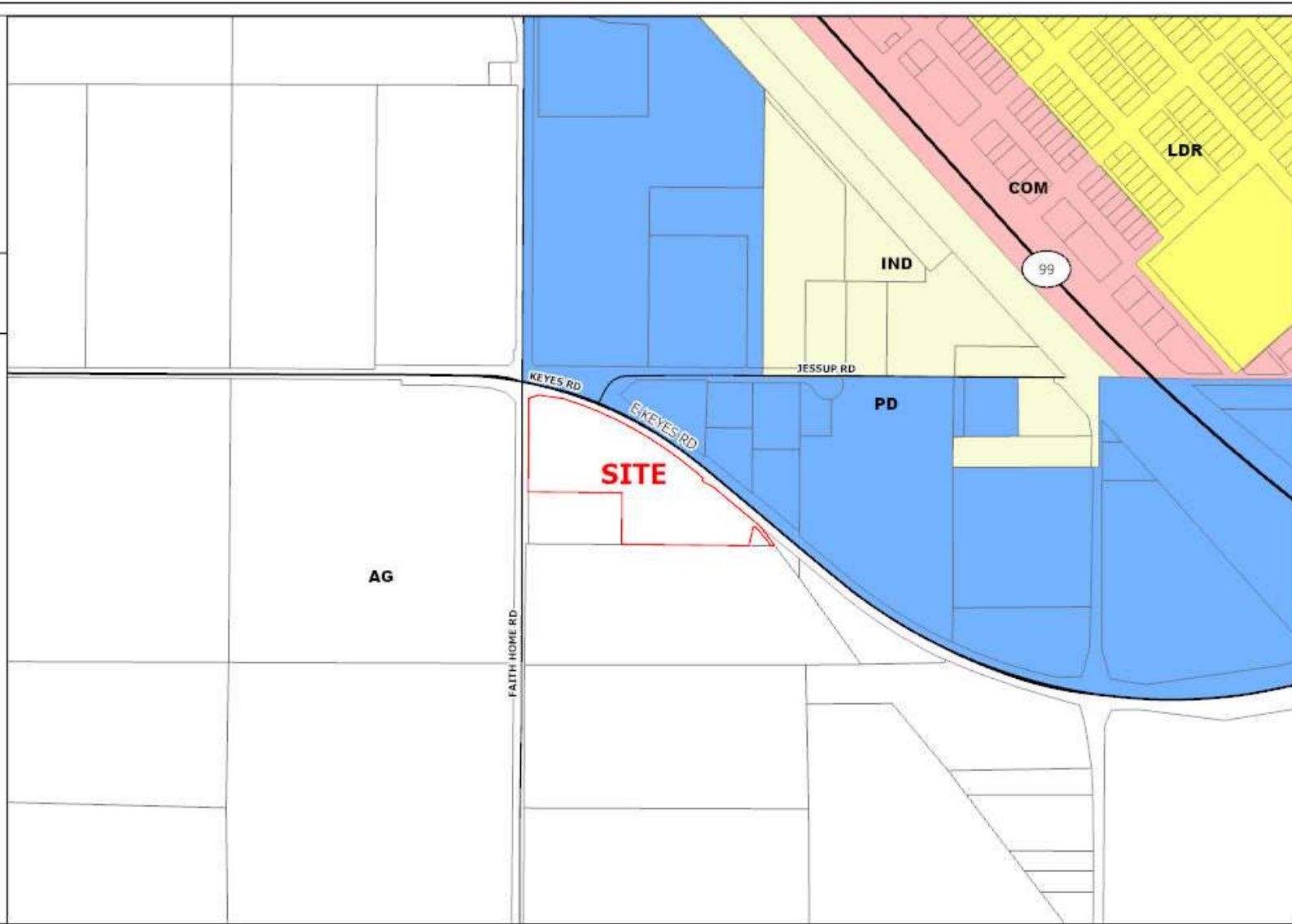
ACREAGE MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Major Road
-  Agriculture
-  Commercial
-  Industrial
-  Planned Development
-  Residential - Low Density
-  Street



Source: Planning Department GIS Date Exported: 3/13/2024





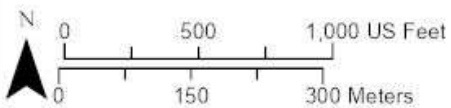
AEMETIS BIOGAS, LLC.

UP PLN2023-0060

ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Major Road
- Zoning Designation**
-  General Agriculture 10 Acre
-  General Agriculture 40 Acre
-  Highway Frontage
-  Industrial
-  Planned Development; P-D (333); P-D (344); P-D (345); P-D
-  Planned Development; P-D (333); P-D (344); P-D (345); P-D
-  Planned Development; P-D (333); P-D (344); P-D (345); P-D
-  Planned Development; P-D (333); P-D (344); P-D (345); P-D
-  Single Family Residential
-  Street



Source: Planning Department GIS Date Exported: 3/13/2024



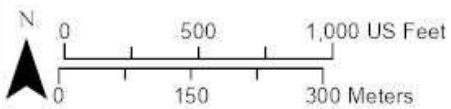
AEMETIS BIOGAS, LLC.

UP PLN2023-0060

2023 AERIAL AREA MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Major Road
-  Street



Source: Planning Department GIS Date Exported: 3/13/2024



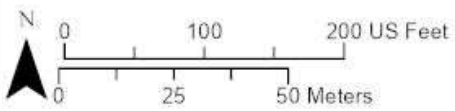
AEMETIS BIOGAS, LLC.

UP PLN2023-0060

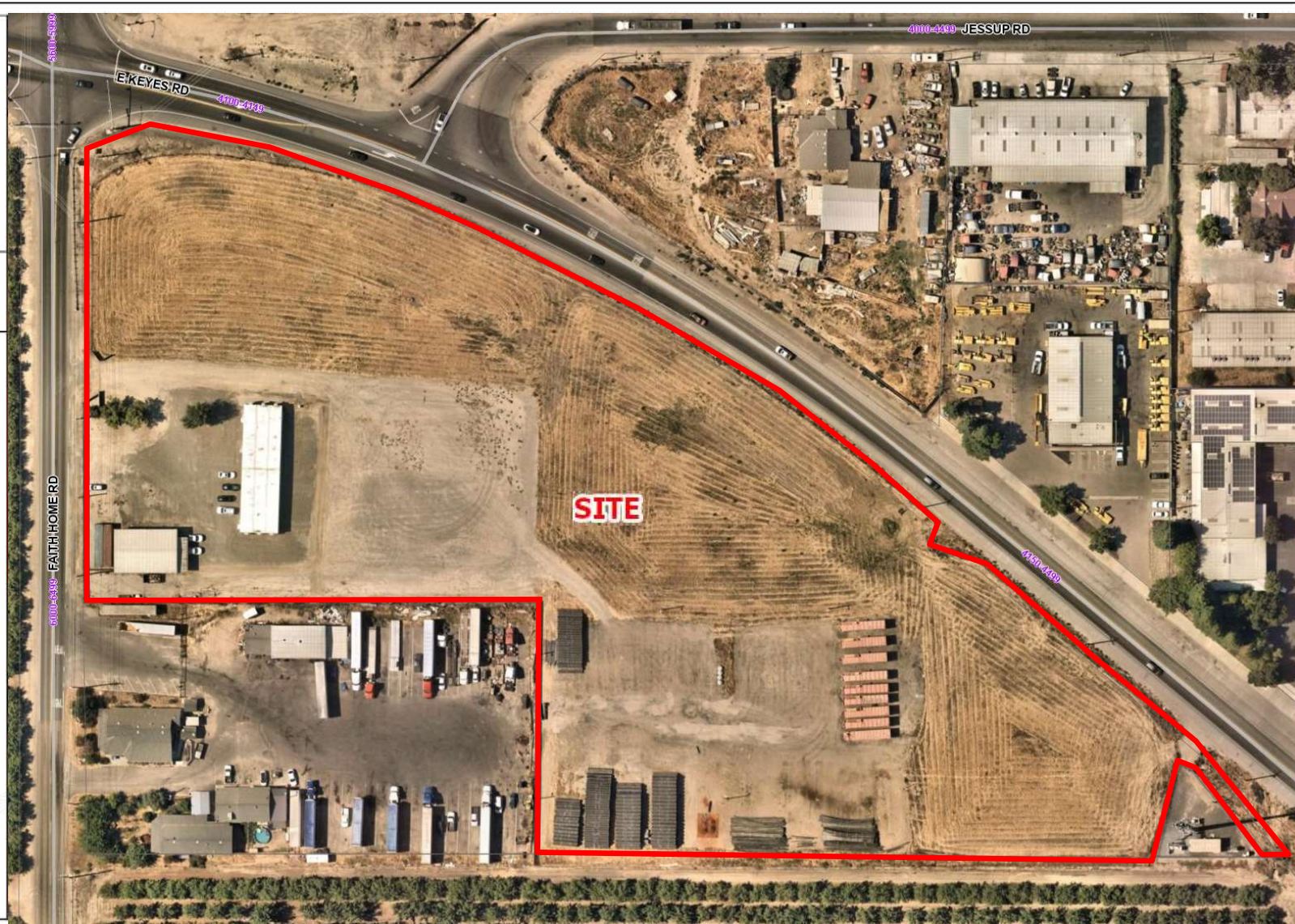
2023 AERIAL SITE MAP

LEGEND

-  Project Site
-  Parcel
-  Major Road
-  Street



Source: Planning Department GIS Date Exported: 3/13/2024



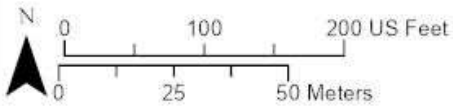
AEMETIS BIOGAS, LLC.

UP PLN2023-0060

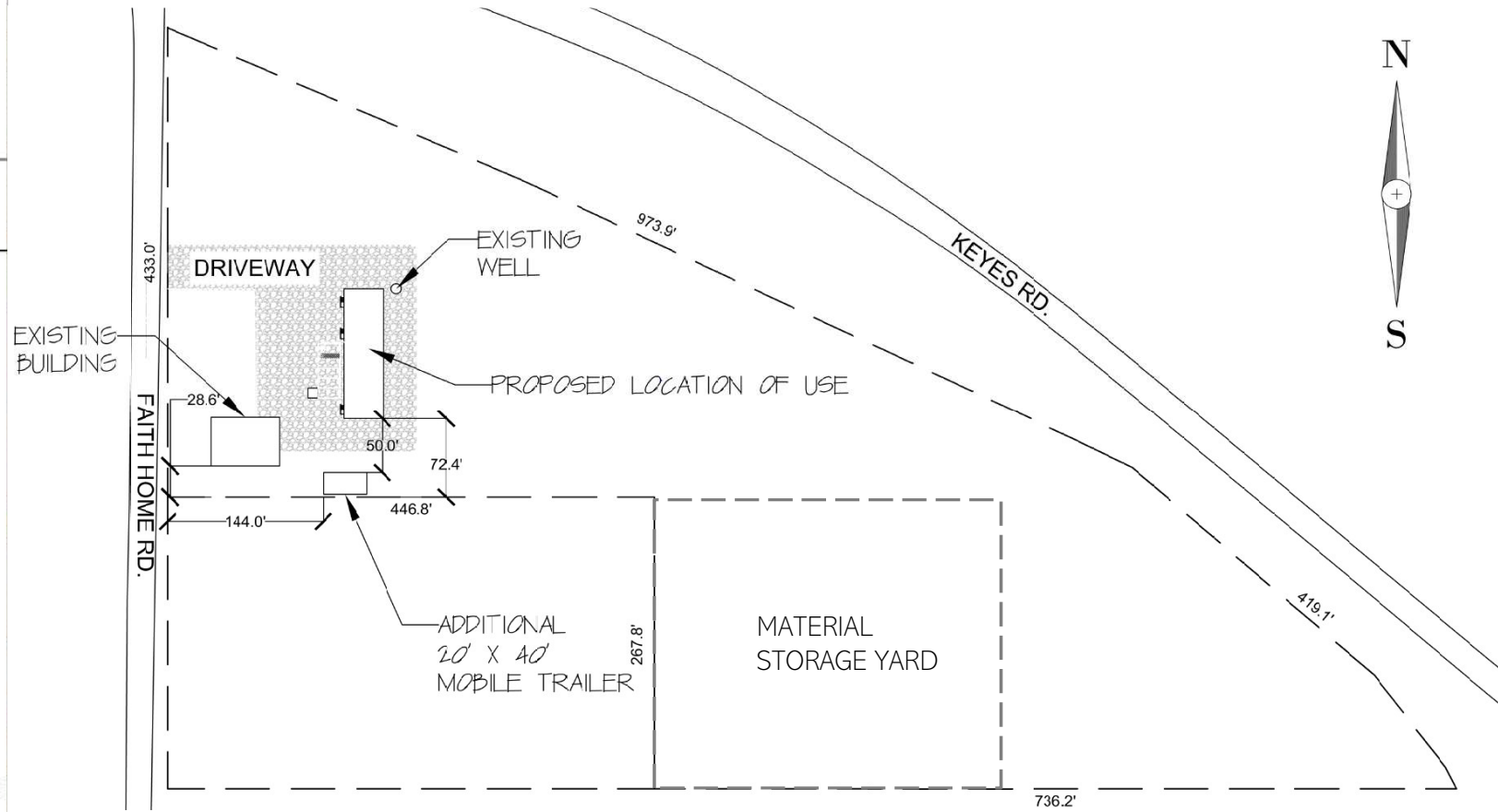
2023 AERIAL SITE MAP

LEGEND

-  Project Site
-  Parcel
-  Major Road
-  Street



Source: Planning Department GIS Date Exported: 3/13/2024



Issues

- Installation of trailer without land use or building permits
 - Condition No. 11 added requiring building permit to be obtained within 6 months and finalized within a year
- Temporary need for site improvements
 - Condition No. 10 added requiring decommissioning within 24 months post-approval or completion of construction projects; issuance of a Staff Approval Permit to allow extension

General Plan & Zoning Ordinance Consistency

- General Plan
 - Land Use Element
 - Agricultural Element
 - Agricultural service establishments
 - Agricultural Buffer
 - Tier Two low people intensive uses not subject
- Zoning (Title 21)
 - General Agriculture (A-2-40)
 - Tier Two Use Permit – Agricultural Service Establishment

Environmental Review

- CEQA
 - Negative Declaration
- Conditions of Approval

Recommendation

- Staff recommendation
 - Approval
- Findings – Exhibit A
 - Environmental Determination
 - Use Permit
 - Agricultural Buffer
 - Project Approval

Questions