

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY**

DEPT: Planning and Community Development

BOARD AGENDA:6.1
AGENDA DATE: August 21, 2018

SUBJECT:

Public Hearing to Consider the Planning Commission's Recommendation for Approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, Located on Faith Home Road, on the Northeast Corner of Faith Home and Jessup Roads, West of Highway 99, in the Community of Keyes, and Adoption of a Mitigated Negative Declaration

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0424

On motion of Supervisor Chiesa , Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: INTRODUCED, WAIVED THE READING, AND ADOPTED ORDINANCE C.S. 1217



ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. ORD-56-C-7

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA:6.1
AGENDA DATE: August 21, 2018

CONSENT

CEO CONCURRENCE:

4/5 Vote Required: No

SUBJECT:

Public Hearing to Consider the Planning Commission's Recommendation for Approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, Located on Faith Home Road, on the Northeast Corner of Faith Home and Jessup Roads, West of Highway 99, in the Community of Keyes, and Adoption of a Mitigated Negative Declaration

STAFF RECOMMENDATION:

1. Conduct a public hearing to consider the Planning Commission's recommendation for approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the community of Keyes.
2. Adopt the Mitigated 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 Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis.
3. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
4. Find that:
 - (a) The project is consistent with the overall goals and policies of the County General Plan.
 - (b) The proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
 - (c) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.

- (d) That the proposed use is “low-people intensive” and not subject to the 300 foot agricultural buffer.
 - (e) The proposed map is consistent with applicable general and community plans as specified in Section 65451;
 - (f) The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
 - (g) The site is physically suitable for the type of development;
 - (h) The site is physically suitable for the proposed density of development;
 - (i) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - (j) The design of the subdivision or type of improvements are not likely to cause serious public health problems; and
 - (k) The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public.
5. Approve Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC subject to the attached Development Standards & Mitigation Measures.
6. Introduce, waive the reading, and adopt an ordinance for the approved Rezone Application No. PLN2018-0017, Linde Group, LLC.

DISCUSSION:

This is a request to rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant. A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The area proposed to be rezoned will be contained on the 5.2 acre parcel. The remainder parcel is not a part of the rezone request and will retain the existing expired P-D 123 zoning designation. Development of the remainder parcel will require future rezoning.

The site is located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. The subject parcel is zoned expired Planned Development (123), and is vacant. A portion of the site has

been utilized for row crop farming, but is not consistently used for farming purposes. However, the eastern portion of the site has been utilized for the storage of processed corn kernels following the fermentation process associated with the Aemetis Bio Fuel plant located on the adjoining parcel to the east.

Currently, carbon dioxide gas is generated during the ethanol fermentation process from the Aemetis Bio Fuel facility, located to the east of the project site, and is vented into the atmosphere after a regenerative Thermal Oxidizer is utilized to reduce Volatile Organic Chemicals (VOC) without recovery. The proposed project will serve the purpose of recovering the lost Carbon dioxide (CO₂) via a pipeline from the Aemetis Bio Fuel facility to the proposed project site. Once recovered, the CO₂ will be purified and then liquefied and stored into eight on-site storage tanks (138 feet long, 9 feet wide, and 12 feet tall), of which five are proposed to be constructed in 2019 and three are proposed to be constructed at a later date. The project will include compression equipment for the CO₂ gas, modular equipment for purification of the CO₂ gas, and ammonia compression equipment for the refrigeration system (5,000 pounds in the system) to condense the CO₂ into liquid form. Ammonia is utilized in a closed-loop system to liquefy and chill the CO₂. CO₂ and ammonia compressors will be stored in a 2,500 square foot storage building on-site, and will include engineering to provide noise attenuation.

The project also includes an 840 square foot control room building, 588 square foot storage building, 480 square foot electrical shelter, 308 square foot analyzer shelter, 588 square foot driver shelter which will house an employee waiting/breakroom and restrooms, truck scales, and employee and truck parking. Landscaping and fencing is proposed on the project site along Faith Home Road. The business is proposed to operate 24 hours a day, seven days a week; and to be shut down for two weeks per year for maintenance purposes. Twenty tanker trucks are anticipated to access the site per day utilizing an existing driveway on Faith Home Road. Product is also proposed to leave the facility via rail, with rail cars estimated to be filled once a week. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted. The plant will employ 20 full-time truck drivers and three full-time (working from 8 a.m. to 6 p.m., seven days a week) employees on a maximum shift for plant operation.

The plant will be remotely monitored from 6 p.m. to 8 a.m. daily. The site will be served by a private septic and leach-field system and will annex into the Keyes Community Services District (CSD) in order to obtain water. A new rail spur will also be constructed off of the Union Pacific Railroad on an adjacent parcel (APN: 045-026-038) to serve this project along with two rail loading/unloading stations and tanker truck parking. This adjacent parcel is not a part of the project as it is zoned Industrial which permits development of the rail spur, rail station, and truck parking by right. Access to the rail property from the project site will be provided through a lease agreement. However, a development standard has been applied to this project to clarify that the operator/property owner is responsible for maintaining all access to the railway and that such access is not the responsibility of the County.

The site is surrounded by industrial uses to the east; Highway 99 and the Community of Keyes to the north; and agricultural properties with scattered single-family dwellings and ranchettes to the west and south.

No issues have been identified as a part of this request. Standard development standards, along with mitigation measures discussed in the “Environmental Review” section of Attachment 1, have been added to the project.

The Planning Commission considered this item at a public hearing on July 19, 2018. No one spoke in opposition to the project. The applicant’s representative spoke in favor of the project and was available to answer any questions the Commissioner’s might have. During the hearing, the Commissioner’s inquired about whether or not the CO₂ purification and liquefaction process was combustible and whether ammonia will be transported via rail. The applicants clarified, that CO₂ is non-combustible; that the ammonia used in the process will be in sealed containers, will be used as a refrigerant only, and will not be transferred via rail; and that the entire process is enclosed within pipes and is subject to meeting the safety standards for both the Occupational Safety and Health Administration (OSHA) and the California Accidental Release Prevention Program (CalARP). The Commissioner’s also inquired about the 65-foot height of the proposed structure and whether there were structures of similar height in the area; whether the project met the agricultural buffer requirement; and how the traffic mitigation fee identified in the mitigation monitoring plan applied to the project will be used. The applicant’s representative clarified that the both the Aemetis plant and the A.L. Gilbert Company located east of the project site are developed with structures which exceed the proposed 65 foot tall equipment. Staff also clarified that the project meets the agricultural buffer for low people intensive uses, and that the traffic mitigation fee required in the mitigation monitoring plan will be utilized to pay for improvements to the Keyes Interchange. Commission Borges inquired about the property ownership of the project site, which had been incorrectly identified on the Planning Commission Staff Report. After identifying the property owner as A.L. Gilbert Company, Commissioner Borges stepped down due to a conflict of interest. The Planning Commission Staff Report attached to this report has been updated to clearly identify the property ownership (See Attachment 1 – *Planning Commission Staff Report, July 19, 2018*). On a 6-0 vote, the Planning Commission recommended the Board of Supervisors approve the request as proposed.

POLICY ISSUE:

In order to consider a rezone request, the Board of Supervisors must hold a public hearing. Additionally, in order to approve a rezone, it must be found to be consistent with the General Plan. In this case, the General Plan designation is Planned Development, which is consistent with the proposed Planned Development zoning designation.

FISCAL IMPACT:

Costs associated with processing the application, setting the public hearing, publishing of required notices, and conducting the hearing are covered by the application fee deposit plus revenue from additional invoicing at project end.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this action supports the Board of Supervisor's priority of *Developing a Healthy Economy and Delivering Efficient Public Services & Community Infrastructure* by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan.

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for reviewing all applications, preparing all reports, and attending meetings associated with the proposed Rezone application.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director
Telephone: (209) 525-6330

ATTACHMENT(S):

1. Planning Commission Staff Report, July 19, 2018
2. Planning Commission Minutes Excerpt, July 19, 2018
3. Draft Ordinance and Sectional District Map

STANISLAUS COUNTY PLANNING COMMISSION

July 19, 2018

STAFF REPORT

REZONE AND PARCEL MAP APPLICATION NO. PLN2018-0017
LINDE GROUP, LLC

REQUEST: TO REZONE 5.2 ACRES OF A 28.7 ACRE PARCEL CURRENTLY ZONED P-D (123), WHICH IS EXPIRED, TO A NEW P-D (PLANNED DEVELOPMENT) TO ALLOW THE DEVELOPMENT OF A LIQUID CARBON DIOXIDE (CO2) PURIFICATION AND LIQUEFACTION PLANT. A TENTATIVE PARCEL MAP IS INCLUDED WITH THIS PROJECT TO CREATE A 5.2 ACRE PARCEL, WHICH WILL CONTAIN THE PROPOSED PROJECT, AND A 23.5 ACRE REMAINDER.

APPLICATION INFORMATION

*Applicant/ Property owner:	The Linde Group, LLC, Audie Chong
* Property owner:	* A.L. Gilbert Company
Agent:	JB Anderson Land Use Planning, David Niskanen
Location:	Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes
Section, Township, Range:	30-4-10
Supervisory District:	Two (Supervisor Chiesa)
Assessor's Parcel:	045-026-040
Referrals:	See Exhibit H – Environmental Review Referrals
Area of Parcel(s):	28.7 acres (Proposed Parcel – 5.2 acres; Proposed Remainder – 23.5 acres)
Water Supply:	Keyes Community Services District
Sewage Disposal:	Private septic and leach-field system
General Plan Designation:	Planned Development
Community Plan Designation:	Industrial
Existing Zoning:	P-D (123) (Planned Development)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Vacant land used for row crop farming and the storage of processed corn kernel storage associated with the adjacent Aemetis Bio Fuel plant.
Surrounding Land Use:	The site is surrounded by industrial uses to the east; Highway 99 and the Community of Keyes to the north; and agricultural properties with scattered single-family dwellings and ranchettes to the west and south.

Please note: Staff Report amended post Planning Commission meeting to clarify property owner. Amended wording is in **bold, and deleted wording has a ~~line through it~~.*

RECOMMENDATION

Staff recommends the Planning Commission recommend that the Board of Supervisors 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 provide a recommendation of approval, Exhibit A provides an overview of all of the findings required for project approval.

PROJECT DESCRIPTION

This is a request to Rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant.

Currently, carbon dioxide gas is generated during the ethanol fermentation process from the Aemetis Bio Fuel facility, located to the east of the project site, and is vented into the atmosphere after a regenerative Thermal Oxidizer is utilized to reduce Volatile Organic Chemicals (VOC) without recovery. The proposed project will serve the purpose of recovering the lost Carbon dioxide (CO₂) via a pipeline from the Aemetis Bio Fuel facility to the proposed project site. Once recovered, the CO₂ will be purified and then liquefied and stored into eight on-site storage tanks (138 feet long, 9 feet wide, and 12 feet tall), of which five are proposed to be constructed in 2019 and three are proposed to be constructed at a later date. The project will include compression equipment for the CO₂ gas, modular equipment for purification of the CO₂ gas, and ammonia compression equipment for the refrigeration system (5,000 pounds in the system) to condense the CO₂ into liquid form. Ammonia is utilized in a closed-loop system to liquefy and chill the CO₂. CO₂ and ammonia compressors will be stored in a 2,500 square foot storage building on-site, and will include engineering to provide noise attenuation.

The project also includes an 840 square foot control room building, 588 square foot storage building, 480 square foot electrical shelter, 308 square foot analyzer shelter, 588 square foot driver shelter which will house an employee waiting/breakroom and restrooms, truck scales, and employee and truck parking. Landscaping and fencing is proposed on the project site along Faith Home Road. The business is proposed to operate 24 hours a day, seven days a week; and to be shut down for two weeks per year for maintenance purposes. Twenty tanker trucks are anticipated to access the site per day utilizing an existing driveway on Faith Home Road. Product is also proposed to leave the facility via rail, with rail cars estimated to be filled once a week. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted. The plant will employ 20 full-time truck drivers and three full-time (working from 8 a.m. to 6 p.m., seven days a week) employees on a maximum shift for plant operation.

The plant will be remotely monitored from 6 p.m. to 8 a.m. daily. The site will be served by a private septic and leach-field system and will annex into the Keyes Community Services District (CSD) in order to obtain water. A new rail spur will also be constructed off of the Union Pacific Railroad on an adjacent parcel (APN: 045-026-038) to serve this project along with two rail loading/unloading stations and tanker truck parking. This adjacent parcel is not a part of the project as it is zoned Industrial which permits development of the rail spur, rail station, and truck parking by right. Access to the rail property from the project site will be provided through a lease agreement. However, a development standard has been applied to this project to clarify that the operator/property owner is responsible for maintaining all access to the railway and that such access is not the responsibility of the County.

A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The area proposed to be rezoned will be contained on the 5.2 acre parcel. The remainder parcel is not a part of the rezone request and will retain the existing expired P-D (123) zoning designation. Development of the remainder parcel will require future rezoning.

The previous rezone (P-D 123) was approved in 1985 to allow for operation of various industrial businesses. The project had a 36 month development schedule, which was never met, and has expired. Exhibit D provides the Development Schedule for this project, which allows for construction of the use to begin by the fall of 2019.

SITE DESCRIPTION

The site is located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. The subject parcel is zoned expired Planned Development (123), and is vacant. A portion of the site has been utilized for row crop farming, but is not consistently used for farming purposes. However, the eastern portion of the site has been utilized for the storage of processed corn kernels following the fermentation process associated with the Aemetis Bio Fuel plant located on the adjoining parcel to the east.

The site is surrounded by industrial uses to the east; Highway 99 and the Community of Keyes to the north; and agricultural properties with scattered single-family dwellings and ranchettes to the west and south.

ISSUES

No issues have been identified as a part of this request. Standard development standards, along with mitigation measures discussed in the “Environmental Review” section of this report, have been added to the project.

GENERAL PLAN CONSISTENCY

Consistency with the goals, objectives, and policies of the various elements of the General Plan must be evaluated when processing all discretionary project requests. The site is currently designated “Planned Development” in the Stanislaus County General Plan. Goal Two and Three of the Land Use Element of the Stanislaus County General Plan aim to ensure compatibility between land uses; and, to promote diversification and growth of the local economy by accommodating the siting of industries with unique requirements, as described in the Land Use Designations section of the Land Use Element.

The Land Use Element describes the Planned Development designation as a designation intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property. The Board of Supervisors approved a general plan designation and zoning designation of Planned Development for the project site with the expired rezone in 1985, which required finding the project to be compatible with surrounding land uses.

This project is designated Industrial in the Keyes Community Plan, which is consistent with the proposed project. The Keyes Community Plan includes a Mitigation Monitoring Plan for development within the Keyes Community Plan area. Two of the Keyes Community Plan mitigation measures, regarding traffic impact fees and lighting, are incorporated into the Mitigation Monitoring and Reporting Program for the project, as it reduces potential aesthetic and transportation and traffic impacts from the project to less than significant.

To minimize conflicts between agriculture 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 A-2 (General Agriculture) zoning district.

Appendix A of these guidelines states that all low people intensive projects shall incorporate a minimum 150-foot wide buffer setback. 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. Walking and bike trails shall be allowed within buffers setback areas provided they are designed without rest areas.

The project proposes a maximum of 23 employees on-site, which is considered to be a “low people intensive use” and therefore subject to an agricultural buffer of 150 feet. The agricultural buffer requirement does not apply to the project’s northern and eastern boundaries as they do not abut agricultural properties. The agricultural buffer requirement does apply to the project site’s southern and western boundaries. The project meets the 150 foot agricultural buffer requirement on the southern and western property lines. The nearest agricultural property on the western property is located 200+ feet from the portion of the property which will be utilized by employees on a regular basis. In addition to the required 150 foot buffer distance, fencing and landscaping is also proposed to be installed along Faith Home Road. Based on the standard for low people intensive uses, the project meets the agricultural buffer requirement.

Based on the criteria described above, the project appears to be consistent with the General Plan, including the Keyes Community Plan.

ZONING & SUBDIVISION ORDINANCE CONSISTENCY

The proposed new Planned Development (P-D) will replace the development standards associated with the expired P-D (123) zoning designation, and will allow the 5.2 acre portion of the site to be developed with the proposed liquid carbon dioxide purification and liquefaction plant. This project will maintain zoning consistency by adhering to the uses and development standards incorporated into this project. The remainder parcel is not a part of the rezone request and will retain the existing expired P-D (123) zoning designation. Development of the remainder parcel will require future rezoning.

A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The area of the site being rezoned will be contained on the 5.2 acre parcel. P-D zoning districts have no minimum parcel size requirement and shall be consistent with an approved development plan indicating the specific future use of each parcel. Both the proposed parcel and remainder will have legal and physical access to the County-maintained road Faith Home Road. Although planned developments may design their own parking standards, the proposed project site meets the County’s Off-street Parking Standards (See Exhibit B – *Maps: Site Plan*).

Both the Planned Development Ordinance and the Subdivision Ordinance require connection to public water and sewer services when services are available within a half mile of the project site, or when a project is located within a city or special district’s service area or sphere of influence. Currently, the project site is located outside of the Keyes Community Services District (CSD) Service Area, but inside of their Sphere of Influence, and is close enough to a water line to hook up to public water. A will-serve letter for public water services has been provided for the project by the Keyes CSD. Annexation into the District will be required prior to hooking up to the service. The project is

not required to hook up to the Keyes CSD for public sewer, as the nearest sewer line is located more than a half of a mile away. Accordingly, the project will be served by a private septic and leach-field system for sanitary services. Development standards reflecting these requirements have been incorporated into the project.

Based on the discussion above, the proposed parcels and project appear to be physically suitable for development and consistent with the County's Zoning and Subdivision Ordinances.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit H - *Environmental Review Referrals*.) Two of the Keyes Community Plan mitigation measures, regarding traffic impact fees and lighting, are incorporated into the Mitigation Monitoring and Reporting Program for the project, as it reduces potential aesthetic and transportation and traffic impacts from the project to less than significant. A Mitigated Negative Declaration has been prepared for approval prior to action on the rezone and map itself as the project will not have a significant effect on the environment. (See Exhibit G - *Mitigated Negative Declaration*.) Development standards reflecting referral responses have been placed on the project. (See Exhibit C - *Development Standards & Mitigation Measures*.)

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 **\$2,337.75** 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.

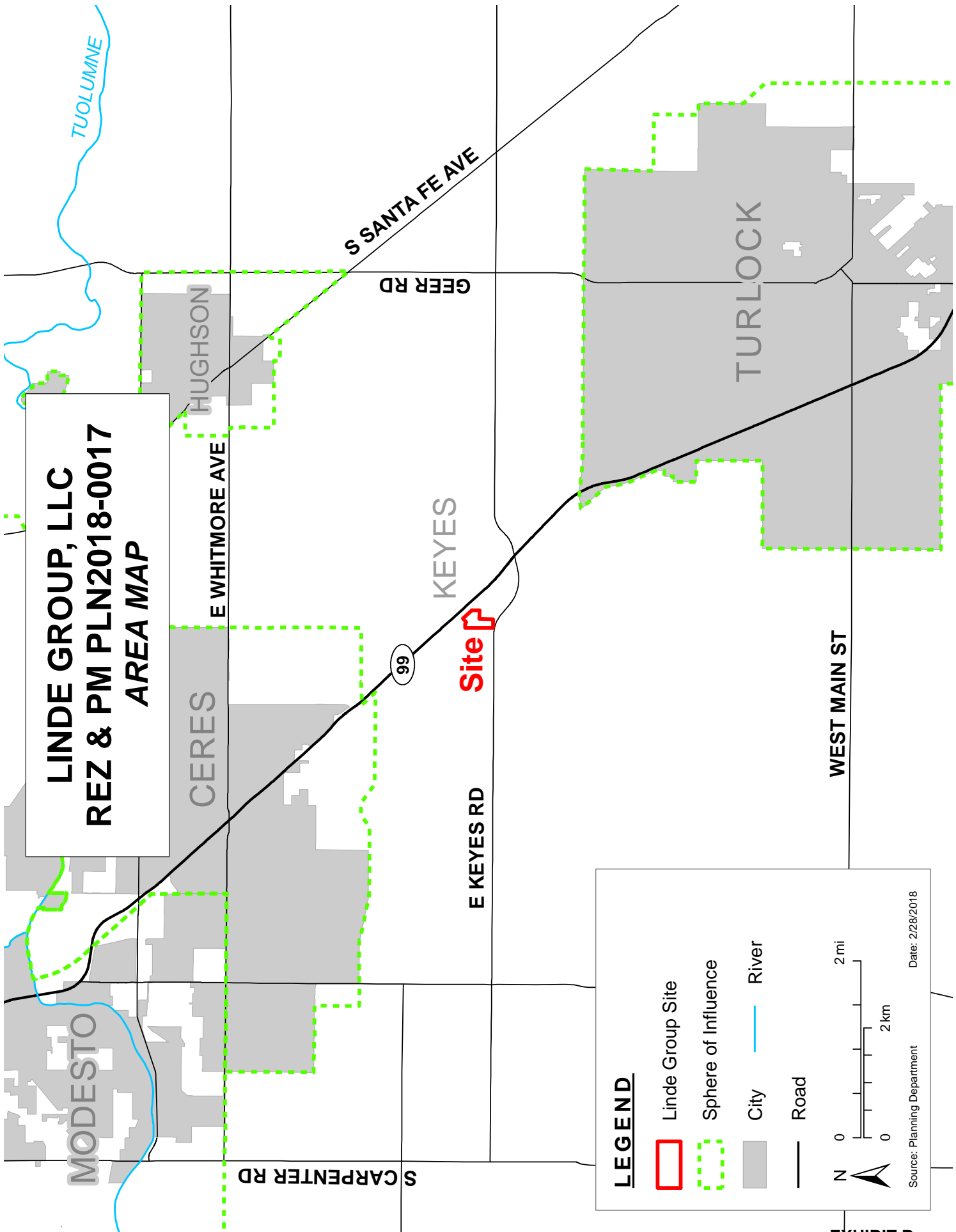
Contact Person: Kristin Doud, Senior Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Development Standards & Mitigation Measures
- Exhibit D - Development Schedule
- Exhibit E - Initial Study
- Exhibit F - Mitigation Monitoring Plan
- Exhibit G - Mitigated Negative Declaration
- Exhibit H - Environmental Review Referral

Exhibit A
Findings and Actions Required for Project Approval

1. Adopt the Mitigated 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 Mitigated 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 pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - (a) The project is consistent with the overall goals and policies of the County General Plan.
 - (b) The proposed Planned Development zoning is consistent with the Planned Development General Plan designation.
 - (c) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
 - (d) That the proposed use is "low-people intensive" and not subject to the 300 foot agricultural buffer.
 - (e) The proposed map is consistent with applicable general and community plans as specified in Section 65451;
 - (f) The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
 - (g) The site is physically suitable for the type of development;
 - (h) The site is physically suitable for the proposed density of development;
 - (i) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - (j) The design of the subdivision or type of improvements are not likely to cause serious public health problems;
 - (k) The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public;
4. Approve Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC subject to the attached Development Standards & Mitigation Measures.
5. Introduce, waive the reading, and adopt an ordinance for the approved Rezone Application No. PLN2018-0017, Linde Group, LLC.



**LINDE GROUP, LLC
REZ & PM PLN2018-0017
AREA MAP**

LEGEND

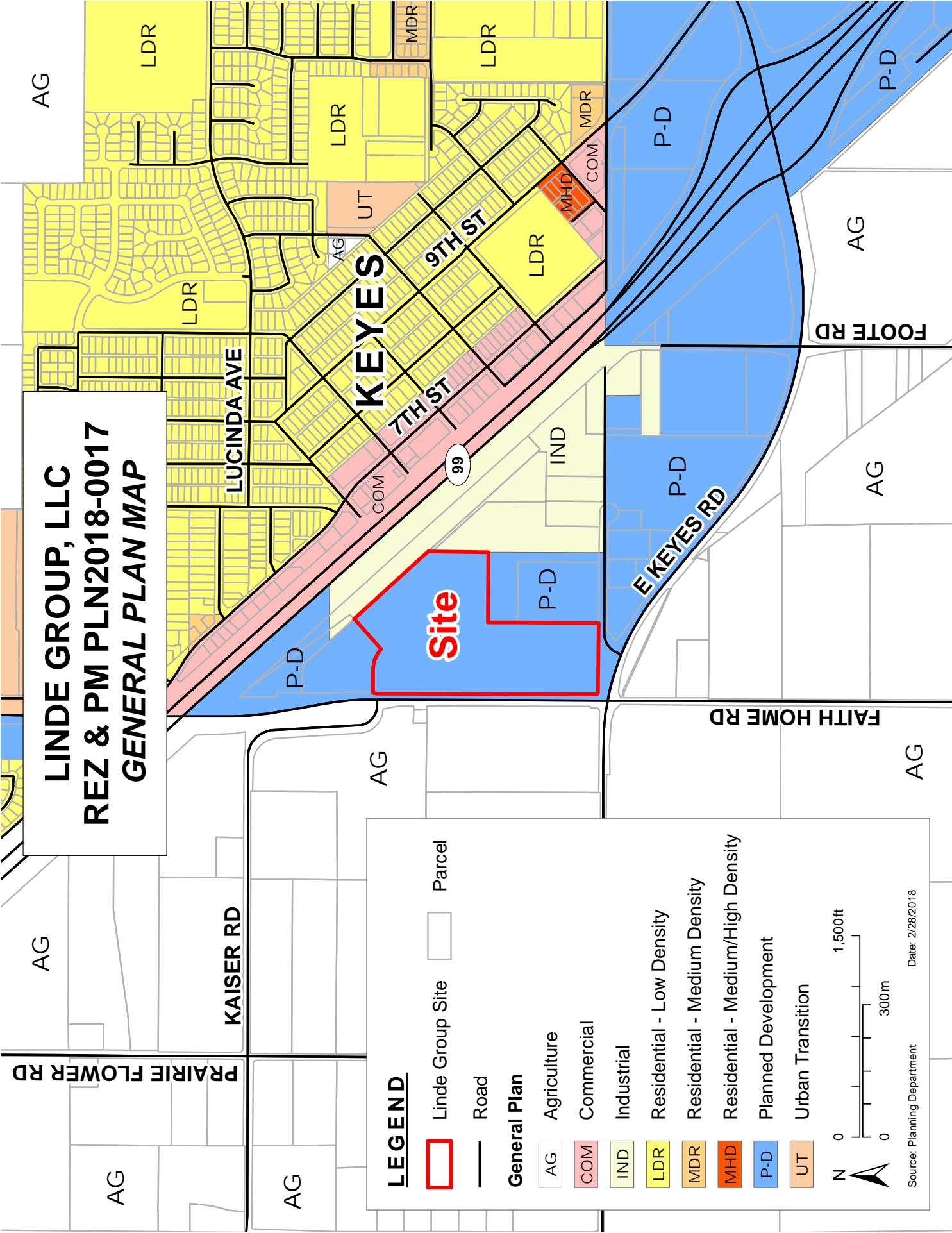
- Linde Group Site
- Sphere of Influence
- City
- River
- Road

Scale: 0 to 2 mi / 0 to 2 km

North Arrow

Source: Planning Department

Date: 2/28/2018



**LINDE GROUP, LLC
 REZ & PM PLN2018-0017
 GENERAL PLAN MAP**

LEGEND

- Linde Group Site
- Road
- Parcel

General Plan

- AG Agriculture
- COM Commercial
- IND Industrial
- LDR Residential - Low Density
- MDR Residential - Medium Density
- MHD Residential - Medium/High Density
- P-D Planned Development
- UT Urban Transition

N

Source: Planning Department Date: 2/28/2018

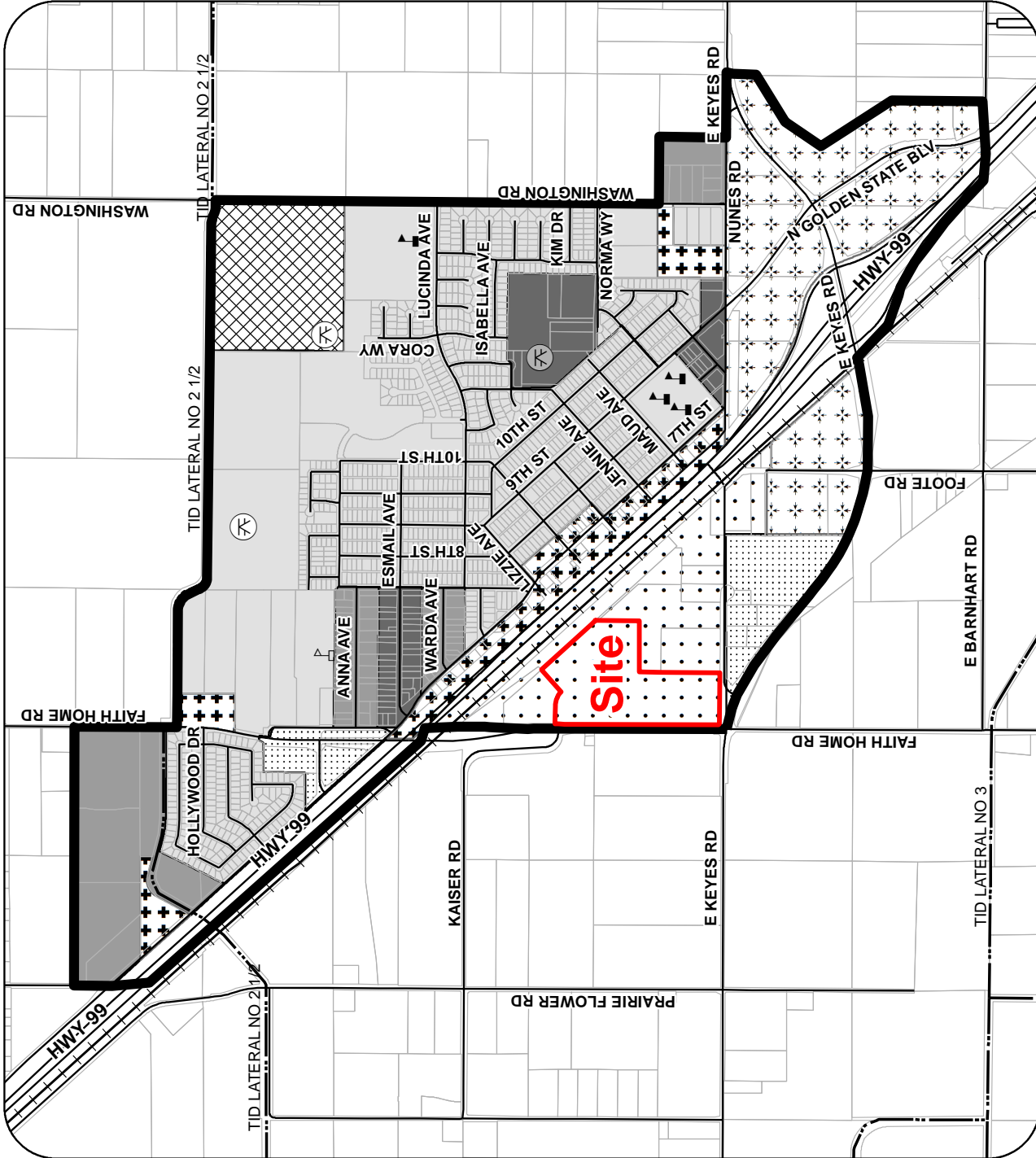
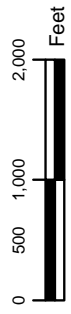
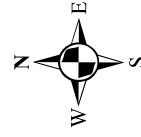
Keyes COMMUNITY PLAN

Land Use Designations:

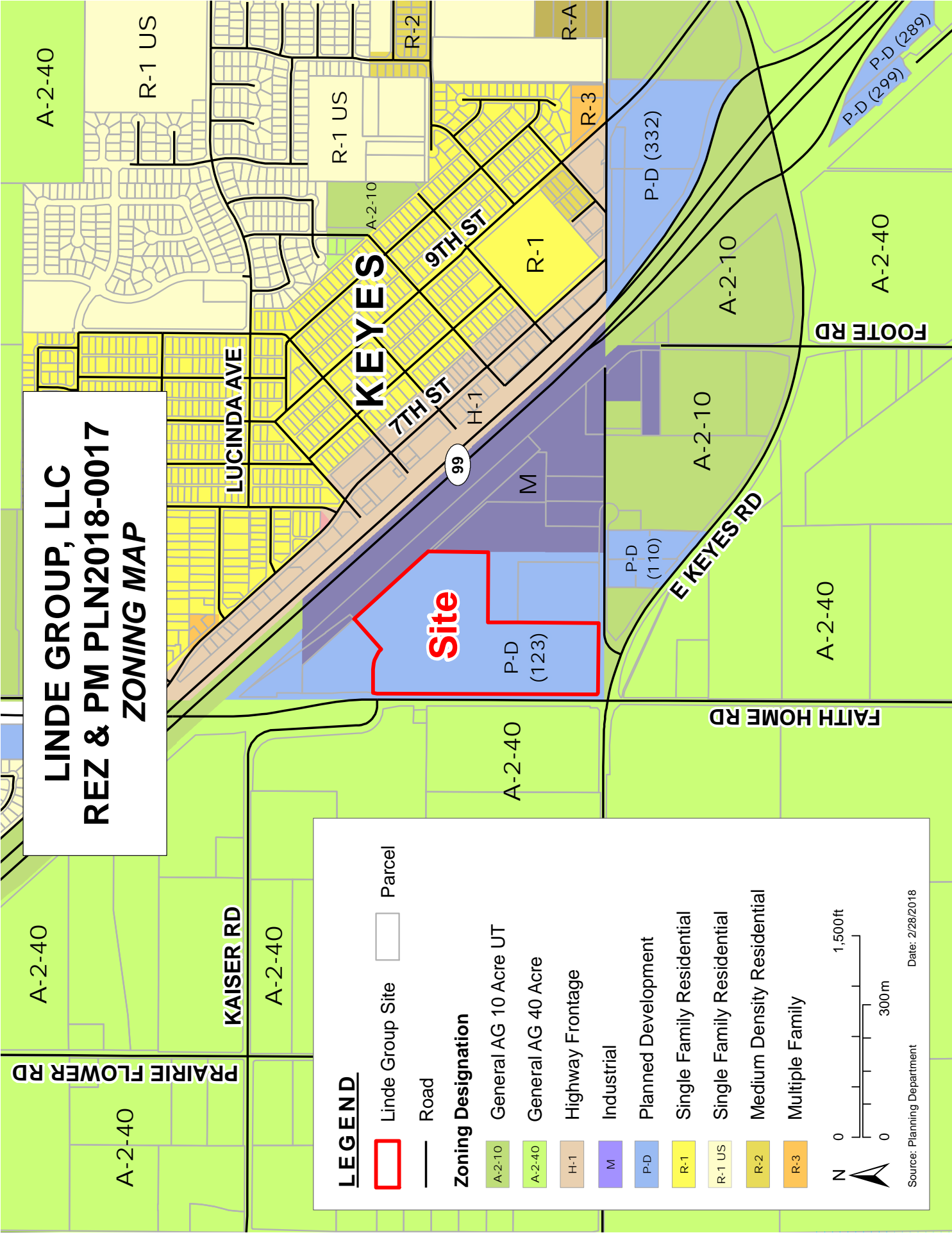
- Commercial
- Commercial - Highway
- Industrial
- Planned Industrial
- Residential - Low
- Residential - Medium
- Residential - Medium-High
- Urban Transition

Parks and Schools:

- Existing Park
- Proposed Park
- Existing School
- Proposed School



1 - 117



**LINDE GROUP, LLC
 REZ & PM PLN2018-0017
 ZONING MAP**

LEGEND

- Linde Group Site
- Road
- Parcel

Zoning Designation

- General AG 10 Acre UT
- General AG 40 Acre
- Highway Frontage
- Industrial
- Planned Development
- Single Family Residential
- Single Family Residential
- Medium Density Residential
- Multiple Family


Scale: 0 to 1,500ft / 0 to 300m

Source: Planning Department **Date:** 2/28/2018

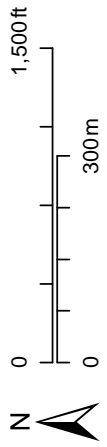
**LINDE GROUP, LLC
 REZ & PM PLN2018-0017
 2017 AERIAL AREA MAP**



LEGEND

 Linde Group Site

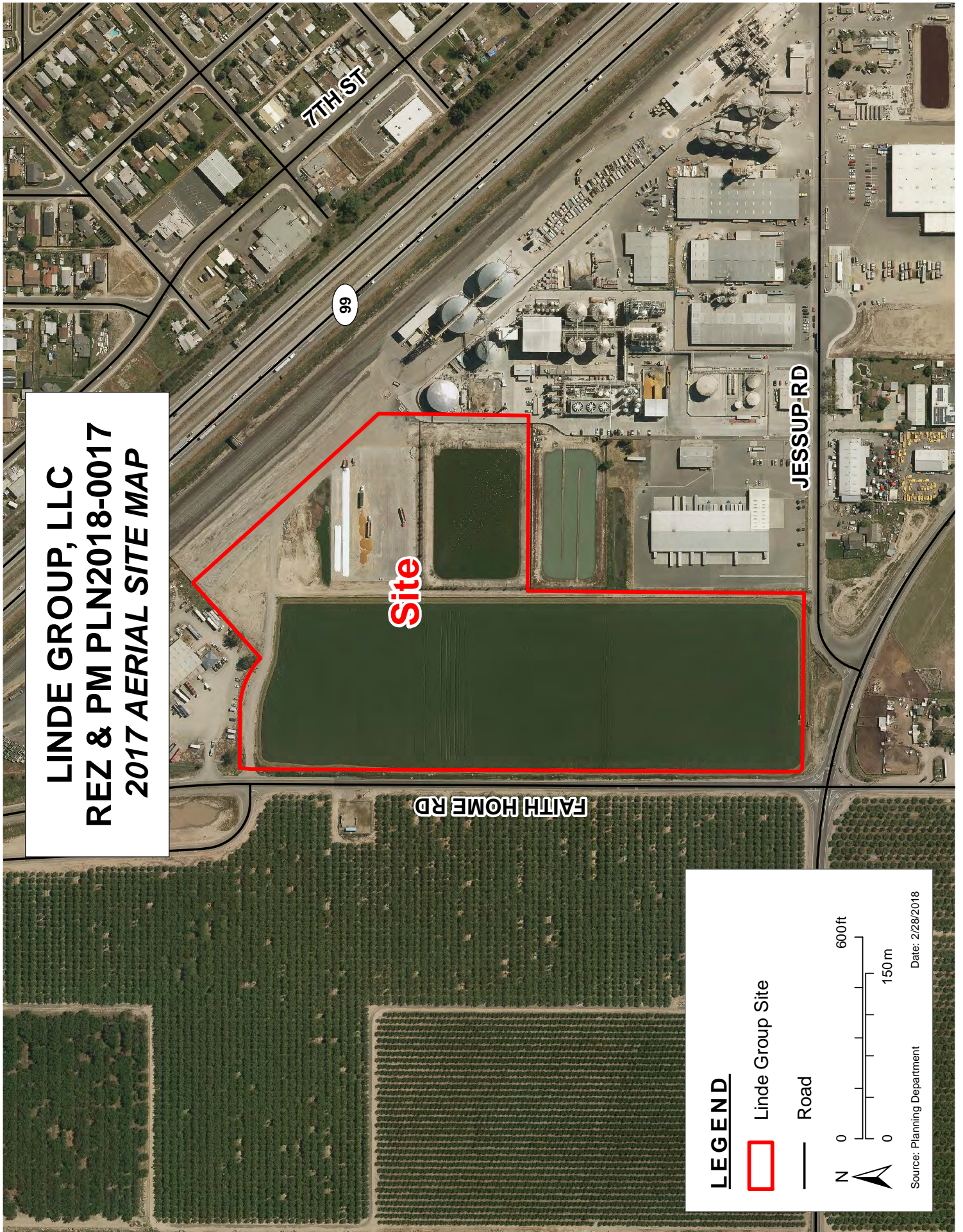
 Road




Source: Planning Department

Date: 2/28/2018

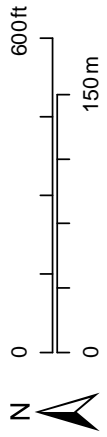
**LINDE GROUP, LLC
REZ & PM PLN2018-0017
2017 AERIAL SITE MAP**



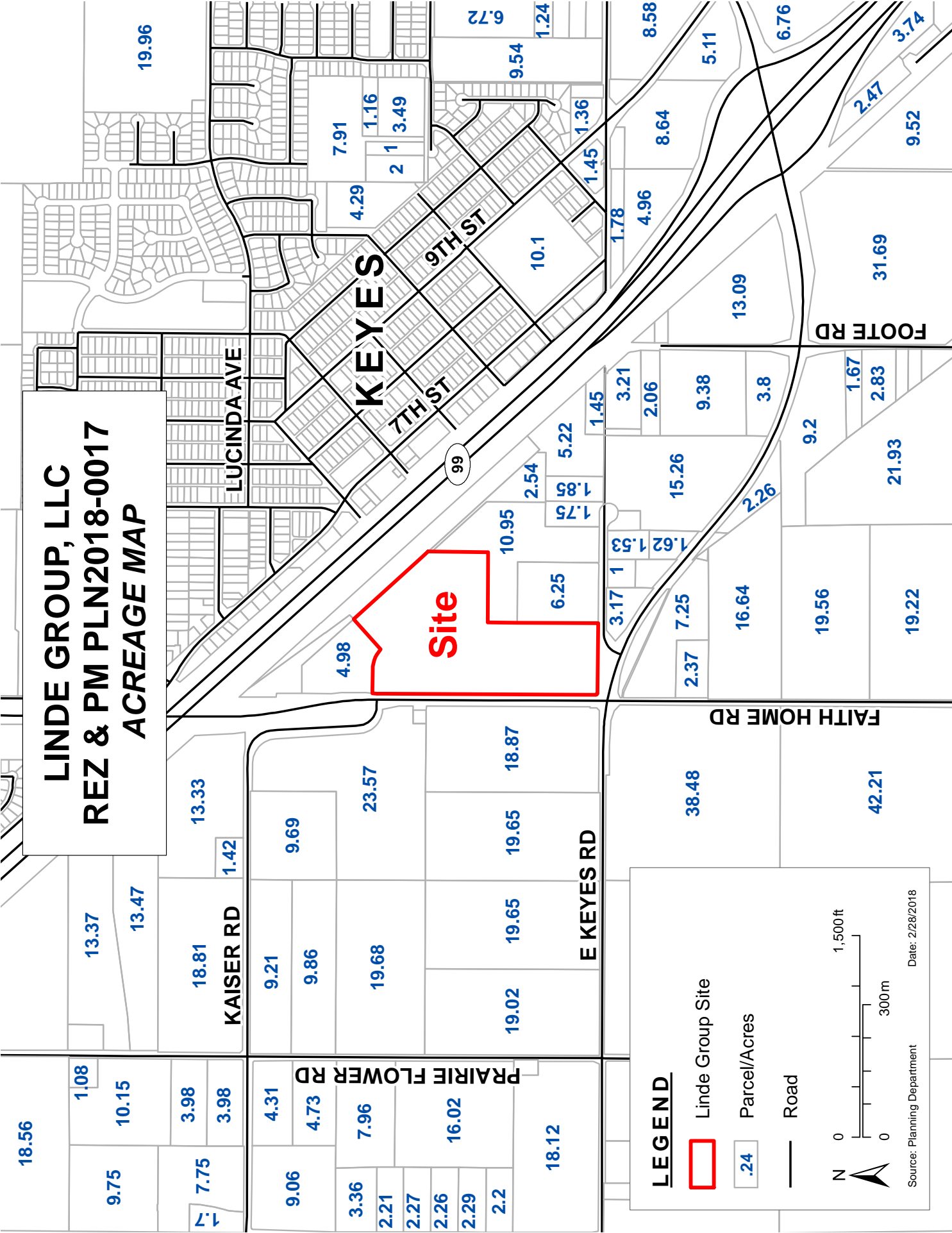
LEGEND

 Linde Group Site

 Road



Source: Planning Department Date: 2/28/2018



**LINDE GROUP, LLC
 REZ & PM PLN2018-0017
 ACREAGE MAP**

KEYES

Site

TENTATIVE PARCEL MAP

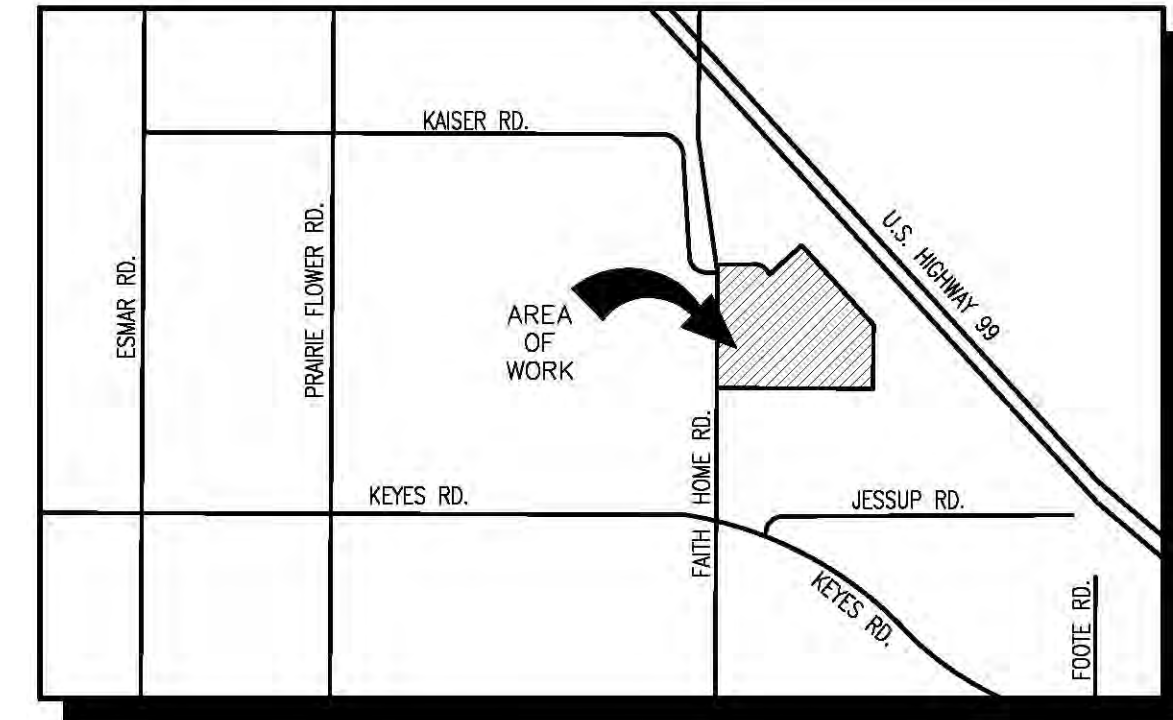
A PORTION OF THE SOUTHWEST 1/4 OF SECTION 30, T.4 S, R.10 E, M.D.M.

FEBRUARY 2018



PREPARED BY:
JUSTIN W. CAPP ENGINEERING, INC.
1003 12TH STREET
MODESTO, CA 95354

OWNER:
A.L. GILBERT COMPANY, A CALIFORNIA CORPORATION
P.O. BOX 459
KEYES, CA 95328



VICINITY MAP
N.T.S.

NOTES:

- 1.) WATER TABLE APPROXIMATELY 19 FEET DEEP.
- 2.) NO EXISTING WELLS ON PROPOSED PARCEL.
- 3.) NO EXISTING SEWER LINES OR SEPTIC SYSTEMS ON PROPOSED PARCEL.
- 4.) NO STRUCTURES TO BE REMOVED.

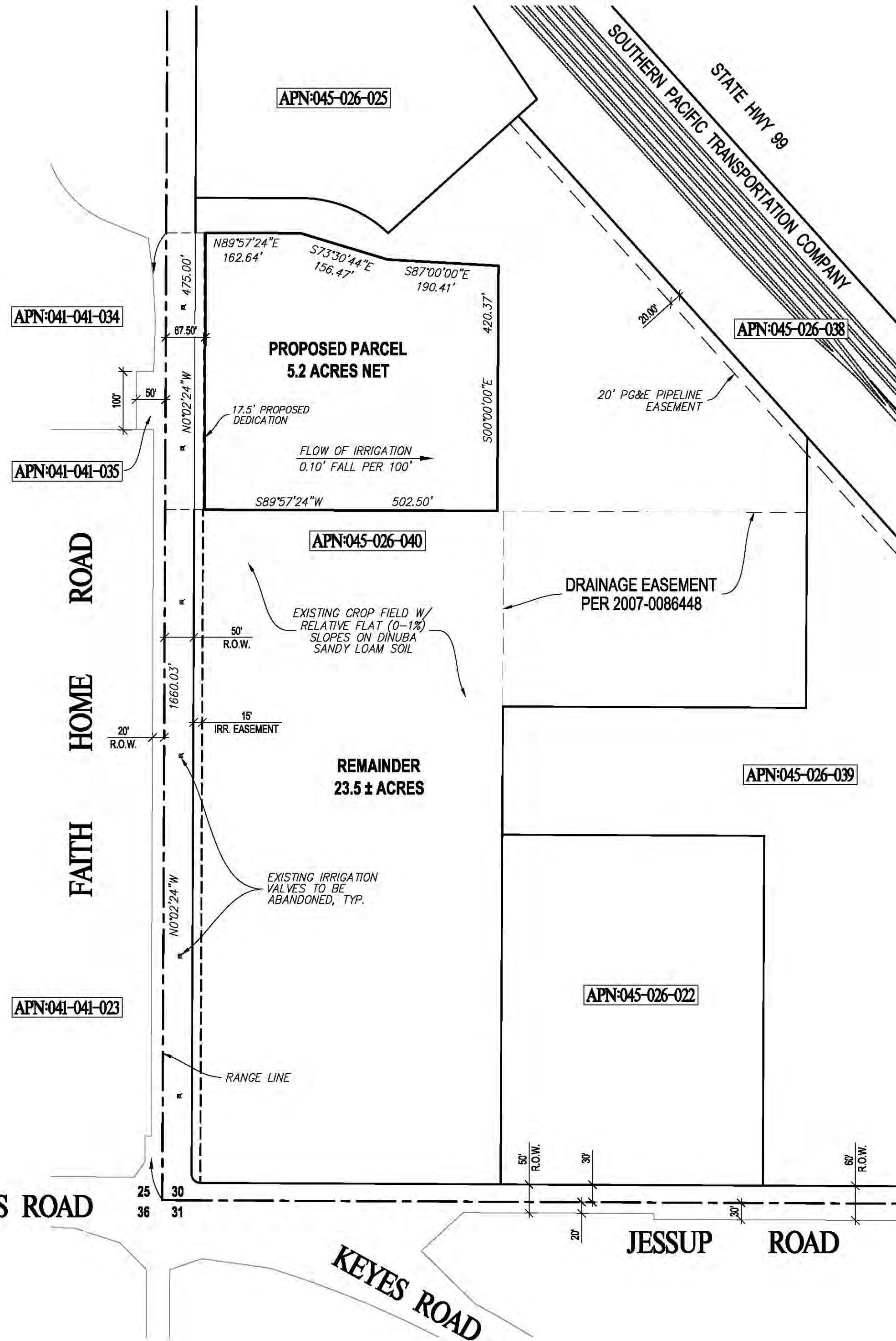
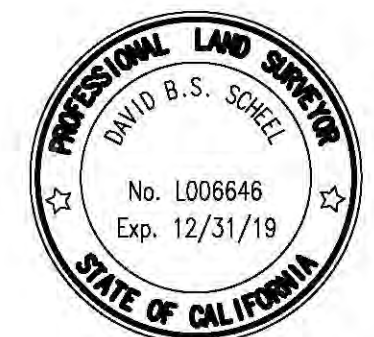


EXHIBIT B-7

SYMBOL LEGEND:
 - - - - - PROPERTY LINE
 —○—○— OVERHEAD UTILITY LINE
 ○—○— CHAIN LINK FENCE

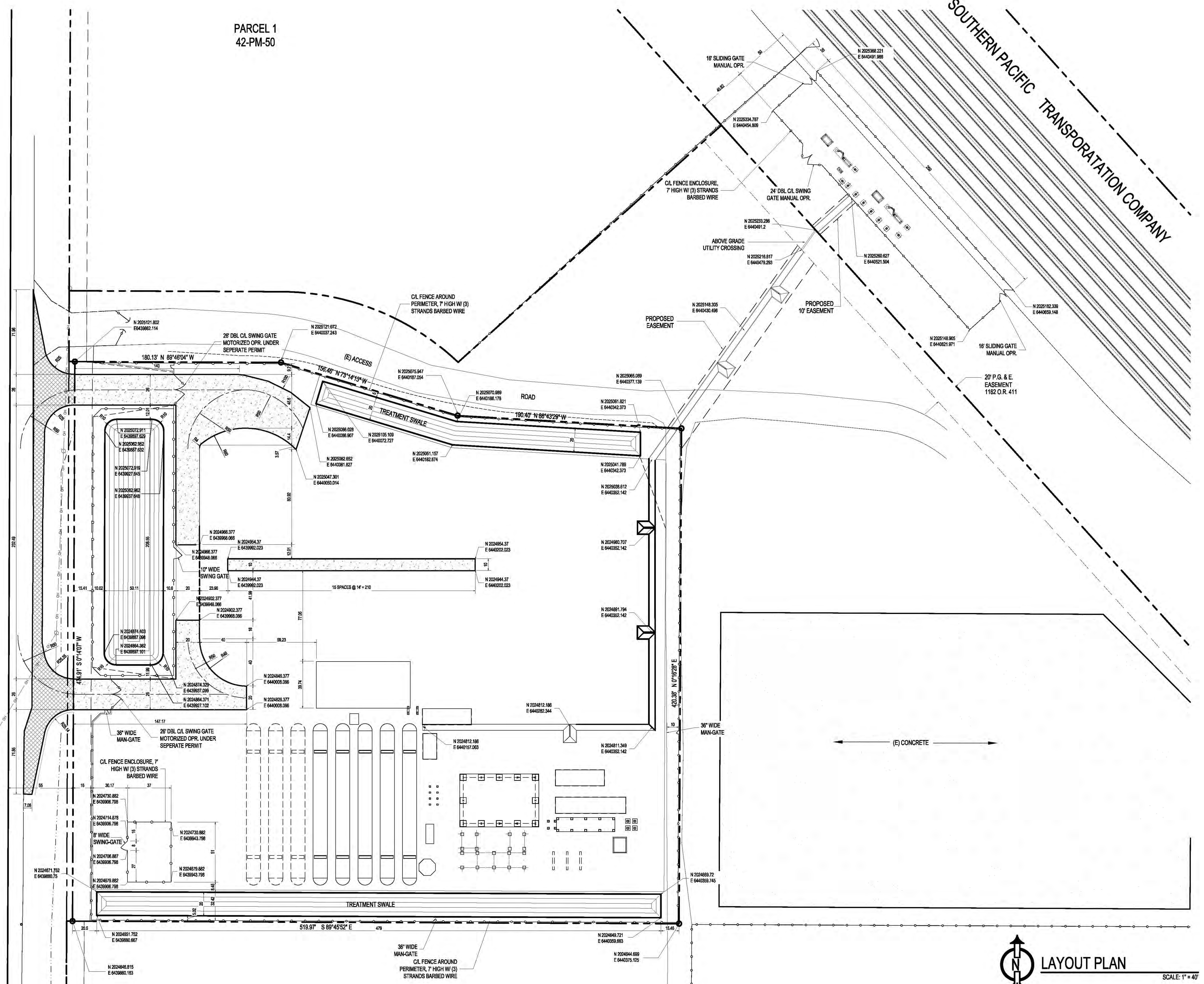
6440368.137

NOTE:
 EQUIPMENT LOCATIONS ARE TENTATIVE AND SUBJECT TO SLIGHT CHANGES.

PARCEL 1
 42-PM-50


SOUTHERN PACIFIC TRANSPORTATION COMPANY

FAITH HOME ROAD



JUSTIN W. CAPP, Inc.
 ENGINEERING + DESIGN
 JUSTIN W. CAPP
 CE #61393, SE #4813
 1405 8th STREET, MODESTO, CA
 PO BOX 861, 95353
 (209) 524-4774

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ENGINEER'S SEAL:

 1/11/18

1	3/2/18	IP	MJK	1	JD	3/6/18	REQUESTED REVISION
2	3/9/18	IP	MJK	1	JD	3/9/18	REQUESTED REVISION
3	3/14/18	IP	MJK	1	JD	3/14/18	REQUESTED REVISION
4	4/6/18	IP	MJK	1	JD	4/6/18	PLAN CHECK REV.

Issue	Date	Status	Originator	Division	Reviewed	Approved	Description

Linde LINDE AG
 ENGINEERING DIVISION
 01277 DRESDEN

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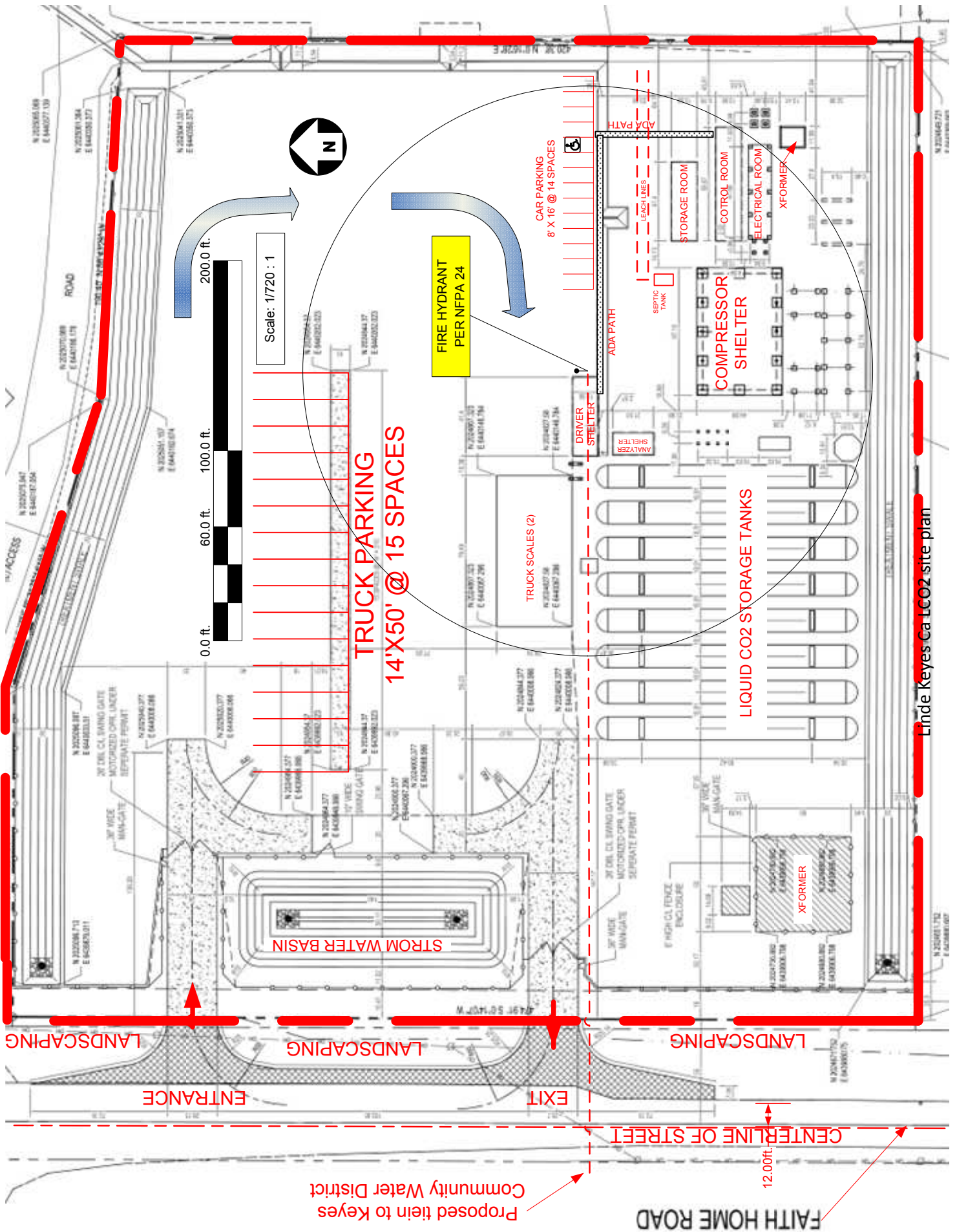
Linde Project No.: 3710A008 Linde Job Code.: KEYES CO2

Title: LAYOUT PLAN	Scale: 1" = 40'
Linde Drawing No. &CJ-00-C-ZR 1001.010 (EN)	File Name: &CJ-00-C-ZR 1001.010 (EN)
Sheet 1 of 1	Size D

LAYOUT PLAN
 SCALE: 1" = 40'

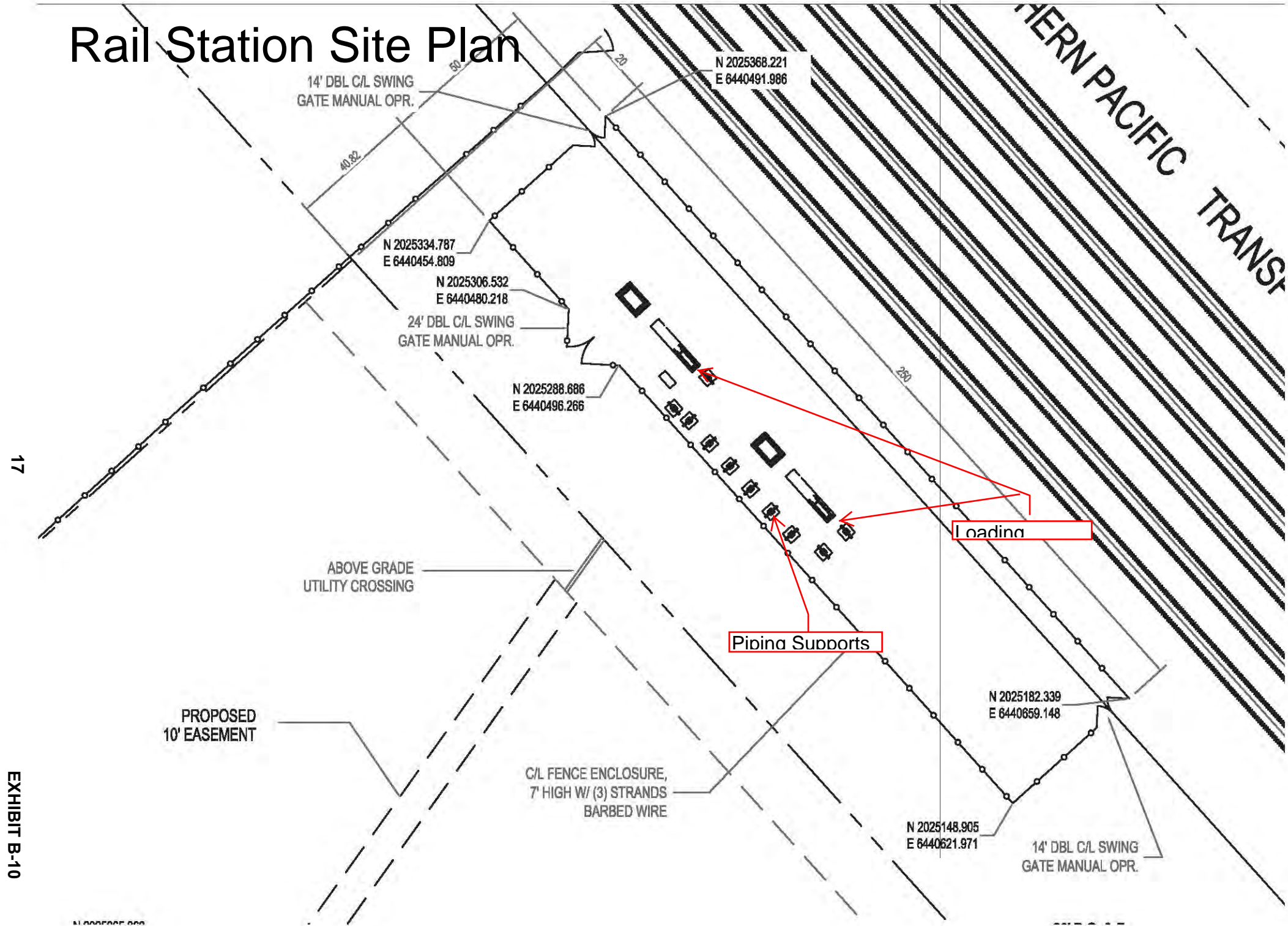
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EXHIBIT B-8



Linde Keyes Ca ICO2 site plan

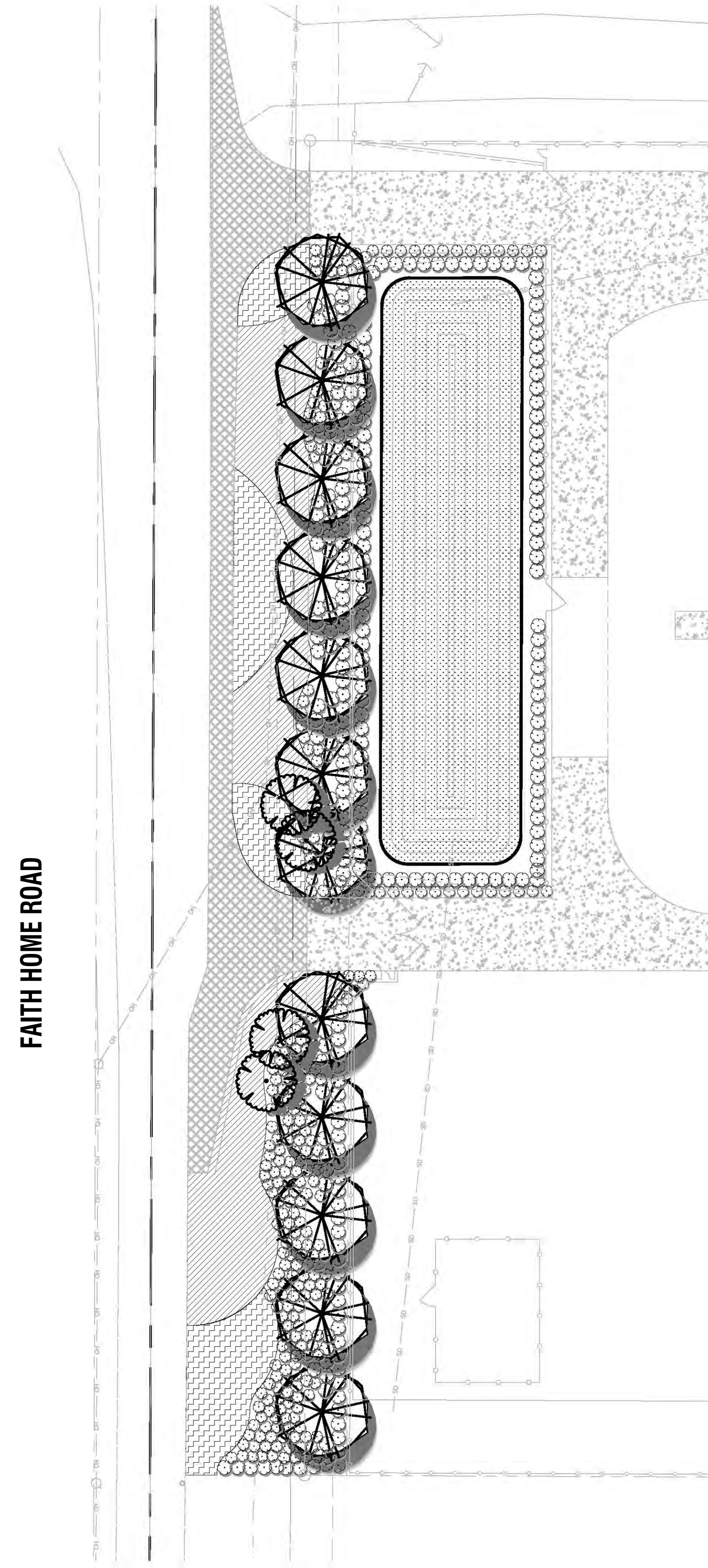
Rail Station Site Plan



17

EXHIBIT B-10

LINDE LC02 PLANT

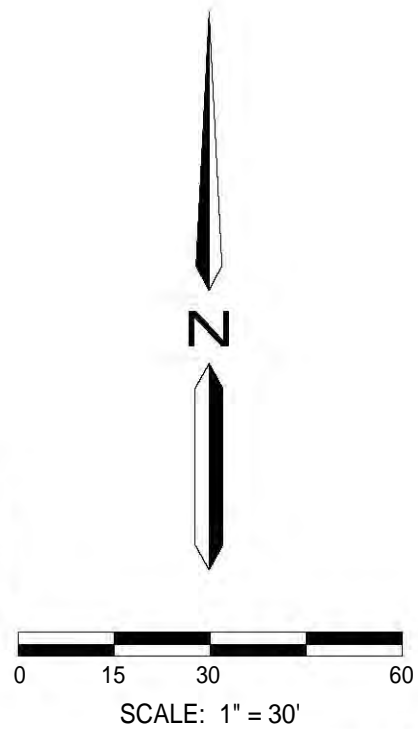
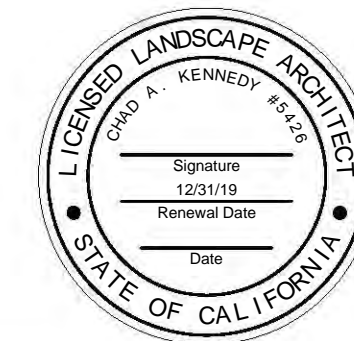


PLANT SPECIES LEGEND				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS/NOTES
35' DIA TREE OPTIONS				
	<i>Cercis canadensis</i>	Redbud	15 GAL	FRUITLESS VARIETY
	<i>Celtis occidentalis</i>	Common Hackberry	15 GAL	Single Leader
	<i>Fraxinus americana</i> 'Autumn Purple'	American Purple Ash	15 GAL	Single Leader
	<i>Platanus acerifolia</i> 'Bloodgood'	London Plane Tree	15 GAL	Single Leader
	<i>Quercus lobata</i>	Valley Oak	15 GAL	Single Leader
25' DIA TREE OPTIONS				
	<i>Prunus serrulata</i>	Flowering Cherry	15 GAL	Single or Multi Stem
	<i>Lagerstroemia indica</i>	Crape Myrtle	15 GAL	Single or Multi Stem
SHRUB OPTIONS				
	<i>Ceanothus griseus horizontalis</i>	Carmel Creeper	5 GAL	PURPLE FLOWERS
	<i>Cistus x purpureus</i>	Rock Rose	5 GAL	PINK FLOWERS
	<i>Dietes vegeta</i>	African Iris	5 GAL	WHITE FLOWERS
	<i>Olea europaea</i> 'Little Ollie'	Little Ollie Olive	5 GAL	DWARF VARIETY
	<i>Pennisetum alopecuroides</i> 'Little Bunny'	Fountain Grass	5 GAL	
	<i>Podocarpus macrophyllus</i> 'Maki'	Shrubby Yew	15 GAL	EVERGREEN DWARF VARIETY
	<i>Prunus caroliniana</i> 'Bright & Tight' Compacta	Compact Carolina Laurel Cherry Column	5 GAL	EVERGREEN
	<i>Salvia nemorosa</i> 'East Friesland'	East Friesland Meadow Sage	5 GAL	PURPLE FLOWERS
	<i>Tulbaghia violacea</i>	Society Garlic	1 GAL	
	<i>Ficus pumila</i>	Creeping Fig	1 GAL	Evergreen Vine
	<i>Hemerocallis</i> sp.	Day Lilly	1 GAL	Semi-Evergreen
	<i>Juniperus</i> sp.	Juniper	5 GAL	Evergreen
	<i>Muhlenbergia rigens</i>	Deer Grass	1 GAL	Bunch Grass
	<i>Pharmium tenax</i>	New Zealand Flax	5 GAL	Evergreen
	<i>Pittosporum tobira</i>	Mock Orange	5 GAL	Evergreen
	<i>Raphiolepis indica</i>	India Hawthorn	5 GAL	Evergreen / Pink Flowers
	<i>Rosa</i> sp.	Carpet Roses	5 GAL	Pink/White/Red Flowers
	GROUND COVER			
	<i>Myoporum parvifolium</i>	Myoporum	1 GAL	30" Spacing
	<i>Rosmarinus 'Prostratus'</i>	Trailing rosemary	1 GAL	36" Spacing
	Fescue Blend	No-Mow Grass Blend	Hydro	

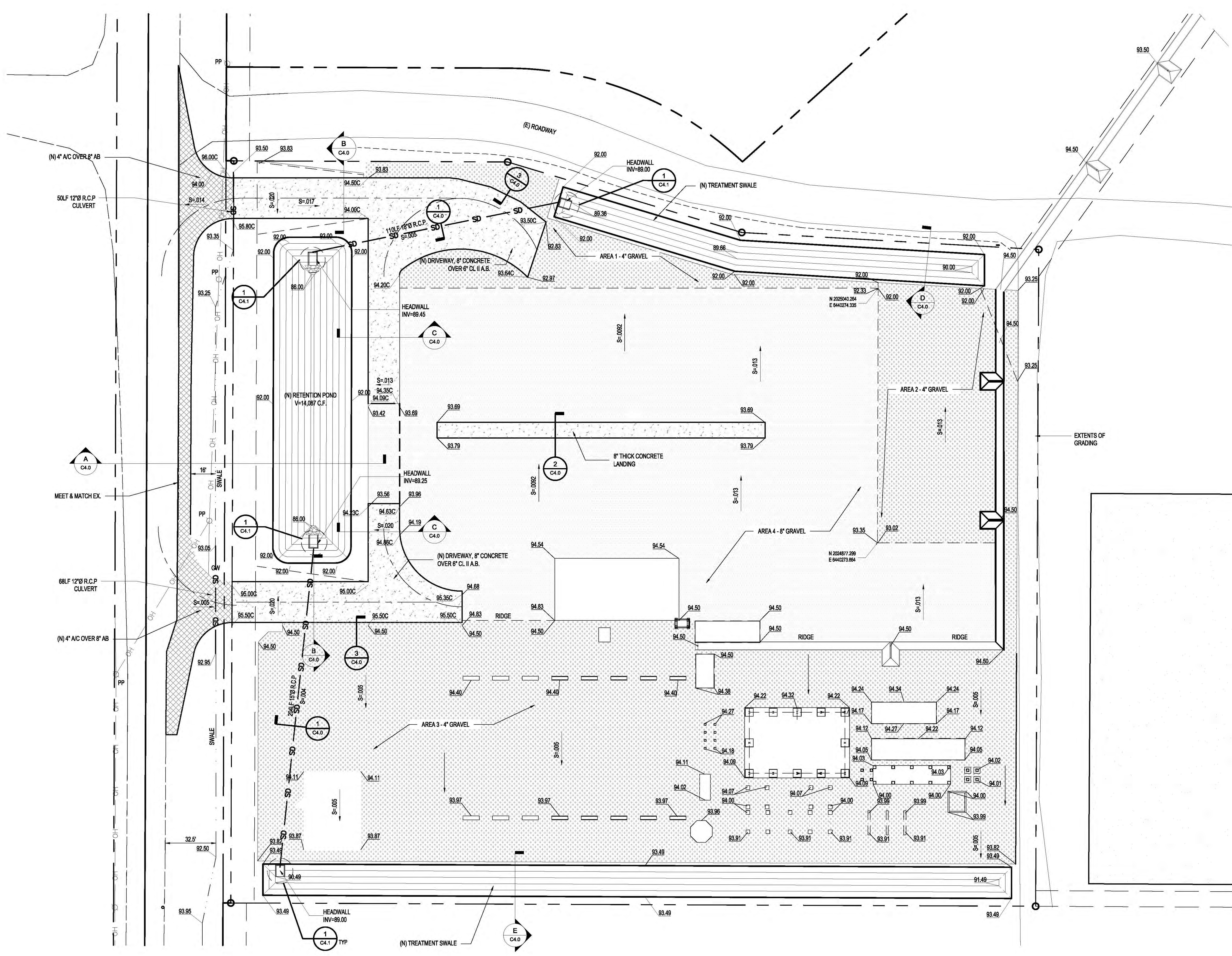
FAITH HOME ROAD

LANDSCAPE CONCEPT PLAN

04/24/2018



NOTE: THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY. THIS DOCUMENT IS MARKED PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION PURPOSES. ANY IMAGES SHOWN ARE TO CONVEY CONCEPT ONLY. CONSTRUCTION PLANS WILL VARY DEPENDING ON BUDGET, CLIENT DIRECTION, COMMUNITY INPUT AND FINAL MATERIALS SELECTION.



LEGEND:

- AREA 1, 2, AND 3 - 4" THICK CLASS GRAVEL COMPACTED TO AT LEAST 95% COMPACTION OVER SUBGRADE, COMPACT 12" OF THE SUBGRADE TO AT LEAST 95% RELATIVE COMPACTION AT OPTIMUM MOISTURE CONDITION IN 6" LAYERS
- AREA 4 - 8" THICK GRAVEL COMPACTED TO AT LEAST 95% COMPACTION OVER SUBGRADE, COMPACT 12" OF THE SUBGRADE TO AT LEAST 95% RELATIVE COMPACTION AT OPTIMUM MOISTURE CONDITION IN 6" LAYERS
- 4" THICK ASPHALTIC CONCRETE PAVING OVER 8" CLASS II AGGREGATE BASE COMPACTED TO AT LEAST 95% COMPACTION OVER SUBGRADE, COMPACT 12" OF THE SUBGRADE TO AT LEAST 95% RELATIVE COMPACTION AT OPTIMUM MOISTURE CONDITION IN 6" LAYERS
- 8" THICK REINFORCED CONCRETE OVER 6" CLASS II AGGREGATE BASE COMPACTED TO AT LEAST 95% COMPACTION OVER SUBGRADE, COMPACT 12" OF THE SUBGRADE TO AT LEAST 95% RELATIVE COMPACTION AT OPTIMUM MOISTURE CONDITION IN 6" LAYERS

NOTES:

1. ELEVATIONS SHOWN, U.N.O., ARE FINISHED SUBGRADE ELEVATIONS PRIOR TO PLACEMENT OF THE AGGREGATE BASE.
2. OVER EXCAVATE THE TOP 12" AND STOCKPILE MATERIAL FOR LATER USE AS FILL FOR CONSTRUCTION AREA 1 AND CONSTRUCTION AREA 2

General		Volume		
Revision number:	4	Base Surface	Ex. Surface	
Number of points:	869	Comparison Surface	Sub Surface	
Minimum X coordinate:	643884.86'	Cut Factor	1.000	
Minimum Y coordinate:	2024633.81'	Fill Factor	1.150	
Maximum X coordinate:	6440388.60'	Cut volume (adjusted)	2853.31 Cu. Yd.	
Maximum Y coordinate:	2025121.74'	Fill volume (adjusted)	2109.34 Cu. Yd.	
Minimum elevation:	-0.34'	Net volume (adjusted)	743.97 Cu. Yd. <Cut>	
Maximum elevation:	2.24'	Cut volume (unadjusted)	2853.31 Cu. Yd.	
Mean elevation:	-0.27'	Fill volume (unadjusted)	2109.34 Cu. Yd.	
		Net volume (unadjusted)	743.97 Cu. Yd. <Cut>	
TIN				
Number of triangles:	1628			
Maximum triangle area:	5240.09 Sq. Ft.			
Minimum triangle area:	0.00 Sq. Ft.			
Minimum triangle length:	0.00'			
Maximum triangle length:	153.23'			

JUSTIN W. CAPP, Inc.
ENGINEERING + DESIGN

JUSTIN W. CAPP
CE #61393, SE #4813
1405 8th STREET, MODESTO, CA
PO BOX 861, 95353
(209) 524-4774

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ENGINEER'S SEAL:

1/11/18

1	3/2/18	IP	MJK	1	JD	3/6/18	REQUESTED REVISION
2	3/9/18	IP	MJK	1	JD	3/9/18	REQUESTED REVISION
3	3/14/18	IP	MJK	1	JD	3/14/18	REQUESTED REVISION
4	4/6/18	IP	MJK	1	JD	4/6/18	PLAN CHECK REV.

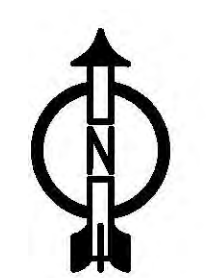
Issue	Date	Status	Originator	Division	Reviewed	Approved	Description

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ENGINEERING DIVISION
01277 DRESDEN

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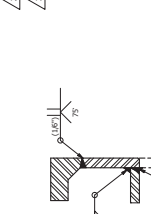
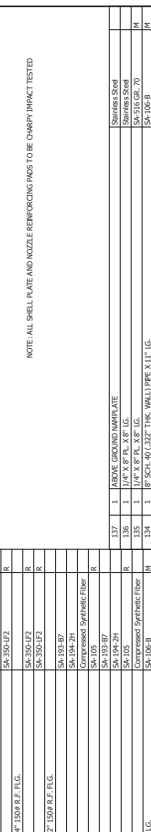
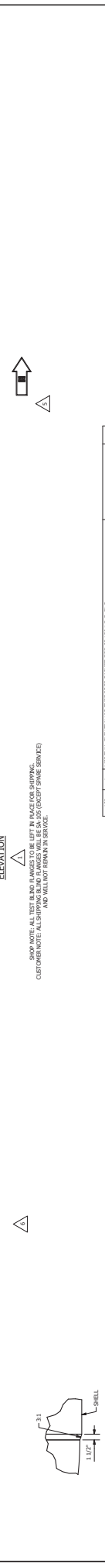
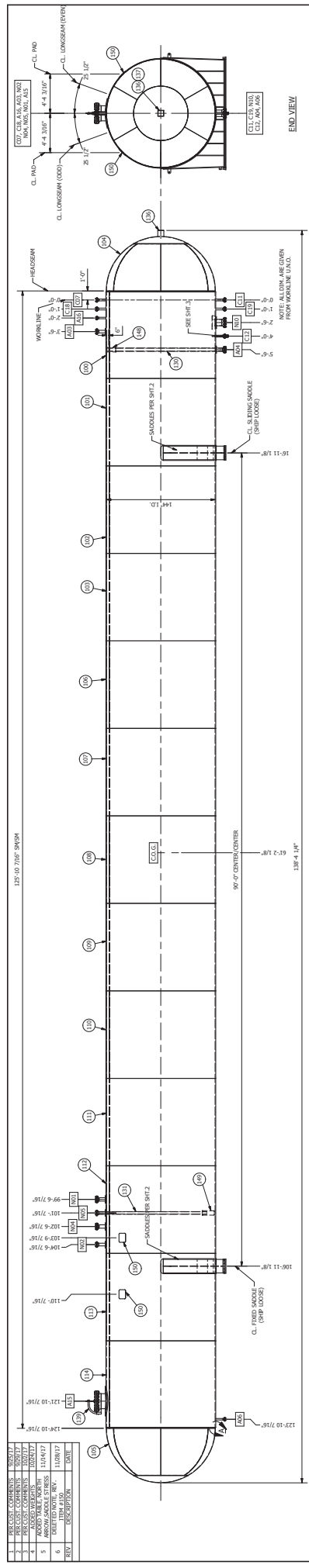
Linde Project No.: 3710A008 Linde Job Code.: KEYES CO2

Title: GRADING & DRAINAGE PLAN	Scale: 1" = 30'
Linde Drawing No. &CJ-00-C-ZE 1004.010 (EN)	File Name: &CJ-00-C-ZE 1004.010 (EN)
Sheet 1 of 1	Size D



GRADING & DRAINAGE PLAN

SCALE: 1" = 30'



NOTE: ALL SHELL PLATE AND NOZZLE REINFORCING PADS TO BE COMPACT TESTED

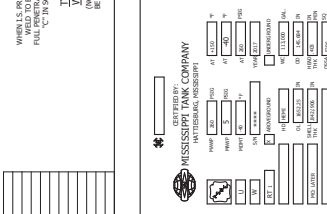
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106	1	1 1/2\"/>		

NOTE: ALL SHELL PLATE AND NOZZLE REINFORCING PADS TO BE COMPACT TESTED

ITEM	QTY	DESCRIPTION	MATERIAL	RES
106	1	1 1/2\"/>		

OPERATING WEIGHT=142,260 LBS.
TEST WEIGHT=117,792 LBS.

ITEM	QTY	DESCRIPTION	MATERIAL	RES
106	1	1 1/2\"/>		



WELD PROCEDURES

WELDING PROCEDURE	WELDING PROCESS	WELDING POSITION	WELDING METAL	WELDING METAL
1				

MISSISSIPPI TANK COMPANY
HATTIESBURG, MISSISSIPPI

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REFERENCE DRAWINGS

DATE: 10/11/17
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

ITEM	QTY	DESCRIPTION	MATERIAL	RES
106	1	1 1/2\"/>		

ITEM	QTY	DESCRIPTION	MATERIAL	RES
106	1	1 1/2\"/>		

GENERAL NOTES

- Verify all dimensions before fabrication.
- Verify all dimensions before fabrication.
- Verify all dimensions before fabrication.
- Verify all dimensions before fabrication.
- Verify all dimensions before fabrication.

Proposed CO₂ Plant

FAITH HOME ROAD,
Keyes, California



VICINITY MAP
N:15

JUSTIN W. CAPP, Inc.
ENGINEERING + DESIGN
JUSTIN W. CAPP
CE #61393, SE #4913
1405 9th Street, Suite 100
Keyes, CA 95320
(209) 524-4774



FOR REVIEW

Author	Checked	Reviewed	Approved	Date

Linde
LINDE AG
ENGINEERING DIVISION
01277 DRESDEN

Under Drawing No. **8&G C-ZD 1001.001** Sheet **20**
Title: **GENERAL NOTES**
Linda-Joh Deck: **KEYES CO2**
Date: **3/7/2008**
Project No: **3710A008**
Scale: **AS SHOWN**
Revision: **0**
Date: **03/07/08**

- APPROVAL TO SUBMIT DESCRIPTIONS**
1. THE CONTRACTOR SHALL SUBMIT ALL DRAWINGS TO THE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE ARCHITECT SHALL REVIEW THE DRAWINGS FOR CONFORMANCE WITH THE CITY OF KEYES ORDINANCES AND THE CALIFORNIA BUILDING CODE. THE ARCHITECT SHALL REVIEW THE DRAWINGS FOR CONFORMANCE WITH THE CITY OF KEYES ORDINANCES AND THE CALIFORNIA BUILDING CODE. THE ARCHITECT SHALL REVIEW THE DRAWINGS FOR CONFORMANCE WITH THE CITY OF KEYES ORDINANCES AND THE CALIFORNIA BUILDING CODE.
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- CONCRETE FINISH SPECIFICATIONS**
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- STORMWATER SPECIFICATIONS**
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- CLEARING & GRADING NOTES**
1. CLEARING & GRADING NOTES SHALL BE IN ACCORDANCE WITH THE CITY OF KEYES ORDINANCES AND THE CALIFORNIA BUILDING CODE. THE CONTRACTOR SHALL SUBMIT ALL DRAWINGS TO THE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE ARCHITECT SHALL REVIEW THE DRAWINGS FOR CONFORMANCE WITH THE CITY OF KEYES ORDINANCES AND THE CALIFORNIA BUILDING CODE.
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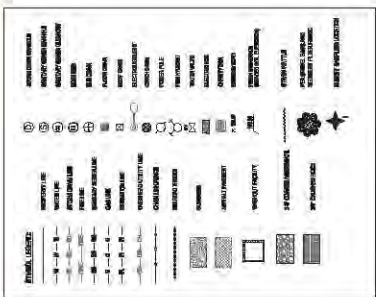
SHEET TITLE INDEX

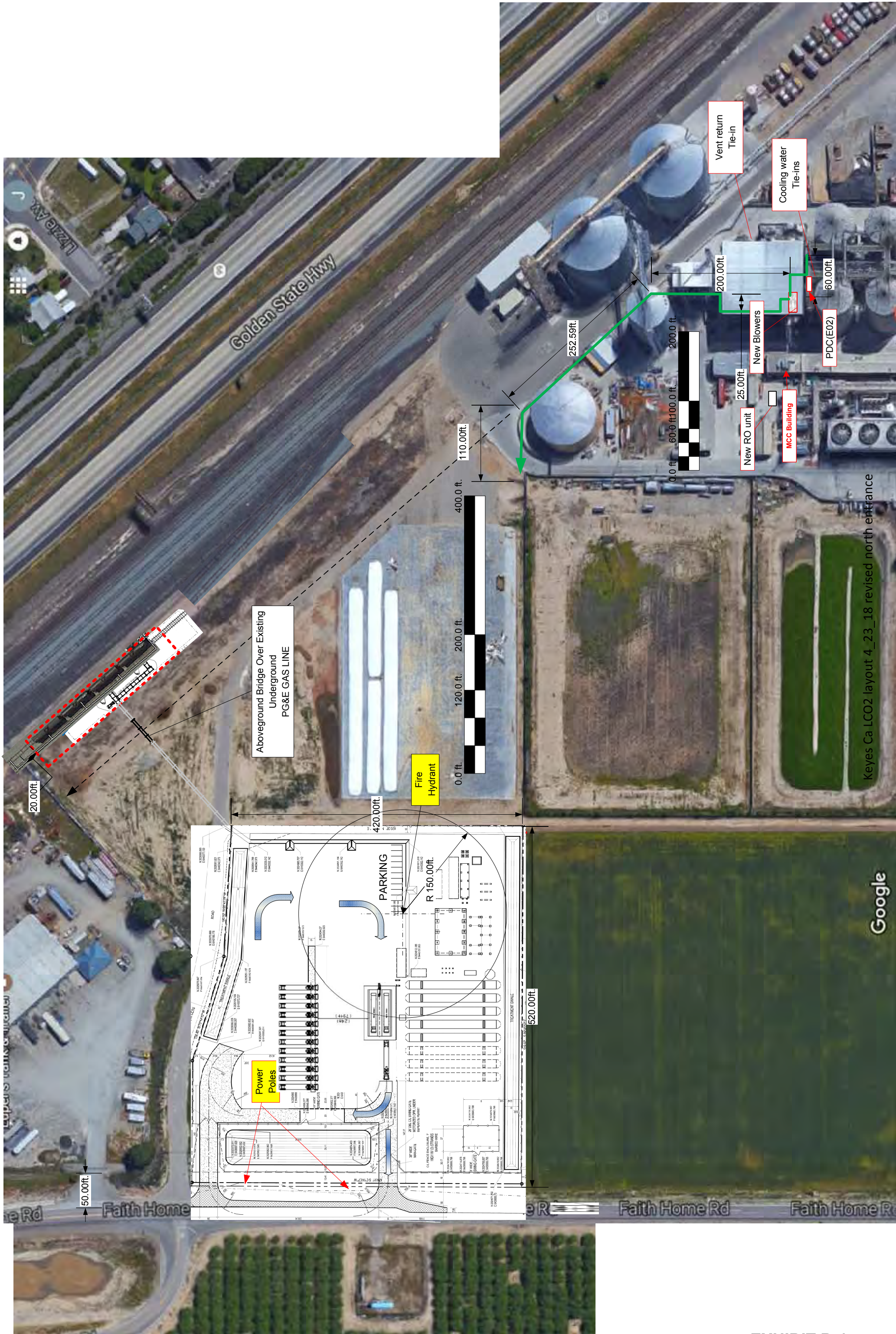
NO.	TITLE
01	GENERAL NOTES
02	CONCRETE FINISHES
03	STORMWATER
04	CLEARING & GRADING

ABBREVIATIONS:

SYMBOL	DESCRIPTION
1	1" = 1' SCALE
2	2" = 1' SCALE
3	3" = 1' SCALE
4	4" = 1' SCALE
5	5" = 1' SCALE
6	6" = 1' SCALE
7	7" = 1' SCALE
8	8" = 1' SCALE
9	9" = 1' SCALE
10	10" = 1' SCALE
11	11" = 1' SCALE
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61	61" = 1' SCALE
62	62" = 1' SCALE
63	63" = 1' SCALE
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94	94" = 1' SCALE
95	95" = 1' SCALE
96	96" = 1' SCALE
97	97" = 1' SCALE
98	98" = 1' SCALE
99	99" = 1' SCALE
100	100" = 1' SCALE

PRELIMINARY

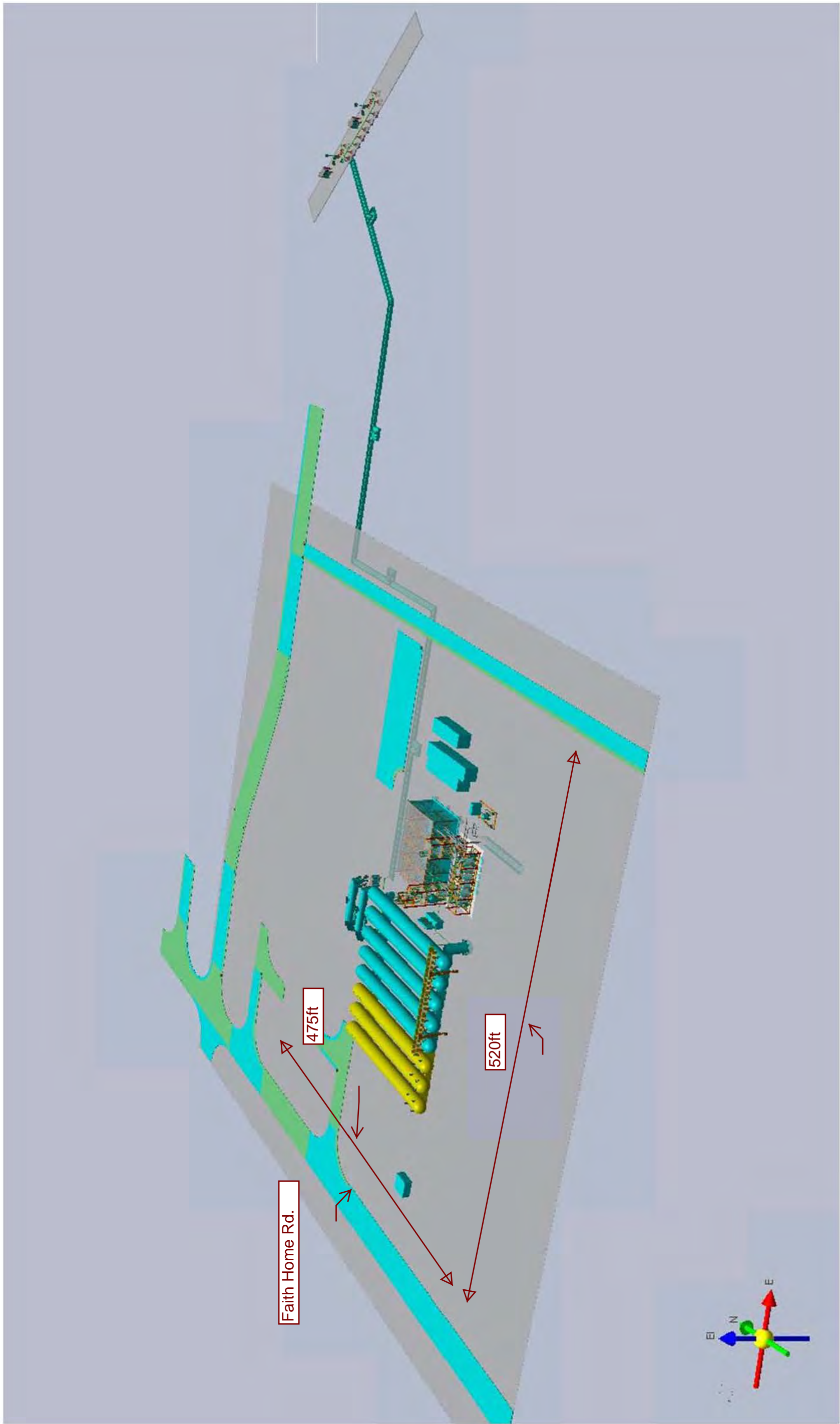




Keyes Ca LCO2 layout 4_23_18 revised north entrance

Google

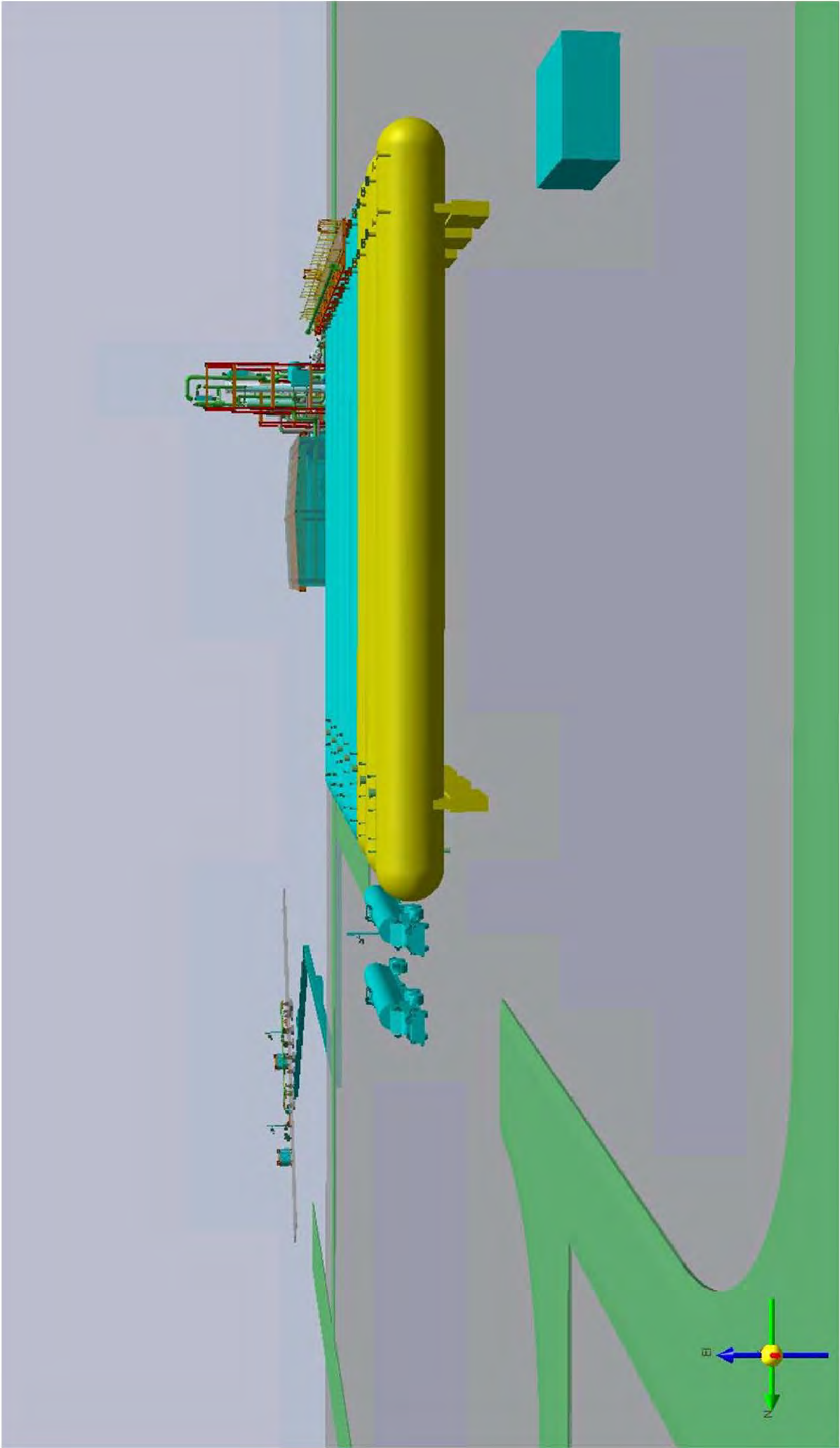
1. Overview, looking north west



2. Overview, looking south east



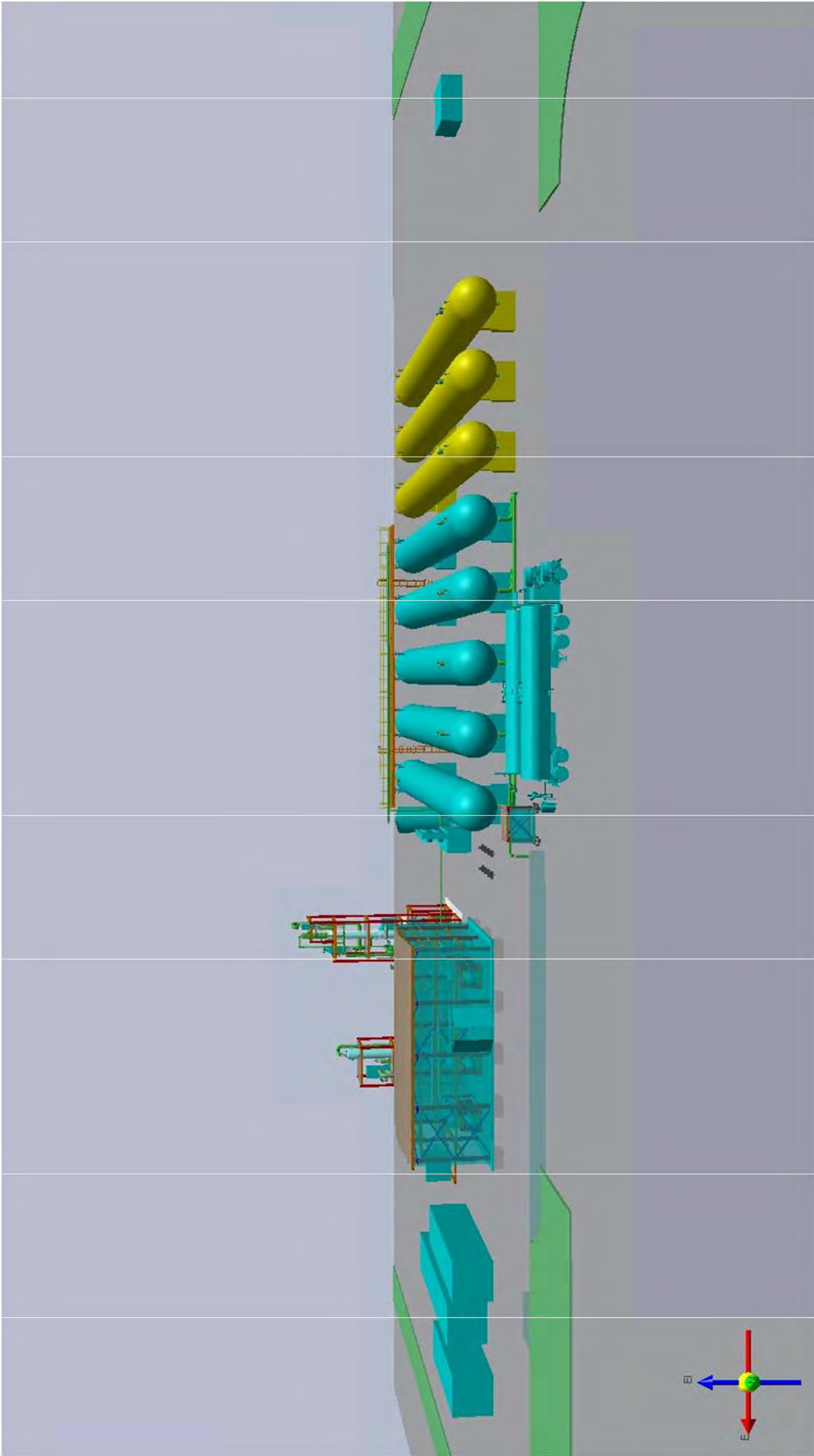
3. Looking east



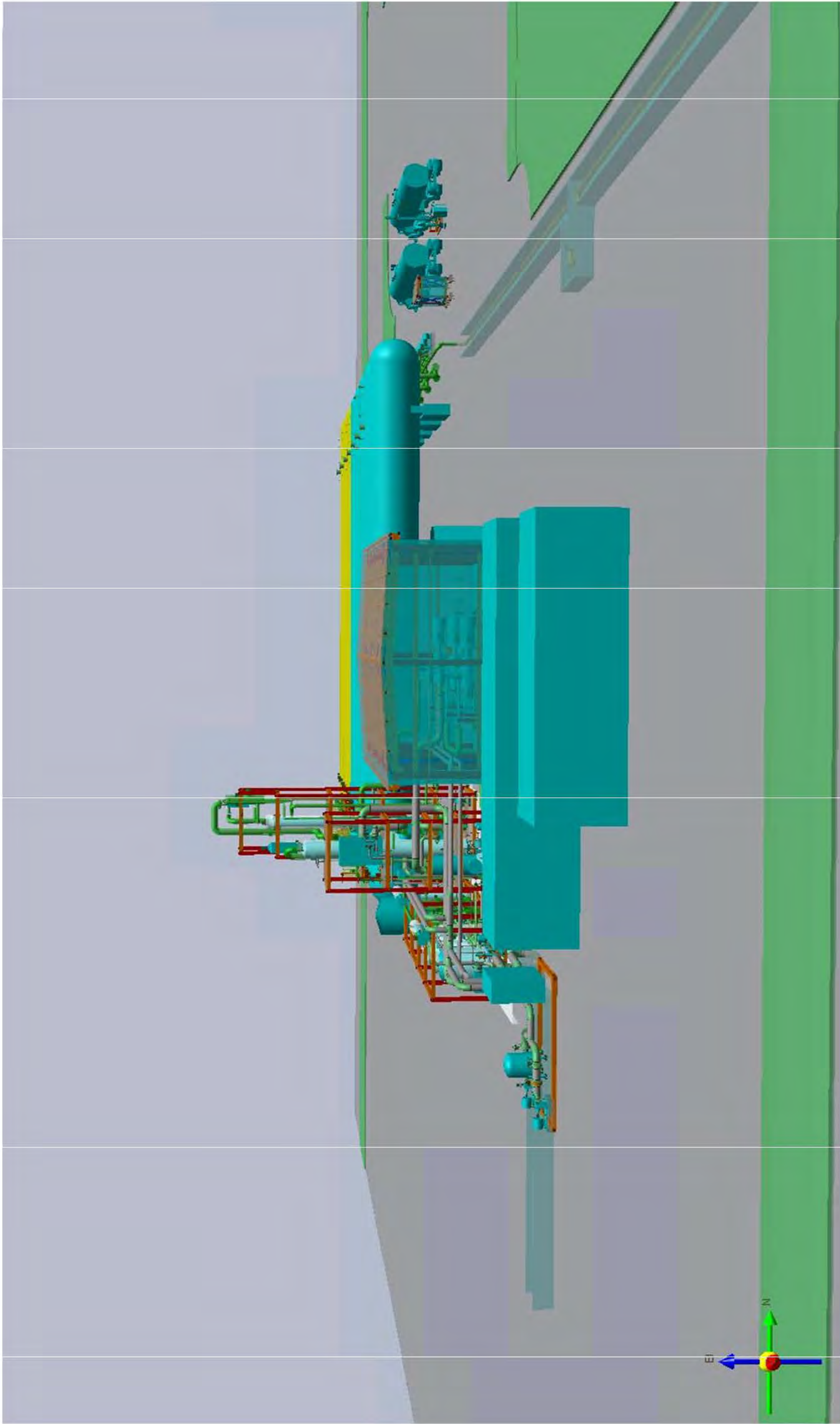
4. looking north



5. looking south



6. looking west



T. Lang/Linde Engineering/XEP/15.Sept



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)

DEVELOPMENT STANDARDS

REZONE AND PARCEL MAP APPLICATION NO. PLN2018-0017 LINDE GROUP, LLC

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, 2017), 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 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 **\$2,337.75**, 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. During the construction phases of the project, if any archeological or human remains, significant or potentially unique, are found, all construction activities shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist.

6. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the Planning Director or appointed designee(s) prior to installation.
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/Development Standards and Schedule; any adopted Mitigation Measures; 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. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
10. The recorded parcel map shall contain the following statement:

"All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with surrounding agricultural operations, such as noise, odors, flies, dust, or fumes. Stanislaus County has determined that such inconveniences shall not be considered to be a nuisance if agricultural operations are consistent with accepted customs and standards."
11. The operator/property owner is responsible for maintaining all access to the railway. Maintaining such access is not the responsibility of the county.
12. Off-Street Parking shall be provided on-site in accordance with Section 21.76 of the County Code.
13. Prior to issuance of a building permit, a final landscape plan for the landscaping along Faith Home Road shall be approved by the Director of Planning and Community Development or his/her designee. The landscaping shall be installed prior to final occupancy of any new structure and shall meet all requirements of State or Local Ordinance. Fences and landscaping adjacent to roadways shall be in compliance with the County's "Visibility and Obstructions at Public Intersections" Ordinance.

Department of Public Works

14. Prior to the recording of the final map, the new parcels shall be surveyed and fully monumented.
15. All Structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.

16. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying.
17. Prior to recording the parcel map or offered on the map or prior to the issuance of the first building or grading permit, whichever comes first, Faith Home Road shall be dedicated to Stanislaus County through an Irrevocable Offer of Dedication. This dedication will be for Parcel One only, not the Remainder Parcel at this time. Faith Home Road is classified as a 135' wide Principal Arterial. The required half width of a Principal Arterial is 67.5' on the parcel's side of the center line. The existing right-of-way is currently 50 feet. The Irrevocable Offer of Dedication shall be for 17.5 feet on the east side of the centerline of Faith Home Road along the parcel's frontage.
18. Prior to the abandonment of the access easement, the beneficiary of the access easement shall sign a statement stating that they are in agreement with the abandonment. The statement shall be submitted with the final map.
19. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted prior to the issuance of a building permit or grading permit. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - The plan shall contain enough information to verify that all run-off will be kept from going onto adjacent properties and Stanislaus County and/or State of California road rights-of-way.
 - The grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharger Identification Number and a copy of the Notice of Intent and the project's Stormwater Pollution Prevention Plan shall be provided prior to the approval of any grading, if applicable.
 - The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the grading plan.
 - The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
20. Faith Home Road is classified as a Principal Arterial roadway. Prior to the widening of Faith Home Road, the interim condition shall allow the south driveway to be right-out exit only and the north driveway shall be right-in only. This north driveway shall be located at the north edge of the parcel, to line up with Kaiser Road as much as possible. This driveway will become part of a shared access driveway for this parcel and the remainder parcel as either scenario happens:
 - Any portion of the remainder which will utilize the existing driveway that aligns with Kaiser Road develops into any use other than agriculture; or
 - Faith Home Road widens into more than the existing 2-lane roadway.
21. The south driveway, as shown on the rezone site plans, shall become an emergency access (EVA) driveway when Faith Home Road widens and functions as a Principal Arterial Roadway. At Public Works request, the owner shall make the appropriate arrangements with the proper fire authority to make this access into an EVA.

22. A secondary access shall be developed through the development of the remainder which shall take access from Jessup Road, a County-maintained roadway.
23. No parking, loading, or unloading of vehicles is permitted within the county road right-of-way.
24. Prior to the final of any building or grading permit, the applicant shall make road frontage improvements along the entire parcel length of Parcel One on Faith Home Road. These improvements shall include asphalt road widening, bringing the existing road up to 12 foot wide paved vehicle lane and a 4 foot wide paved asphalt shoulder east of the centerline of Faith Home Road. These improvements are not required, at this time, for the remainder parcel. Improvement plans will be submitted to Stanislaus County Public Works for approval prior to the issuance of a building or grading permit. The structural section, cross slopes, and all other roadway design standards shall meet Stanislaus County Public Works Standards and Specifications.
25. Prior to the issuance of any building or grading permit, an acceptable financial guarantee for all road improvements shall be provided to the Department of Public Works. This may be deferred if the work in the right-of-way is done prior to the issuance of any building or grading permit.
26. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined. The Engineer's Estimate must be stamped and signed by a Professional Engineer.
27. Prior to issuance of a building permit, the parcel map shall be recorded.

Department of Environmental Resources

28. On-site wastewater treatment system (OWTS) shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.
29. On-site wastewater disposal system (OWTS) shall be designed according to type and/or maximum occupancy of the proposed structure to estimated waste/sewage design flow rate and in accordance to number of plumbing fixture units proposed within the building. The dispersal field shall be designed and sized using field data collected from soil profile and percolation tests performed at the locations proposed for dispersal field and the 100% future reserved.
30. The OWTS designed system shall provide 100% of the original system for the "future expansion area".
31. The dispersal field shall not be paved over or covered by concrete or a material that is capable of reducing or prohibiting a possible evaporation of the sewer effluent.
32. The applicant should contact the Department of Environmental Resources (DER) regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify the Department of Environmental Resources relative to the following: (Calif. H&S, Division 20)

- Permits for the underground storage of hazardous substances at new or the modification of an existing tank facility.
- Requirements for registering as a handler of hazardous materials in the County.
- Submittal of hazardous materials Business information into the California Electronic Reporting System (CERS) by handlers of materials in excess of 55 gallons, 500 pounds of a hazardous material, or of 200 cubic feet of compressed gas.
- The handling of acutely hazardous materials may require the preparation of a Risk Management Prevention Program which must be implemented prior to operation of the facility. The list of acutely hazardous materials can be found in SARA, Title III, Section §302.
- Generators of hazardous waste must notify the Department relative to the: (1) quantities of waste generated; (2) plans for reducing wastes generated; and (3) proposed waste disposal practices. Generators of hazardous waste must also use the CERS data base to submit chemical and facility information to the DER.
- Permits for the treatment of hazardous waste on-site will be required from the hazardous materials division.
- Medical waste generators must complete and submit a questionnaire to the department for determination if they are regulated under the Medical Waste Management Act.

Building Permits Division

33. Building permits are required and the project must conform with the California Code of Regulations, Title 24.

Stanislaus County Local Area Formation Commission (LAFCO)

34. Prior to issuance of a building permit, the site shall connect and annex into the Keyes Community Services District for water services, LAFCO review and approval shall be required and annexation into the District's service area completed.

San Joaquin Valley Air Pollution Control District

35. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
36. The SJVAPCD shall be notified of any changes associated with the CO₂ liquefaction plant and any District permits applicable to said changes shall be obtained.

MITIGATION MEASURES

1. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low-intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.
2. Prior to issuance of a building permit, the applicant/property owner shall pay the Keyes Community Plan Mitigation Funding Program fees for Planned Industrial per the Keyes Community Plan, adopted on April 8, 2000. The fees were calculated in 2003 at \$465.20 per acre. The fees were adjusted for inflation using the Engineering News-record Index, the December 2017, fees are \$762.60 per acre for the proposed 5.2 acres.

*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**, and deleted wording will have a ~~line through it~~.*

DEVELOPMENT SCHEDULE

**REZONE NO. PNL2018-0016
LINDE GROUP, LLC**

Construction to begin Summer/Fall 2019.



CEQA INITIAL STUDY

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

- | | | |
|-----------|--|---|
| 1. | Project title: | Rezone and Parcel Map Application No. PLN2018-0017 – Linde Group, LLC |
| 2. | Lead agency name and address: | Stanislaus County
1010 10 th Street, Suite 3400
Modesto, CA 95354 |
| 3. | Contact person and phone number: | Kristin Doud, Senior Planner
(209) 525-6330 |
| 4. | Project location: | Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. (APN: 045-026-040). |
| 5. | Project sponsor’s name and address: | The Linde Group, LLC, Audie Chong, Principal Project Manager
200 Somerset Corporation Boulevard, Suite 7000
Bridgewater, NJ 08807 |
| 6. | General Plan designation: | P-D (Planned Development) |
| 7. | Community Plan designation: | Industrial |
| 8. | Zoning: | P-D (123) (Planned Development) |
| 9. | Description of project: | |

This is a request to Rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant. Currently, carbon dioxide gas is generated during the ethanol fermentation process from the Aemetis Bio Fuel facility, located to the east of the project site, and is vented into the atmosphere after a regenerative Thermal Oxidizer to reduce Volatile Organic Chemicals (VOC) without recovery. The proposed project will serve the purpose of recovering the lost Carbon dioxide (CO₂) via a pipeline from the Aemetis Bio Fuel facility to the proposed project site. Once recovered, the CO₂ will be purified and then liquefied and stored into eight proposed storage tanks, 138 feet long, 9 feet wide, and 12 feet tall. The project will include compression equipment for the CO₂ gas, modular equipment for purification of the CO₂ gas, and ammonia compression equipment for the refrigeration system (5,000 pounds in the system) to condense the CO₂ into liquid form. Ammonia is utilized in a closed-loop system to liquefy and chill the CO₂. CO₂ and ammonia compressors will be stored in a 2,500 square foot storage building on-site, and will include engineering to provide noise attenuation. The project also includes an 840 square foot control room, 588 square foot storage room, an 840 square foot control room, a waiting/break room, restroom, truck scales, employee parking, and a 480 square foot electrical room. The business is proposed to operate 24 hours a day, 7 days a week; and to be shutdown for two weeks per year for maintenance purposes. Tank-trailers are proposed to enter the site utilizing a driveway on Faith Home Road; 20 tank-trailers per day are anticipated. Rail cars are estimated to be filled once a week. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted. The plant will employ 20 full-time truck drivers and three full-time (working from 8 a.m. to 6 p.m.) employees on a maximum shift for plant operation.

The plant will be remotely monitored from 6 p.m. to 8 a.m. daily. The site will be served by a private anaerobic septic and leach-field system and will annex into the Keyes Community Services District (CSD) in order to obtain water. A new rail spur will also be constructed off of the Union Pacific Railroad on an adjacent parcel (APN: 045-026-038) to serve the project along with two rail loading/unloading stations and tank-trailer parking. However, this parcel is not a part of the project as it is zoned Industrial which permits this use by right. A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The project will be contained on the 5.2 acre parcel.

Grading and site preparation is proposed to take place in the spring of 2019. Construction is proposed to begin in summer or fall of 2019 and the plant is estimated to begin operation in the fall of 2019.

- 9. Surrounding land uses and setting:** The site is surrounded by industrial uses to the east; Highway 99 and the Community of Keyes to the north; and agricultural properties with scattered single-family dwellings and ranchettes to the west and south.

- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Environmental Resources
Department of Public Works
San Joaquin Valley Air Pollution Control District

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
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- 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.
Signature

May 21, 2018
Date



EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, than the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

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

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

ISSUES

I. AESTHETICS -- Would 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) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. The project site is bordered by Faith Home Road, near the south side of Highway 99. The site is surrounded by industrial uses to the east; Highway 99 and the Community of Keyes to the north; and agricultural properties with scattered single-family dwellings and ranchettes to the west and south. The project site is within the Keyes Community Plan boundaries, which was adopted by the Board of Supervisors in April of 2000 as part of the Land Use Element of the General Plan. The Keyes Community Plan states that “The present appearance of the community along the State Route 99 corridor, as with many corridor communities, is unattractive. A lack of urban landscaping, key community entryways and unsightly land uses adjacent State Route 99 contribute to a negative image which discourages interest in investing in the community.” To ensure attractive development along the Highway 99 corridor, the project includes a conceptual landscape plan with low growing drought tolerant shrubs and trees along the road frontage of the 5.2 acre project site. A final landscape plan, in compliance with the State Water Model Ordinance, will be required at the time of grading permit submittal. The site will also be fenced consistent with other existing area developments. Conditions of approval will be applied to the project that require that dead or dying plants be replaced as well as that nighttime lighting be aimed downward to prevent glare to adjacent properties. The maximum height of the equipment is 65 feet. However, this is consistent with surrounding industrial operations, such as Aemetis Bio Fuel, and under the maximum height limit of 75 feet for the surrounding Industrial zoning district. No adverse impacts to the existing visual character of the site, or its surroundings are anticipated.

The project does propose additional on-site lighting at the entrance, and around the truck parking, truck scale, and employee parking areas. The Keyes Community Plan Mitigation Monitoring and Reporting Program includes a mitigation measure to reduce impacts from light and glare in Highway Commercial areas. This has been applied as a mitigation measure due to the project’s proximity to Highway 99 and proposal of additional lighting. With this mitigation in place, impacts associated with creating a new source of substantial light or glare is considered to be less than significant.

Mitigation:

1. *New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.*

References: Application information; Keyes Community Plan, EIR and MMRP adopted April, 2000; and Stanislaus County General Plan and Support Documentation¹.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

Discussion: The subject parcel is zoned expired Planned Development (123), and is vacant. However, the eastern portion of the site has been utilized for the storage of processed corn kernels following the fermentation process associated with the Aemetis Bio Fuel plant. The Eastern Stanislaus Soil Survey identifies the site as having prime soils, made up of (DrA) Dinuba sandy loam (0-1 percent slopes, grade 2, Storie Index Rating 77). The eastern portion of the property is classified as “Vacant or Disturbed Land” and the undeveloped western portion of the property is classified as “Prime Farmland” by the California State Department of Conservation Farmland Mapping and Monitoring Program. The project includes a parcel map creating a 5.2 acre parcel, which is the project site, and a 23.5 acre remainder. The 23.5 acre remainder will remain undeveloped. The property is not enrolled in a Williamson Act Contract. The site is surrounded by industrial uses to the east; Highway 99 and the Community of Keyes to the north; and agricultural properties with scattered single-family dwellings and ranchettes to the west and south.

In December of 2007, Stanislaus County adopted an updated Agricultural Element which incorporated guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 Zoning District. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray-drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. Prior to project approval, the applicant may present an alternative to the buffer requirements to the Agricultural Advisory Board for support. Alternatives may be approved provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. The agricultural buffer requirement does not apply to the project’s northern and eastern boundaries as they do not abut agricultural properties. The project meets the agricultural buffer requirement on the southern property line. The closest agricultural property to the project site on the western property line

is located approximately 140 feet from the nearest structure. However, the nearest area of the project site to be routinely occupied by employees is the truck parking area which is located 200+ feet from the nearest agricultural property. If the Planning Commission determines that a maximum of 23 employees on-site is not a “people intensive use”, the project meets the agricultural buffer requirement. If they determine that it is a “people intensive use” then an alternative agricultural buffer will need to be found to provide “equal or greater protection” on the western property line, which includes a reduced buffer distance of 200 feet, fencing, and landscaping proposed along the 5.2 acre project site along Faith Home Road.

The Turlock Irrigation District responded to a project referral requiring that a replacement irrigation pipe be installed along the south side of the remainder parcel and that property adjoining irrigated ground be graded to six inches higher than irrigated ground and include a protective berm, and that irrigation rights for the project site be abandoned.

Mitigation: None.

References: Application information; Eastern Stanislaus Soil Survey; NRCS Web Soil Survey; Referral response received from the Turlock Irrigation District, dated March 21, 2018; Stanislaus County General Plan and Support Documentation¹.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Discussion: The project site is within the San Joaquin Valley Air Basin, which has been classified as "severe non-attainment" for ozone and respirable particulate matter (PM-10) as defined by the Federal Clean Air Act. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has been established by the State in an effort to control and minimize air pollution. As such, the District maintains permit authority over stationary sources of pollutants.

This is a request to develop a liquid carbon dioxide (CO₂) purification and liquefaction plant. Currently, carbon dioxide gas is generated during the ethanol fermentation process from the Aemetis Bio Fuel facility, located to the east of the project site, and is vented into the atmosphere after a regenerative Thermal Oxidizer to reduce Volatile Organic Chemicals (VOC) without recovery. The proposed project will serve the purpose of recovering the lost Carbon dioxide (CO₂) via a pipeline from the Aemetis Bio Fuel facility to the proposed project site. Once recovered, the CO₂ will be purified and then liquefied and stored into eight proposed storage tanks. The project will include compression equipment for the CO₂ gas, modular equipment for purification of the CO₂ gas, and ammonia compression equipment for the refrigeration system (5,000 pounds in the system) to condense the CO₂ into liquid form. Ammonia is utilized in a closed-loop system to liquefy and chill the CO₂.

A project referral response was received from the Air District indicating that the VOC emissions from the proposed CO₂ liquefaction plant are assumed to be negligible, due to the maximum VOC content of the processed gas from the Aemetis Bio Fuel plant not exceeding 10% by weight, which is the district’s threshold of significance for VOC emissions. The response indicated that the proposed project is therefore not subject to District permit requirements, at this time.

Other sources of air pollutants generated by this project would be classified as being generated from "mobile" sources or construction activities. 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 Environmental Protection Agency (EPA) which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. A maximum of 20 tank-trailers are anticipated to access the site per day. Rail cars are estimated to be filled once a week. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted. The plant will employ 20 full-time truck drivers and three full-time (working from 8 a.m. to 6 p.m.) employees on a maximum shift for plant operation. No comments regarding mobile sources or construction activities were received from the Air District. However, a condition of approval will be added to the project which requires the applicant contact the Air District and obtain any applicable permits.

The project will not conflict with, nor obstruct implementation of any applicable air quality plan. Based on the project details stated above, no significant impacts to air quality are anticipated.

Mitigation: None.

References: Referral response received from the San Joaquin Valley Air Pollution Control District, dated November 1, 2017; 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 federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion: The project is located within the Ceres Quad of the California Natural Diversity Database. There are 14 plants and animals which are state or federally listed, threatened, or identified as species of special concern within the Ceres California Natural Diversity Database Quad. These species include Swainson's hawk, tricolored blackbird, burrowing owl, riffle sculpin, hardhead, steelhead, Chinook salmon, obscure bumble bee, crotch bumble bee, valley elderberry longhorn beetle, moestan blister beetle, townsend's big-eared bat, heartscale, and subtle orache.

A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The project will be contained on the 5.2 acre parcel. An early consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no response was received. However, the species listed above are not likely to exist on-site, as it is surrounded by developed industrial land, a highway, and residential development, and has no bodies of water on-site.

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

Mitigation: None.

References: Application information; California Natural Diversity Database; and the 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 as defined in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: The project was referred to the Native American Heritage Commission (NAHC) via the State Clearinghouse. However, no response was received. A letter provided by the applicant from the Central California Information Center indicates the project site has low-sensitivity for cultural, historical, paleontological, or tribal resources. It does not appear that this project will result in significant impacts to any archaeological or cultural resources; however, a standard condition of approval will be added to this project to address any discovery of cultural resources during any ground disturbing activities.

Mitigation: None.

References: Central California Information Center, received on January 3, 2018; Stanislaus County General Plan and Support Documentation¹

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
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 creating substantial 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	

Discussion: The Eastern Stanislaus Soil Survey identifies the site as having prime soils, made up of (DrA) Dinuba sandy loam (0-1 percent slopes, grade 2, Storie Index Rating 77). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of any 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. An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project is required, subject to Public Works review and Standards and Specifications. Likewise, any future addition of a septic tank or alternative waste water disposal system will 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.

Mitigation: None.

References: Project referral response received from the Department of Environmental Resources, dated March 20, 2018; project referral response received from the Department of Public Works, dated April 17, 2018; and the Stanislaus County General Plan and Support Documentation¹

VII. 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: This is a request to develop a liquid carbon dioxide (CO₂) purification and liquefaction plant. Currently, carbon dioxide gas is generated during the ethanol fermentation process from the Aemetis Bio Fuel facility, located to the east of the project site, and is vented into the atmosphere after a regenerative Thermal Oxidizer to reduce Volatile Organic Chemicals (VOC) without recovery. The proposed project will serve the purpose of recovering the lost Carbon dioxide (CO₂) via a pipeline from the Aemetis Bio Fuel facility to the proposed project site. Once recovered, the CO₂ will be purified and then liquefied and stored into eight proposed storage tanks. The project will include compression equipment for the CO₂ gas, modular equipment for purification of the CO₂ gas, and ammonia compression equipment for the refrigeration system (5,000 pounds in the system) to condense the CO₂ into liquid form. Ammonia is utilized in a closed-loop system to liquefy and chill the CO₂. A maximum of 20 tank-trailers are anticipated to access the site per day. Rail cars are estimated to be filled once a week. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted. The plant will employ 20 full-time truck drivers and three full-time (working from 8 a.m. to 6 p.m.) employees on a maximum shift for plant operation.

The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and tropospheric Ozone (O₃). 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.

All buildings would be 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). Minimal greenhouse gas emissions will occur during grading. Grading and construction activities are considered to be less than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control. Minimal greenhouse gas emissions will also be generated from additional vehicle and truck trips.

No significant impacts from greenhouse gas emissions occurring as a result of this project are anticipated, as this project proposes to purify and liquefy existing CO₂ currently being produced at an adjacent facility; however, a condition of approval will be added to the project which requires the applicant contact the Air District and obtain any applicable permits.

Mitigation: None.

References: Referral response received from the San Joaquin Valley Air Pollution Control District, dated November 1, 2017; and the Stanislaus County General Plan and Support Documentation¹

VIII. 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 for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
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Discussion: This is a request to develop a liquid carbon dioxide (CO₂) purification and liquefaction plant. Currently, carbon dioxide gas is generated during the ethanol fermentation process from the Aemetis Bio Fuel facility, located to the east of the project site, and is vented into the atmosphere after a regenerative Thermal Oxidizer to reduce Volatile Organic Chemicals (VOC) without recovery. The proposed project will serve the purpose of recovering the lost Carbon dioxide (CO₂) via a pipeline from the Aemetis Bio Fuel facility to the proposed project site. Once recovered, the CO₂ will be purified and then liquefied and stored into eight proposed storage tanks. The project will include compression equipment for the CO₂ gas, modular equipment for purification of the CO₂ gas, and ammonia compression equipment for the refrigeration system (5,000 pounds in the system) to condense the CO₂ into liquid form. Ammonia is utilized in a closed-loop system to liquefy and chill the CO₂. A maximum of 20 tank-trailers are anticipated to access the site per day. Rail cars are estimated to be filled once a week. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted.

The project was referred to the DER Hazardous Materials (HazMat) Division and the Keyes Fire Protection District. However, no response was received. The project will include a condition of approval which requires that all DER HazMat and fire district standards are met and that any required permits be obtained.

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

IX. 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?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			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, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) 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?			X	
f) Otherwise substantially degrade water quality?			X	

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			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% annual chance floodplains. All flood zone requirements will be addressed by the Building Permits Division during the building permit process. The Central Valley Regional Water Quality Control Board (RWQCB) provided an early consultation referral response requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements be obtained/met prior to operation. Conditions of approval will be added to the project requiring the applicant comply with this request prior to issuance of a building permit.

The site will receive public water from the Keyes CSD and will be served by a private septic system. A referral response from the Department of Environmental Resources indicated that the site must be served by a Measure X septic system which includes individual primary and secondary wastewater treatment systems. The septic system will be reviewed by DER for adequacy through the building permit process.

Storm water is proposed to be contained on-site with a storm drain retention basin. A referral response from the Department of Public Works requires that they review and approve a grading and drainage plan prior to issuance of any building permit.

With these requirements incorporated into the project as conditions of approval, no impacts to hydrology and water quality is anticipated.

Mitigation: None.

References: Project referral response received from the Department of Environmental Resources, dated March 20, 2018; project referral response received from the Regional Water Quality Control Board, dated March 13, 2018; Stanislaus County General Plan and Support Documentation¹

X. 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) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Discussion: This is a request to rezone 5.32 acres of a 28.72 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant. The project is located within the boundaries of the Keyes Community Plan and Keyes CSD. The property has received a will serve letter from the Keyes CSD for water services and is in the process of annexing into the district. The proposed project is consistent with the surrounding industrial uses within the Keyes Community Plan located south of Highway 99. A tentative parcel map is included with the project to create a 5.2 acre parcel and a 23.5 acre remainder. The project will be contained on the 5.2 acre parcel.

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XI. 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.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			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 expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	

Discussion: 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 project is located in an industrial area which has an exterior noise exposure limit of 70 Ldn or CNEL, dBA. Additionally, the Union Pacific Railroad and Highway 99 are located just north of the project site, which increases the project site's ambient noise level substantially. Regardless, the applicant is proposing to house the CO₂ and ammonia compressors in a 2,500 square foot pre-engineered building to attenuate noise from the compressors.

Mitigation: None.

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

XIII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

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 will be displaced as a result of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: The County has adopted Public Facilities Fees, as well as a Fire Facility Fee on behalf of the appropriate fire district, to address impacts to public services. All adopted public facility fees will be required to be paid at the time of building permit issuance.

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.

A will serve letter received from the Keyes CSD indicates that the developer will be responsible for installing all necessary infrastructure improvements required for the public water connection. The developer also must submit improvement plans to the District for review and approval and pay all applicable deposit, connection, and inspection fees. The applicant is in the process of annexing into the Keyes CSD District.

Electricity will be provided to the project by the Turlock Irrigation District (TID). The Turlock Irrigation District responded to a project referral with the following requirements: that the development meet the District’s standards; that a replacement irrigation pipe be installed along the south side of the remainder parcel; that the project site abandon existing irrigation

rights; that property adjoining irrigated ground be graded to six inches higher than irrigated ground and include a protective berm; that guardrails be installed at driveways and/or existing poles or electrical facilities are relocated; and that landscaping be under 15 feet in height.

Mitigation: None.

References: Will Serve Letter, provided by the Keyes Community Services District, dated February 7, 2018; Referral response received from the Turlock Irrigation District, dated March 21, 2018; and the Stanislaus County General Plan and Support Documentation¹

XV. 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, nor does the project propose any recreational facilities.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		X		
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Discussion: This is a request to develop a liquid carbon dioxide (CO₂) purification and liquefaction plant. A maximum of 20 tank-trailers are anticipated to access the site per day from Faith Home Road. Rail cars are estimated to be filled once a week. Access from the project site to the rail will occur via an access lease from the project site to Assessor Parcel Number 045-026-038, which is located adjacent to the remainder parcel and is owned and operated by A.L. Gilbert. Additional rail delivery may occur to supplement the project supply in the case that the CO₂ supply from Aemetis Bio Fuel is interrupted. The plant will employ 20 full-time truck drivers and three full-time (working from 8 a.m. to 6 p.m.) employees on a maximum shift for plant operation.

The 2015 General Plan Update, which included an update to the Circulation Element, superseded any roadway classification identified in the Keyes Community Plan. The updated Circulation Element, Figure II-1, identifies Faith Home Road as a 135 foot OPA (Other Principal Arterial).

The project was referred to Stanislaus County's Department of Public Works who responded with conditions of approval specifying requirements for recording of the parcel map, required off-site improvements along Faith Home Road, and required on-site improvements including a grading and drainage plan to be submitted to the Department of Public Works for review and approval. These comments will be applied to the project as conditions of approval. The project was also referred to CalTrans, who responded that they have no comments on the project.

The Keyes Community Plan includes a Mitigation Monitoring Plan for development within the Keyes Community Plan area. Any mitigation measures applicable to this project are included as conditions of approval, as they are routine in nature and do not impact the environmental impacts from the project. One of the Keyes Community Plan mitigation measures, regarding traffic impact fees, is incorporated into the Mitigation Monitoring and Reporting Program for the project, as it reduces potential transportation and traffic impacts from the project to less than significant.

Mitigation:

2. *Prior to issuance of a building permit, the applicant/property owner shall pay the Keyes Community Plan Mitigation Funding Program fees for Planned Industrial per the Keyes Community Plan, adopted on April 8, 2000. The fees were calculated in 2003 at \$465.20 per acre. The fees were adjusted for inflation using the Engineering News-record Index, the December 2017 fees are \$762.60 per acre for the proposed 5.2 acres.*

References: Project referral response received from CalTrans, dated March 8, 2018; project referral response received from the Department of Public Works, dated April 17, 2018; Stanislaus County General Plan and Support Documentation¹

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	

g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
---	--	--	---	--

Discussion: Limitations on providing utility services have not been identified. The project will be served by the Keyes CSD with public water. A will serve letter received from the Keyes CSD indicates that the developer will be responsible for installing all necessary infrastructure improvements required for the public water connection. The developer also must submit improvement plans to the District for review and approval and pay all applicable deposit, connection, and inspection fees. The applicant is in the process of annexing into the Keyes CSD District.

Electricity will be provided to the project by the Turlock Irrigation District (TID). The Turlock Irrigation District responded to a project referral with the following requirements: that the development meet the District’s standards; that a replacement irrigation pipe be installed along the south side of the remainder parcel; that the project site abandon existing irrigation rights; that property adjoining irrigated ground be graded to six inches higher than irrigated ground and include a protective berm; that guardrails be installed at driveways and/or existing poles or electrical facilities are relocated; and that landscaping be under 15 feet in height.

The site will be served by a private septic system. A referral response from the Department of Environmental Resources indicated that the site must be served by a Measure X septic system which includes individual primary and secondary wastewater treatment systems. The septic system will be reviewed by DER for adequacy through the building permit process.

Storm water is proposed to be contained on-site with a storm drain retention basin. A referral response from the Department of Public Works requires that they review and approve a grading and drainage plan prior to issuance of any building permit.

With these requirements incorporated into the project as conditions of approval, no impacts to utilities and service systems are anticipated.

Mitigation: None.

References: Will Serve Letter, provided by the Keyes Community Services District, dated February 7, 2018; Referral response received from the Turlock Irrigation District, dated March 21, 2018; Project referral response received from the Department of Environmental Resources, dated March 20, 2018; project referral response received from the Department of Public Works, dated April 17, 2018; and the Stanislaus County General Plan and Support Documentation¹

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

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

Mitigation: None.

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

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

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

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

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

Stanislaus County
Planning and Community Development

Mitigation Monitoring and Reporting Program

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

MAY 21, 2018

- 1. Project title and location: Rezone and Parcel Map Application No. PLN2018-0017 – Linde Group, LLC
Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. (APN: 045-026-040).
2. Project Applicant name and address: The Linde Group, LLC, Audie Chong, Principal Project Manager
200 Somerset Corporation Boulevard, Suite 7000 Bridgewater, NJ 08807
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Audie Chong
4. Contact person at County: Kristin Doud, Senior Planner (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

List all Mitigation Measures by topic as identified in the Mitigated Negative Declaration and complete the form for each measure.

I. AESTHETICS

No.1 Mitigation Measure: New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.

- Who Implements the Measure: Applicant
When should the measure be implemented: During building design
When should it be completed: Prior to issuance of the Final Occupancy Permit
Who verifies compliance: Stanislaus County Planning and Community Development Department, Planning Division
Other Responsible Agencies: N/A

XVI. TRANSPORTATION/TRAFFIC

No.2 Mitigation Measure: Prior to issuance of a building permit, the applicant/property owner shall pay the Keyes Community Plan Mitigation Funding Program fees for Planned Industrial per the Keyes Community Plan, adopted on April 8, 2000. The fees were calculated in 2003 at \$465.20 per acre. The fees were adjusted for inflation using the Engineering News-record Index, the December 2017 fees are \$762.60 per acre for the proposed 5.2 acres.

Who Implements the Measure:	Applicant
When should the measure be implemented:	Prior to issuance of a building permit
When should it be completed:	Prior to issuance of a building permit
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Building Division
Other Responsible Agencies:	Stanislaus County Public Works Department and Stanislaus County Planning and Community Development Department, Planning Division

I, the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

Signature on file.

Person Responsible for Implementing
Mitigation Program

May 17, 2018

Date



MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Rezone and Parcel Map Application No. PLN2018-0017 – Linde Group, LLC

LOCATION OF PROJECT: Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. APN: 045-026-040.

PROJECT DEVELOPER: The Linde Group, LLC
Audie Chong, Principal Project Manager
200 Somerset Corporation Boulevard, Suite 7000
Bridgewater, NJ 08807

DESCRIPTION OF PROJECT: Request to Rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant. A tentative parcel map is included with the project to create a 5.2 acre parcel, which will contain the proposed project, and a 23.5 acre remainder.

Based upon the Initial Study, dated **May 21, 2018**, 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 aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.
2. Prior to issuance of a building permit, the applicant/property owner shall pay the Keyes Community Plan Mitigation Funding Program fees for Planned Industrial per the Keyes Community Plan, adopted on April 8, 2000. The fees were calculated in 2003 at \$465.20 per acre. The fees were adjusted for inflation using the Engineering News-record Index, the December 2017 fees are \$762.60 per acre for the proposed 5.2 acres.

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: Kristin Doud, Senior 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: REZONE AND PARCEL MAP APPLICATION NO. PLN2018-0017 - LINDE GROUP, LLC

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 FISH & WILDLIFE	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CA CENTRAL VALLEY RWQCB	X	X	X	X				X		X	X	
CALTRANS DISTRICT #10	X	X	X	X		X				X		X
COOPERATIVE EXTENSION	X	X	X		X							
COMMUNITY SERVICES DIST: KEYES	X	X	X		X							
FIRE PROTECTION DIST: KEYES	X	X	X		X							
IRRIGATION DISTRICT: TURLOCK	X	X	X		X							
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: KEYES	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
U.S. POSTMASTER: KEYES	X	X	X		X			X		X	X	
RAILROAD: UNITED PACIFIC RAILROAD	X	X	X		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 JOINT UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X	X				X		X	X	
STAN CO CEO	X	X	X		X							
STAN CO DER	X	X	X	X				X		X	X	
STAN CO ERC	X	X	X	X				X		X		X
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X	X	
STAN CO PUBLIC WORKS	X	X	X	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							
STANCOG	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X						X	
SURROUNDING LAND OWNERS			X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							
U.S. MILITARY	X	X	X		X							

- C. **REZONE AND PARCEL MAP APPLICATION NO. PLN2018-0017 – LINDE GROUP, LLC** - Request to rezone 5.2 acres of a 28.7 acre parcel currently zoned P-D (123), which is expired, to a new P-D (Planned Development) to allow the development of a liquid carbon dioxide (CO2) purification and liquefaction plant. A tentative parcel map is included with the project to create a 5.2 acre parcel, which will contain the proposed project, and a 23.5 acre remainder. The project site is located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the Community of Keyes. The Planning Commission will consider adoption of a CEQA Mitigated Negative Declaration for the project. APN: 045-026-040.
Staff Report: Kristin Doud, Senior Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None
FAVOR: John Anderson, JB Anderson Land Planning, Silvia Pineda, Linde Group, LLC
Public hearing closed.

6:27 p.m. – Recess

6:32 p.m. – Reconvene

Upon reconvening, Commissioner Borges disclosed a conflict with Rezone and Parcel Map Application No. PLN2018-0017 – Linde Group, LLC, and recused herself from voting on the item. The Planning Commission Staff Report for the Linde Group, LLC item incorrectly identified the property owner as Linde Group, LLC, instead of A.L. Gilbert, Co. Commissioner Hicks assumed the duties as Chair.

6:33 p.m. – Commissioner Borges left Chambers.

Maring/Etchebarne (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

6:34 p.m. - Commissioner Borges returned to Chambers.

EXCERPT

PLANNING COMMISSION MINUTES

Signature on file.

Secretary, Planning Commission

08/03/2018

Date

STANISLAUS COUNTY ORDINANCE NO. C.S. _____

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. _____ FOR THE PURPOSE OF REZONING 5.2 ACRES OF A 28.7 ACRE PARCEL CURRENTLY ZONED PLANNED DEVELOPMENT (P-D) (123), WHICH IS EXPIRED, TO A NEW P-D (PLANNED DEVELOPMENT), TO ALLOW THE DEVELOPMENT OF A LIQUID CARBON DIOXIDE (CO2) PURIFICATION AND LIQUEFACTION PLANT. A TENTATIVE PARCEL MAP IS INCLUDED WITH THIS PROJECT TO CREATE A 5.2 ACRE PARCEL, WHICH WILL CONTAIN THE PROPOSED PROJECT, AND A 23.5 ACRE REMAINDER. THE SITE IS LOCATED ON FAITH HOME ROAD, ON THE NORTHEAST CORNER OF FAITH HOME AND JESSUP ROADS, WEST OF HIGHWAY 99, IN THE COMMUNITY OF KEYES, APN: 045-026-040.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

Section 1. Sectional District Map No. 9-110- _____ is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Map to be inserted upon rezone approval)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this ____ day of _____, 2018, by the following called vote:

AYES: Supervisors:
NOES: Supervisors:
ABSENT: Supervisors:
ABSTAINING: Supervisors:

Jim DeMartini
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California

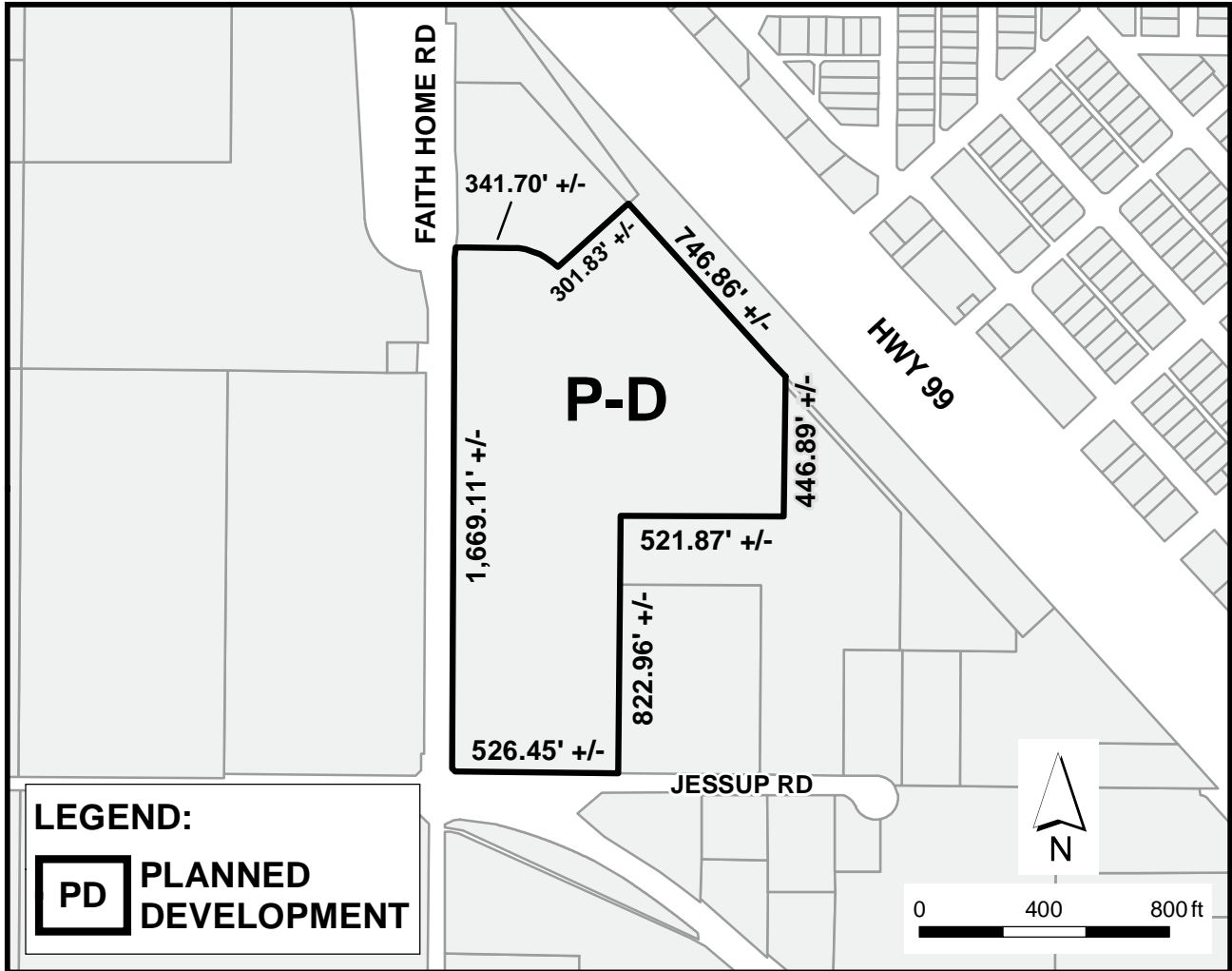
BY: _____
Pamela Villarreal, Assistant Clerk of the Board

APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By _____
Thomas E. Boze
Deputy County Counsel

SECTIONAL DISTRICT MAP NO. 9-110-TBD



EFFECTIVE DATE:
PREVIOUS MAPS: 50, 508, 723

STANISLAUS COUNTY ORDINANCE NO. C.S. 1217

AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-1012 FOR THE PURPOSE OF REZONING 5.2 ACRES OF A 28.7 ACRE PARCEL CURRENTLY ZONED PLANNED DEVELOPMENT (P-D) (123), WHICH IS EXPIRED, TO A NEW P-D (PLANNED DEVELOPMENT), TO ALLOW THE DEVELOPMENT OF A LIQUID CARBON DIOXIDE (CO2) PURIFICATION AND LIQUEFACTION PLANT. A TENTATIVE PARCEL MAP IS INCLUDED WITH THIS PROJECT TO CREATE A 5.2 ACRE PARCEL, WHICH WILL CONTAIN THE PROPOSED PROJECT, AND A 23.5 ACRE REMAINDER. THE SITE IS LOCATED ON FAITH HOME ROAD, ON THE NORTHEAST CORNER OF FAITH HOME AND JESSUP ROADS, WEST OF HIGHWAY 99, IN THE COMMUNITY OF KEYES, APN: 045-026-040.

The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:

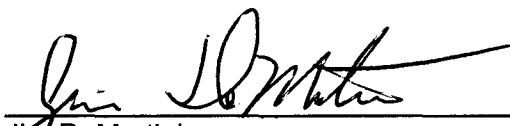
Section 1. Sectional District Map No. 9-110-1012 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:

(Map to be inserted upon rezone approval)

Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.

Upon motion of Supervisor Chiesa, seconded by Supervisor Olsen, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 21st day of August 2018, by the following called vote:

AYES: Supervisors: Olsen, Chiesa, Withrow, Monteith and Chairman DeMartini
NOES: Supervisors: None.
ABSENT: Supervisors: None.
ABSTAINING: Supervisors: None.

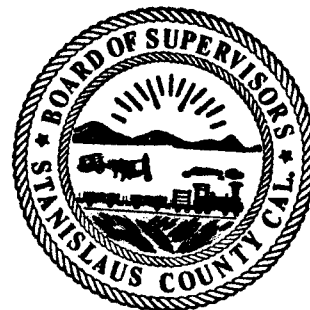


Jim DeMartini
CHAIRMAN OF THE BOARD OF SUPERVISORS
of the County of Stanislaus,
State of California

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors of
the County of Stanislaus,
State of California


BY: 

Pamela Villarreal, Assistant Clerk of the Board



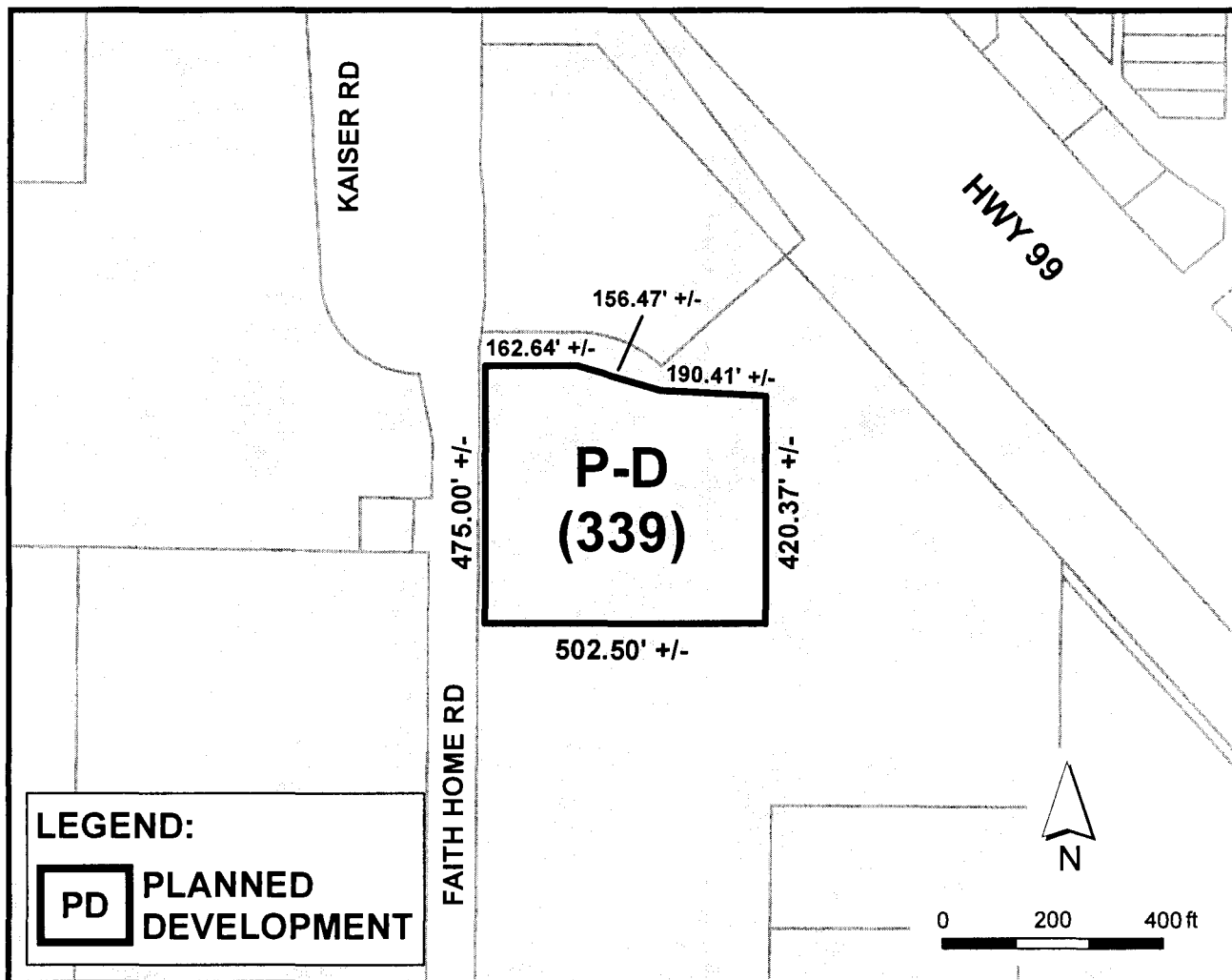
APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By 

Thomas E. Boze
Assistant County Counsel

SECTIONAL DISTRICT MAP NO. 9-110-1012



EFFECTIVE DATE: 09.20.2018
PREVIOUS MAPS: 50, 508, 723



AFFIDAVIT OF PUBLICATION

Table with 5 columns: Account #, Ad Number, Identification, PO, Cols, Lines. Row 1: 341787, 0003825953, ORD CS 1217 PAM VILLARREAL, ORD CS 1217 PAM VILLARREAL, 1, 75

Attention:

CO STAN BOARD OF SUPERVISORS
1010 10TH ST STE 6700
MODESTO, CA 95354

Declaration of Publication
C.C.P. S2015.5

STATE OF CALIFORNIA)
) ss.
County of Stanislaus)

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of the The Modesto Bee, which has been adjudged a newspaper of general circulation by the Superior Court of the County of Stanislaus, State of California, under the date of February 25, 1951 Action No. 46453. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

August 30, 2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Modesto, California on:

Date: 30th, day of August, 2018

Handwritten signature: Cynthia A. Madhama

Signature

STANISLAUS COUNTY ORDINANCE NO. C.S. 1217
AN ORDINANCE ADOPTING SECTIONAL DISTRICT MAP NO. 9-110-1012 FOR THE PURPOSE OF REZONING 5.21 ACRES OF A 28.7 ACRE PARCEL CURRENTLY ZONED PLANNED DEVELOPMENT (P-D) (123), WHICH IS EXPIRED, TO A NEW P-D (PLANNED DEVELOPMENT), TO ALLOW THE DEVELOPMENT OF A LIQUID CARBON DIOXIDE (CO2) PURIFICATION AND LIQUEFACTION PLANT. A TENTATIVE PARCEL MAP IS INCLUDED WITH THIS PROJECT TO CREATE A 5.2 ACRE PARCEL WHICH WILL CONTAIN THE PROPOSED PROJECT, AND A 23.5 ACRE REMAINDER. THE SITE IS LOCATED ON FAITH HOME ROAD, ON THE NORTHEAST CORNER OF FAITH HOME AND JESSUP ROADS, WEST OF HIGHWAY 99, IN THE COMMUNITY OF KEYES, APN: 045-026-040.
The Board of Supervisors of the County of Stanislaus, State of California, ordains as follows:
Section 1. Sectional District Map No. 9-110-1012 is adopted for the purpose of designating and indicating the location and boundaries of a District, such map to appear as follows:
SECTIONAL DISTRICT MAP NO. 9-110-1012
[Map showing P-D (123) parcel]
EFFECTIVE DATE: 08/30/2018
PREVIOUS MAPS: 50, 508, 723
Section 2. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against same, in the Modesto Bee, a newspaper of general circulation published in Stanislaus County, State of California.
Upon motion of Supervisor Chiesa, seconded by Supervisor Olsen, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 21st day of August 2018, by the following called vote: AYES: Supervisors: Olsen, Chiesa, Withrow, Monteith and Chairman DeMartini. NOES: Supervisors: None. ABSENT: Supervisors: None. ABSTAINING: Supervisors: None.
/s/ Jim DeMartini, CHAIRMAN OF THE BOARD OF SUPERVISORS of the County of Stanislaus, State of California.
ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pamela Villarreal, Assistant Clerk of the Board.
APPROVED AS TO FORM: JOHN P. DOERING, County Counsel. By: Thomas E. Boze, Assistant County Counsel.
MOD0003825953-01

REZ PLN2018-0017

LINDE GROUP, LLC

**Board of Supervisors
August 21, 2018**

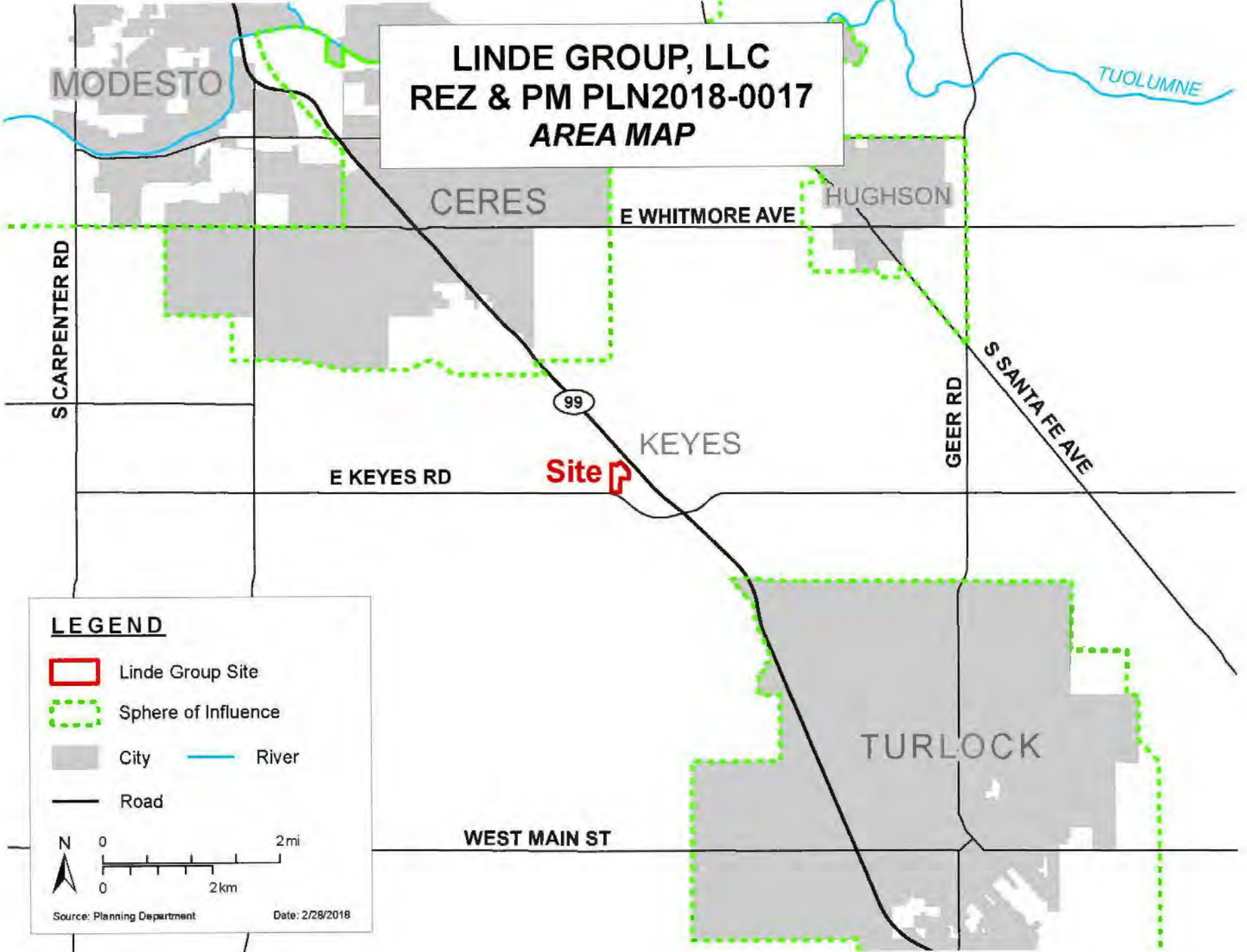


Overview

- **Rezone request – Planned Development**
 - Currently P-D (123) - expired
- **Parcel Map request**
- **Allow for the development of a liquid carbon dioxide (CO₂) purification and liquefaction plant**



**LINDE GROUP, LLC
REZ & PM PLN2018-0017
AREA MAP**



LEGEND



-  Linde Group Site
-  Sphere of Influence
-  City
-  River
-  Road




Source: Planning Department Date: 2/28/2018

LINDE GROUP, LLC REZ & PM PLN2018-0017 GENERAL PLAN MAP

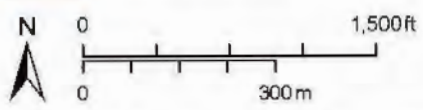
LEGEND

 Linde Group Site  Parcel

 Road

General Plan

-  **AG** Agriculture
-  **COM** Commercial
-  **IND** Industrial
-  **LDR** Residential - Low Density
-  **MDR** Residential - Medium Density
-  **MHD** Residential - Medium/High Density
-  **P-D** Planned Development
-  **UT** Urban Transition

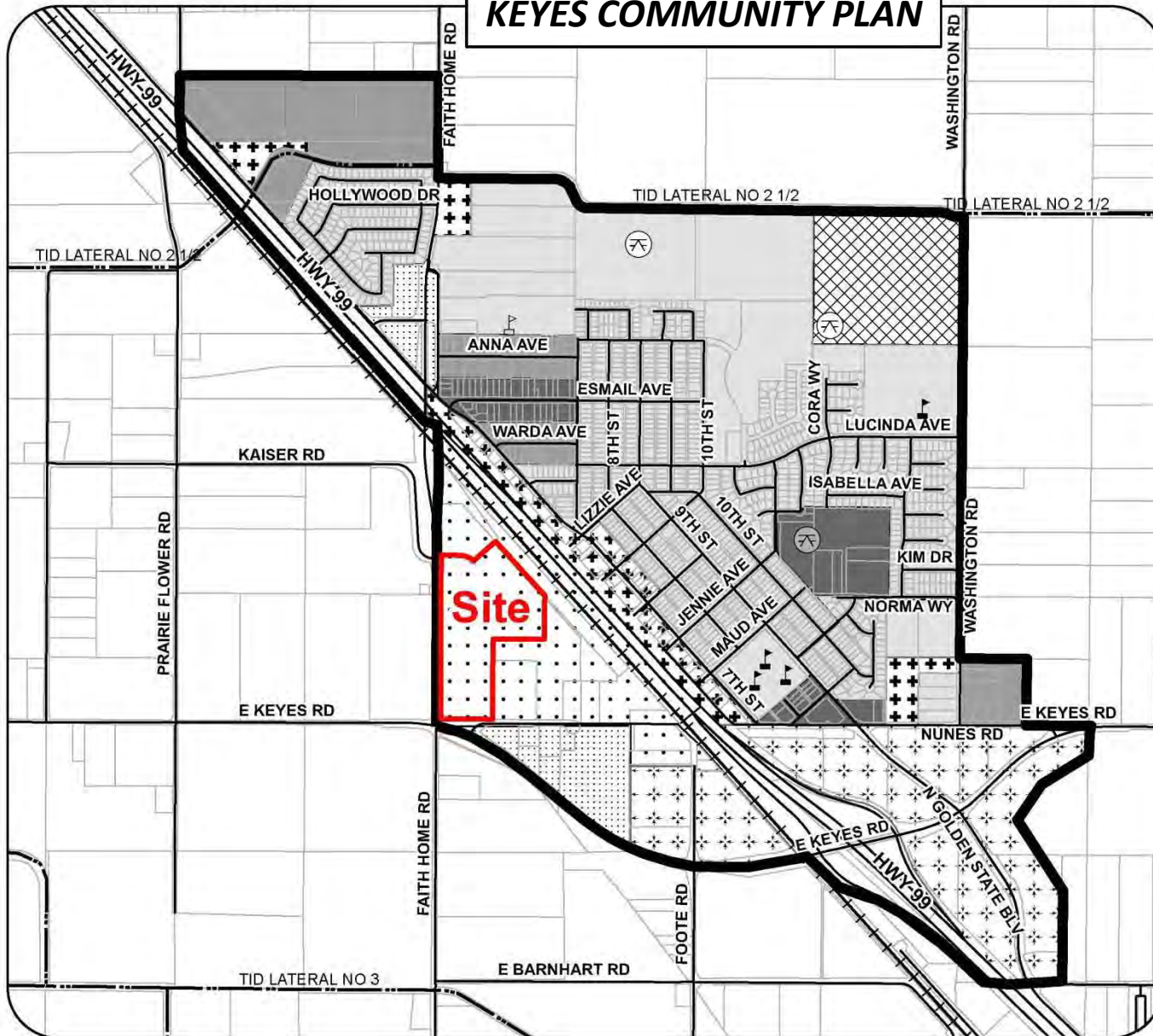


Source: Planning Department Date: 2/28/2018



LINDE GROUP, LLC
REZ & PM PLN2018-0017
KEYES COMMUNITY PLAN

Keyes
COMMUNITY PLAN

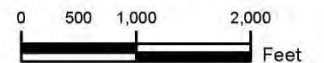


Land Use Designations:

- Commercial
- Commercial - Highway
- Industrial
- Planned Industrial
- Residential - Low
- Residential - Medium
- Residential - Medium-High
- Urban Transition



Parks and Schools:

- Existing Park
- Proposed Park
- Existing School
- Proposed School



LINDE GROUP, LLC REZ & PM PLN2018-0017 ZONING MAP


LEGEND


 Linde Group Site  Parcel


 Road


Zoning Designation


 A-2-10 General AG 10 Acre UT

 A-2-40 General AG 40 Acre

 H-1 Highway Frontage

 M Industrial

 P-D Planned Development

 R-1 Single Family Residential

 R-1 US Single Family Residential

 R-2 Medium Density Residential

 R-3 Multiple Family



Source: Planning Department

Date: 2/28/2018



**LINDE GROUP, LLC
REZ & PM PLN2018-0017
2017 AERIAL AREA MAP**



KAISER RD

LUCINDA AVE

PRAIRIE FLOWER RD

KEYES

Site

99

7TH ST

9TH ST

E KEYES RD

FAITH HOMER RD

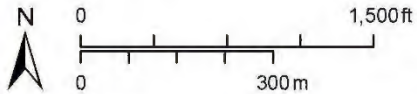
FOOTER RD

LEGEND



Linde Group Site

— Road



Source: Planning Department

Date: 2/28/2018

**LINDE GROUP, LLC
REZ & PM PLN2018-0017
2017 AERIAL SITE MAP**

FATH HOME RD


Site

99

7TH ST

JESSUP RD

LEGEND

 Linde Group Site

 Road



Source: Planning Department

Date: 2/28/2018

LINDE GROUP, LLC REZ & PM PLN2018-0017 TENTATIVE PARCEL MAP

TENTATIVE PARCEL MAP

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 30, T.4 S, R.10 E, M.D.M.
FEBRUARY 2018



PREPARED BY:
JUSTIN W. CAPP ENGINEERING, INC.
1003 12TH STREET
MODESTO, CA 95354

OWNER:
A.L. GILBERT COMPANY, A CALIFORNIA CORPORATION
P.O. BOX 459
KEYES, CA 95328



VICINITY MAP
N.T.S.



- NOTES:**
- 1.) WATER TABLE APPROXIMATELY 19 FEET DEEP.
 - 2.) NO EXISTING WELLS ON PROPOSED PARCEL.
 - 3.) NO EXISTING SEWER LINES OR SEPTIC SYSTEMS ON PROPOSED PARCEL.
 - 4.) NO STRUCTURES TO BE REMOVED.



LINDE GROUP, LLC REZ & PM PLN2018-0017 TENTATIVE PARCEL MAP

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VICINITY MAP
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SCALE: 1" = 100'



KEYES ROAD

JESSUP ROAD

KEYES ROAD

LINDE GROUP, LLC REZ & PM PLN2018-0017 SITE PLAN

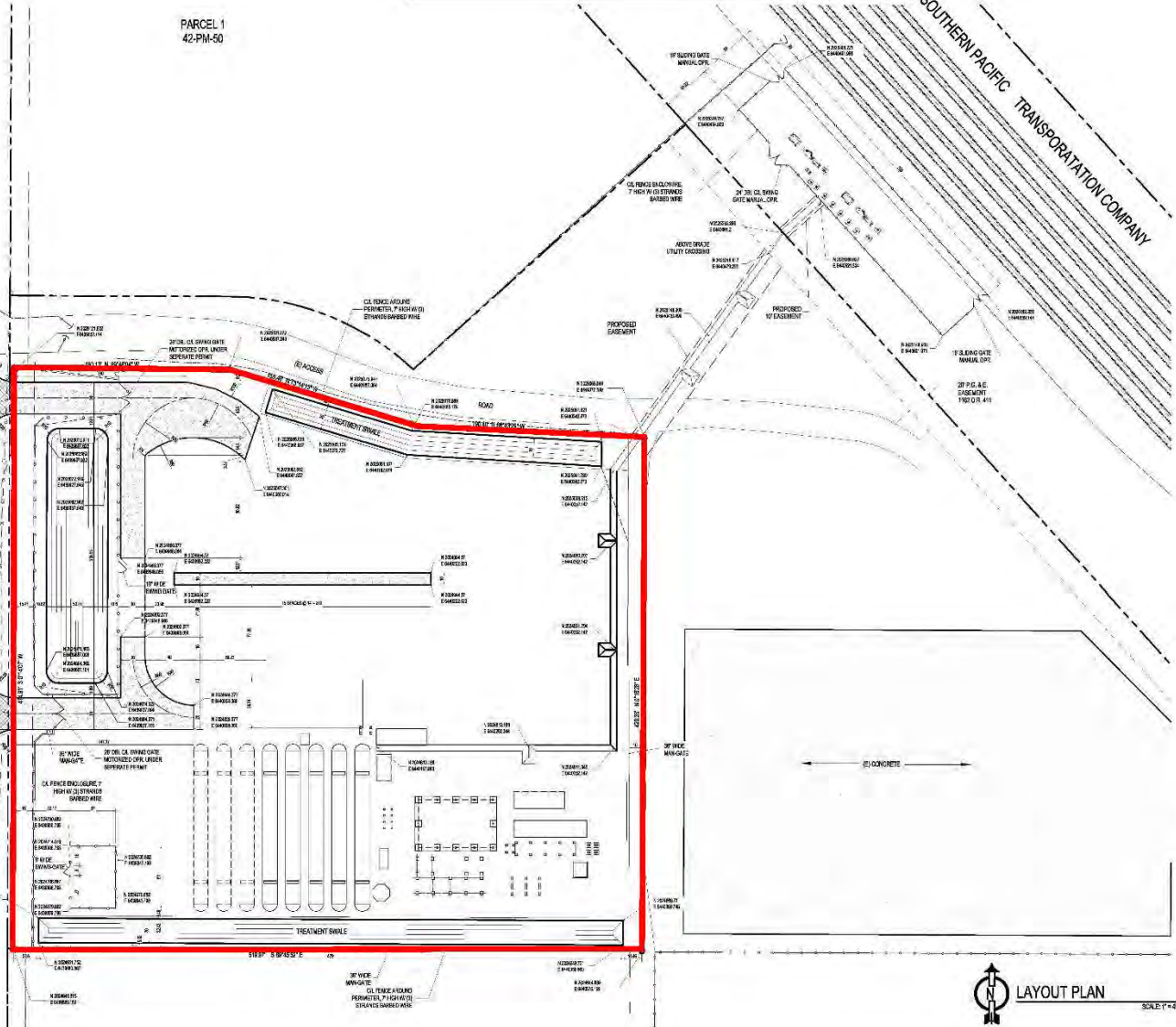
PARCEL 1
42-PM-50

SOUTHERN PACIFIC TRANSPORTATION COMPANY

FAITH HOME ROAD

SYMBOL LEGEND:
 _____ PROPOSED LINE
 - - - - - EXISTING UTILITY
 - - - - - EXISTING ELEVATION

NOTE:
EQUIPMENT LOCATIONS ARE TENTATIVE AND SUBJECT TO SLIGHT CHANGES.



JUSTIN W. CAPP, Inc.
ENGINEERING + DESIGN

JUSTIN W. CAPP
212195 SE 78TH
1476 SW 10TH, SUITE 104
FORT LAUDERDALE, FL 33308
(954) 571-4118



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NO.	DATE	BY	CHKD.	REVISION
1	3/21/18	IP	MJK	1 JD 3/16/18 REQUESTED REVISION
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4	4/6/18	IP	MJK	1 JD 4/6/18 PLAN CHECK REV.

NO.	DATE	STATUS	PREPARED	CHECKED	REVIEWED	APPROVED	DATE

Linde
LINDE AG
ENGINEERING DIVISION
01277 DRESDEN

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Linde Project No.: 3710A008 Linde Job Code: KEYES C02

Title: LAYOUT PLAN Scale: 1" = 42'

Linde Drawing No.: 8C1-00-C-2R 1001.010 (EN) Sheet: 1 of 1 Size: D

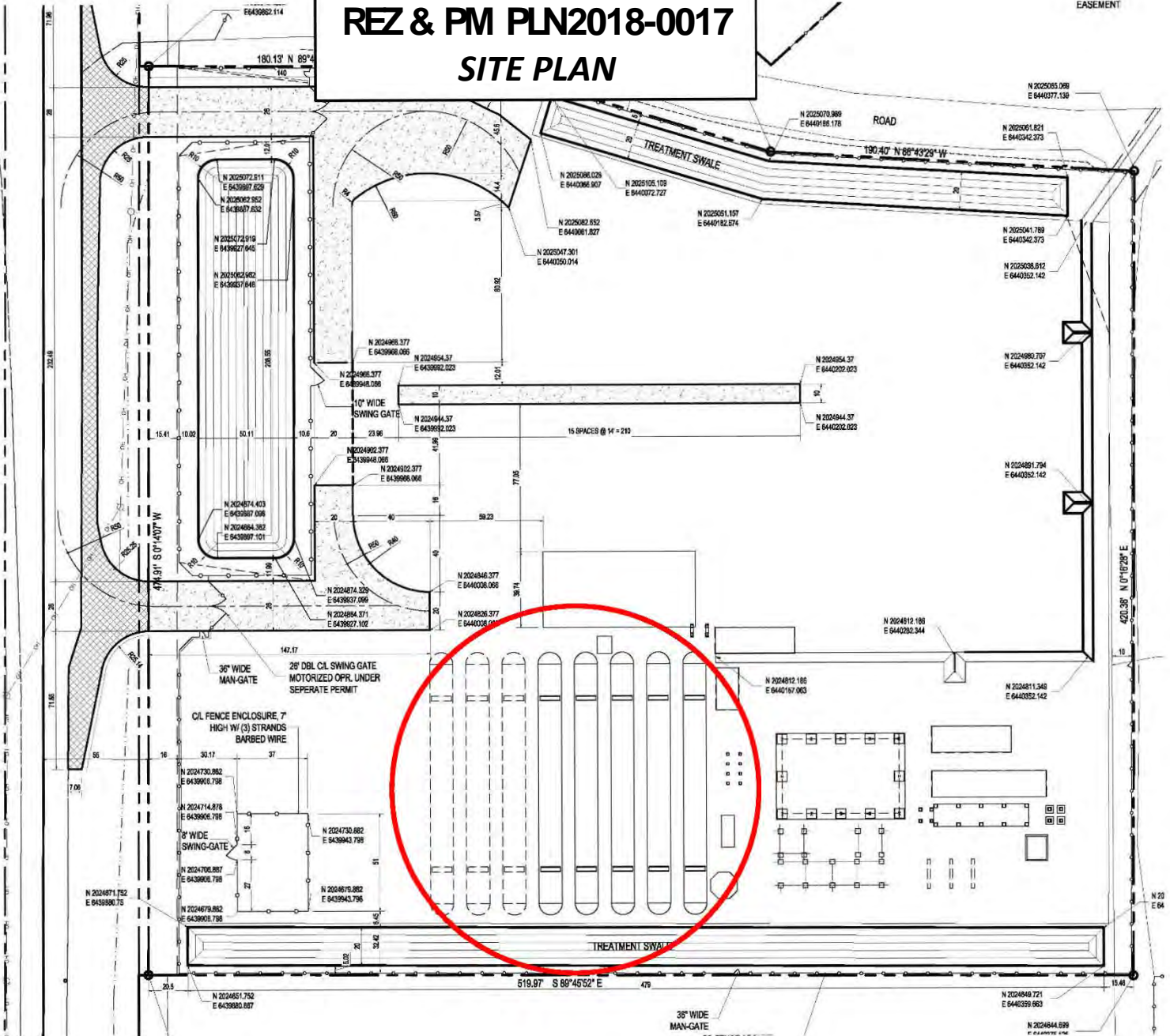


SCALE: 1" = 42'

LINDE GROUP, LLC REZ & PM PLN2018-0017 SITE PLAN

EASEMENT

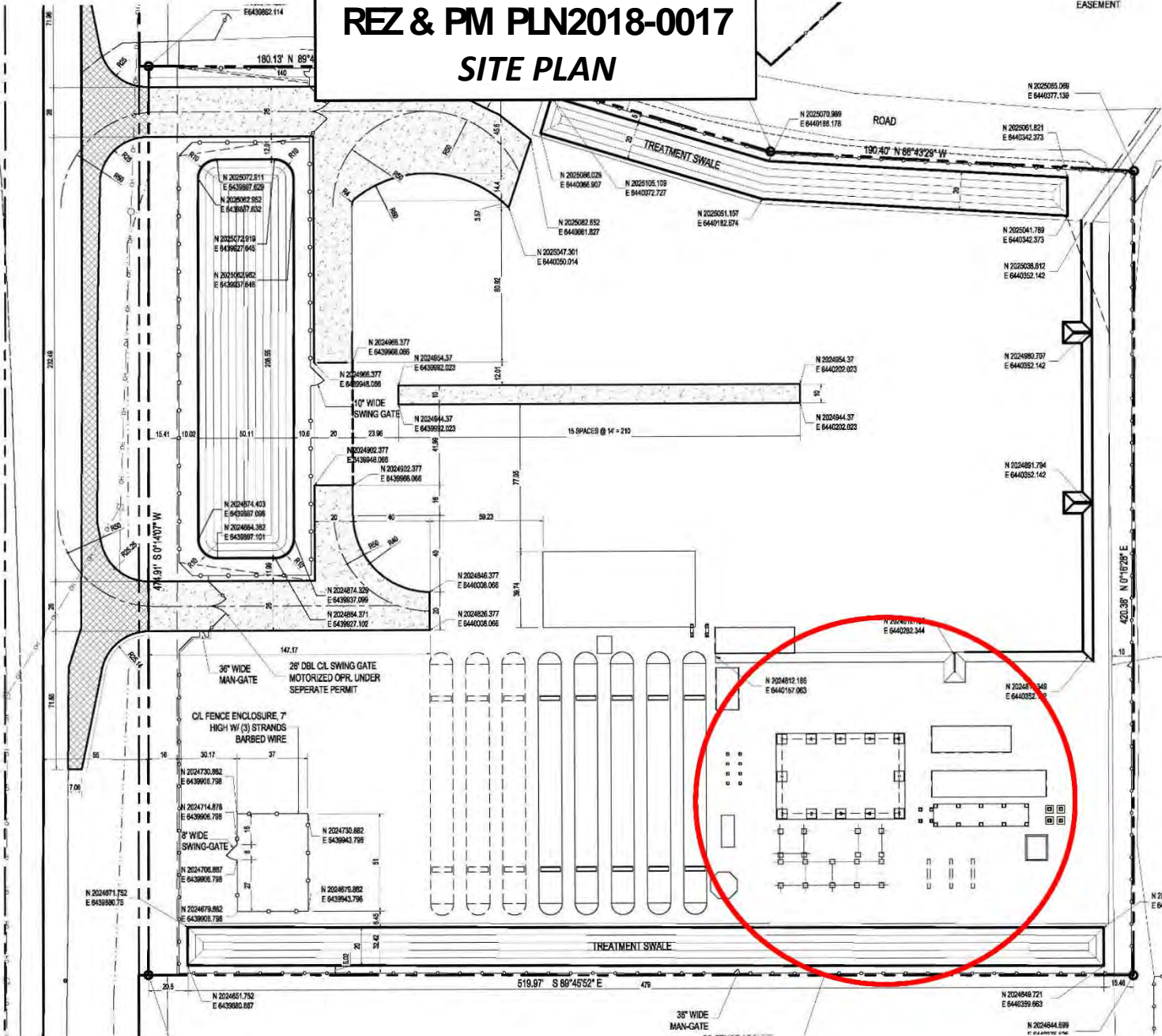
FAITH HOME ROAD



LINDE GROUP, LLC REZ & PM PLN2018-0017 SITE PLAN

EASEMENT

FAITH HOME ROAD

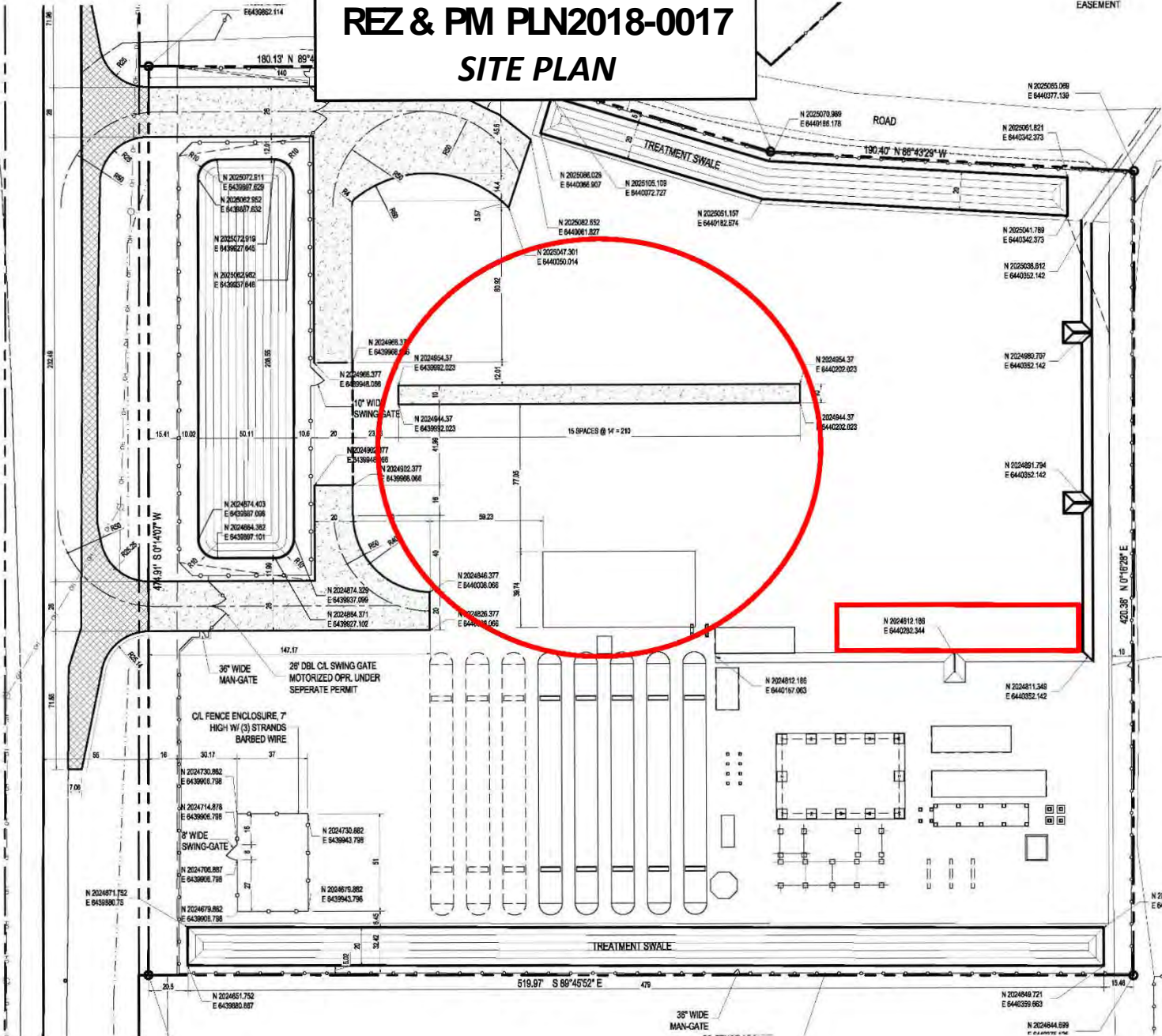


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LINDE GROUP, LLC REZ & PM PLN2018-0017 SITE PLAN

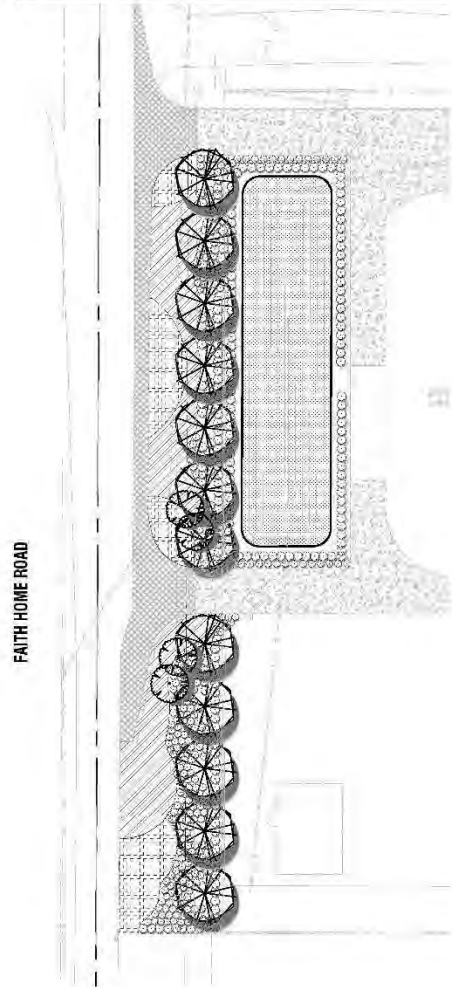
EASEMENT

FAITH HOME ROAD



LINDE LC02 PLANT

LINDE GROUP, LLC REZ & PM PLN2018-0017 DRAFT LANDSCAPING PLAN



PLANT SPECIES LEGEND				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS/NOTES
35' DIA TREE OPTIONS				
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus laevis</i>	Live Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
25' DIA TREE OPTIONS				
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
	<i>Quercus agrifolia</i>	Red Oak	12' CA	Small Tree Option
SHRUB OPTIONS				
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
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	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
	<i>Desmodium illinoense</i>	Common Creeper	5' CA	FLUENT FLOWERS
GROUND COVER				
	<i>Desmodium illinoense</i>	Common Creeper	1' CA	20' Spacing
	<i>Desmodium illinoense</i>	Common Creeper	1' CA	20' Spacing
	<i>Desmodium illinoense</i>	Common Creeper	1' CA	20' Spacing

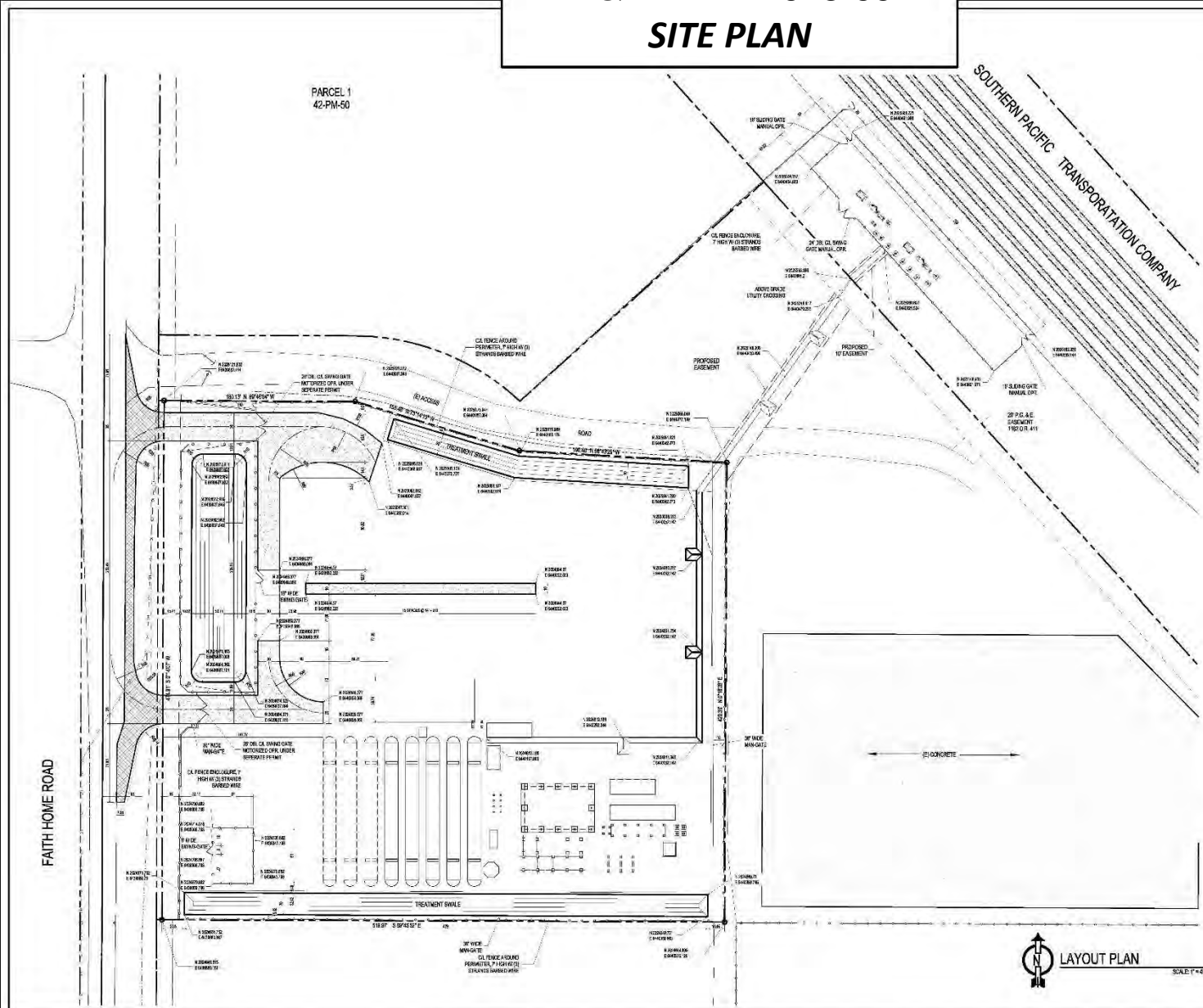
LANDSCAPE CONCEPT PLAN

04/24/2018

NOTE: THIS DOCUMENT IS FOR CONCEPTUAL PURPOSES ONLY. THIS DOCUMENT IS WITHIN PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION PURPOSES. ANY IMAGES SHOWN ARE FOR CONCEPT ONLY. CONSTRUCTION PLANS WILL BE PROVIDED ON SEPARATE CLIENT REQUESTION. COMPANY LOGO AND TITLE WILL BE ADDED LATER.



LINDE GROUP, LLC REZ & PM PLN2018-0017 SITE PLAN



SYMBOL LEGEND:

PROPOSED LINE
 DASHED LINE
 DOTTED LINE
 SOLID LINE

NOTE:
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JUSTIN W. CAPP, Inc.
ENGINEERING + DESIGN

JUSTIN W. CAPP
 2121 S. 28th St
 1476 N. 10th St, Suite 100
 Phoenix, AZ 85016
 (602) 991-4118



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2	3/9/18	IP	MMJ	1	JD	3/9/18	REQUESTED REVISION
3	3/14/18	IP	MMJ	1	JD	3/14/18	REQUESTED REVISION
4	4/6/18	IP	MMJ	1	JD	4/6/18	PLAN CHECK REV.

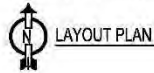
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ENGINEERING DIVISION
0127 DRESDEN

Linde

Linde Project No.: 3710A008 Linde Job Code: KEYES C02

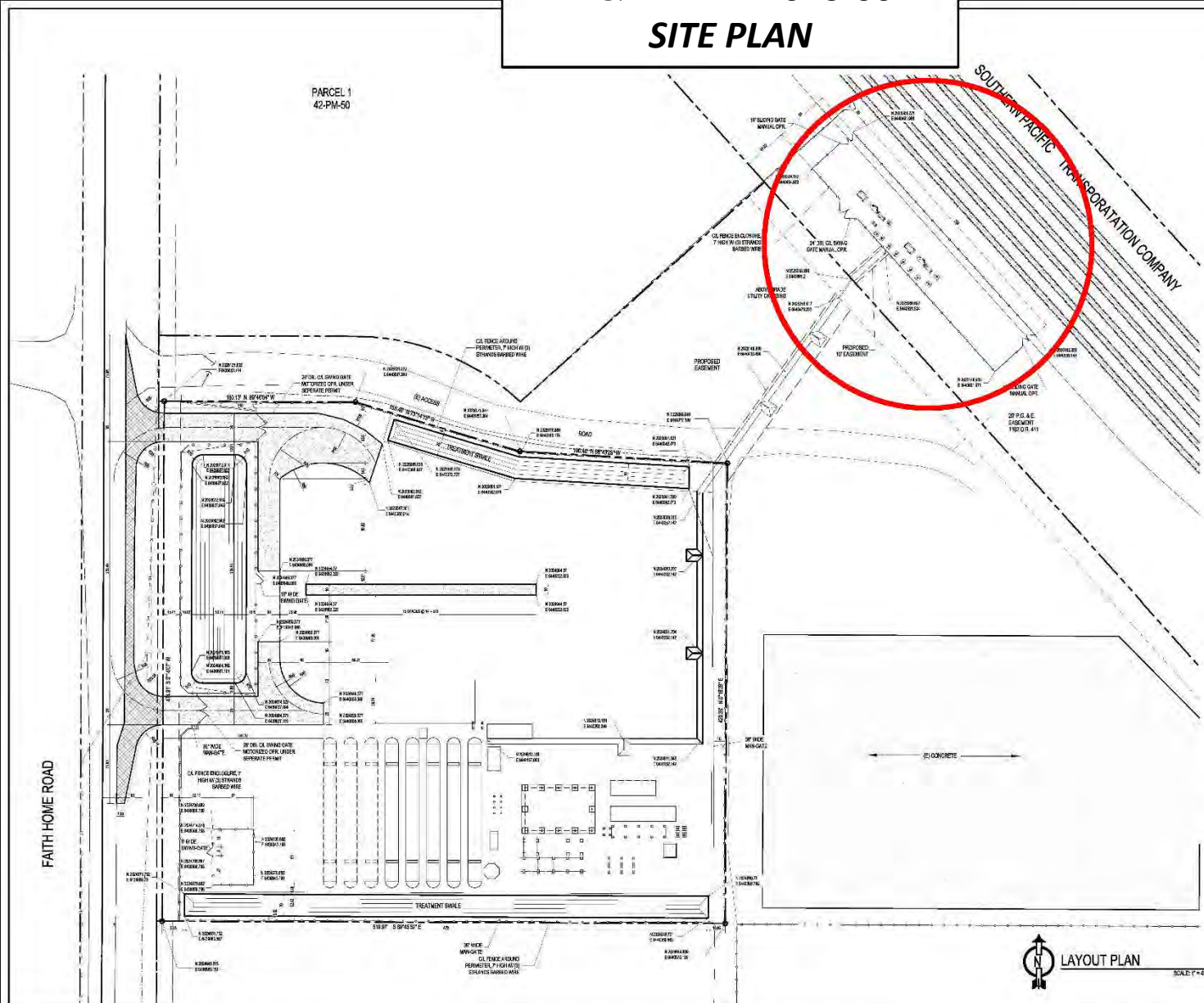
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Linde Drawing No.: 6C1-00-C-2R 1001.010 (EN) Sheet: 1 of 1 Size: D



SCALE: 1" = 42'

LINDE GROUP, LLC REZ & PM PLN2018-0017 SITE PLAN



SYMBOL LEGEND:
 --- PROPOSED LINE
 --- EXISTING UTILITY
 --- EXISTING UTILITY

NOTE:
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FAITH HOME ROAD

SOUTHERN PACIFIC TRANSPORTATION COMPANY

JUSTIN W. CAPP, Inc.
 ENGINEERING + DESIGN

JUSTIN W. CAPP
 212195 SE 78th
 1476 SW 10th, YULET, WA
 PH: 323-482-2533
 1-800-391-4118



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4	4/6/18	IP	MJK	1 JD 4/6/18 PLAN CHECK REV.

NO.	DATE	STATUS	DESIGNED	CHECKED	APPROVED	DATE

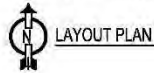
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 ENGINEERING DIVISION
 0127 DRESDEN

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Linde Project No.: 3710A008 Linde Job Code: KEYES C02

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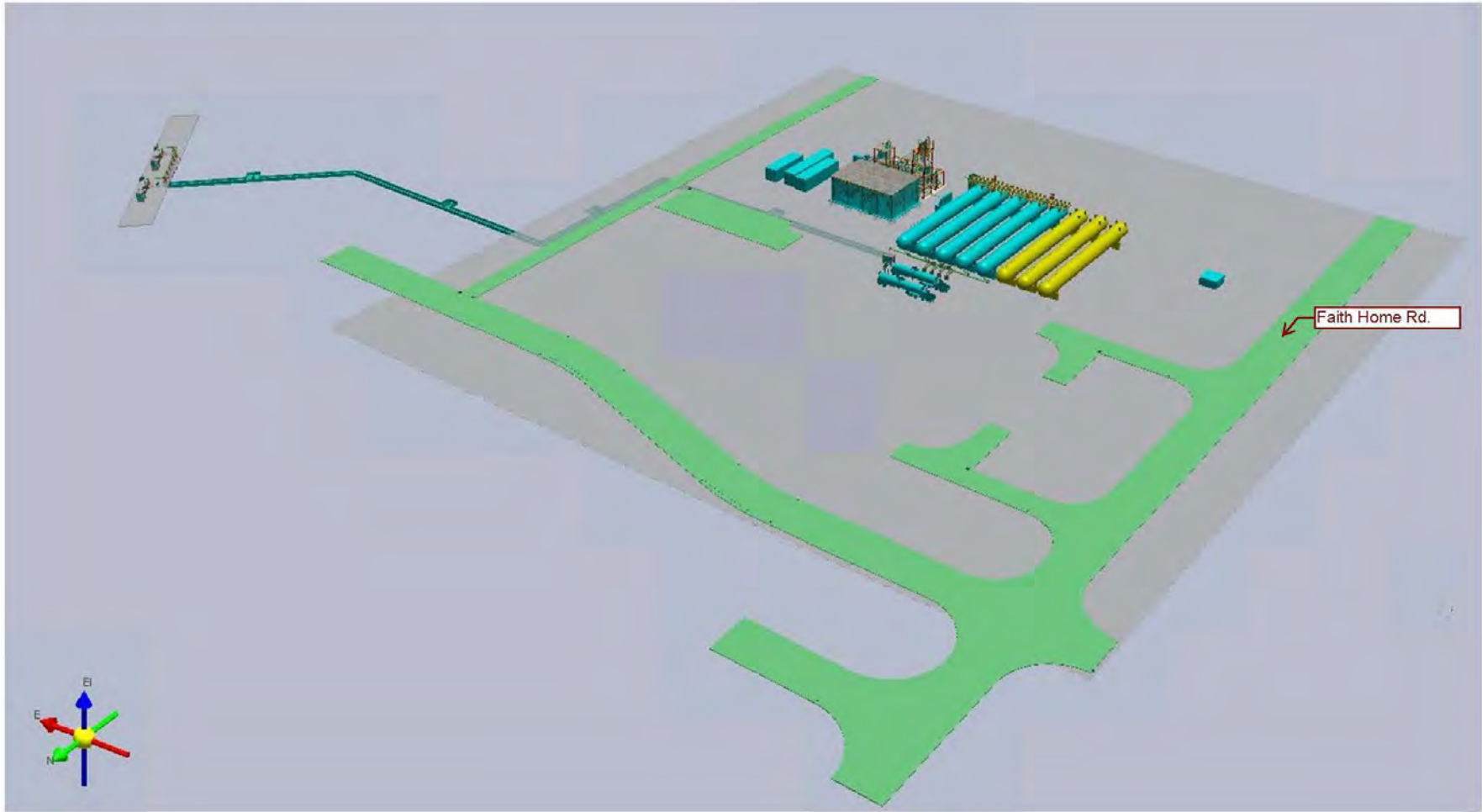
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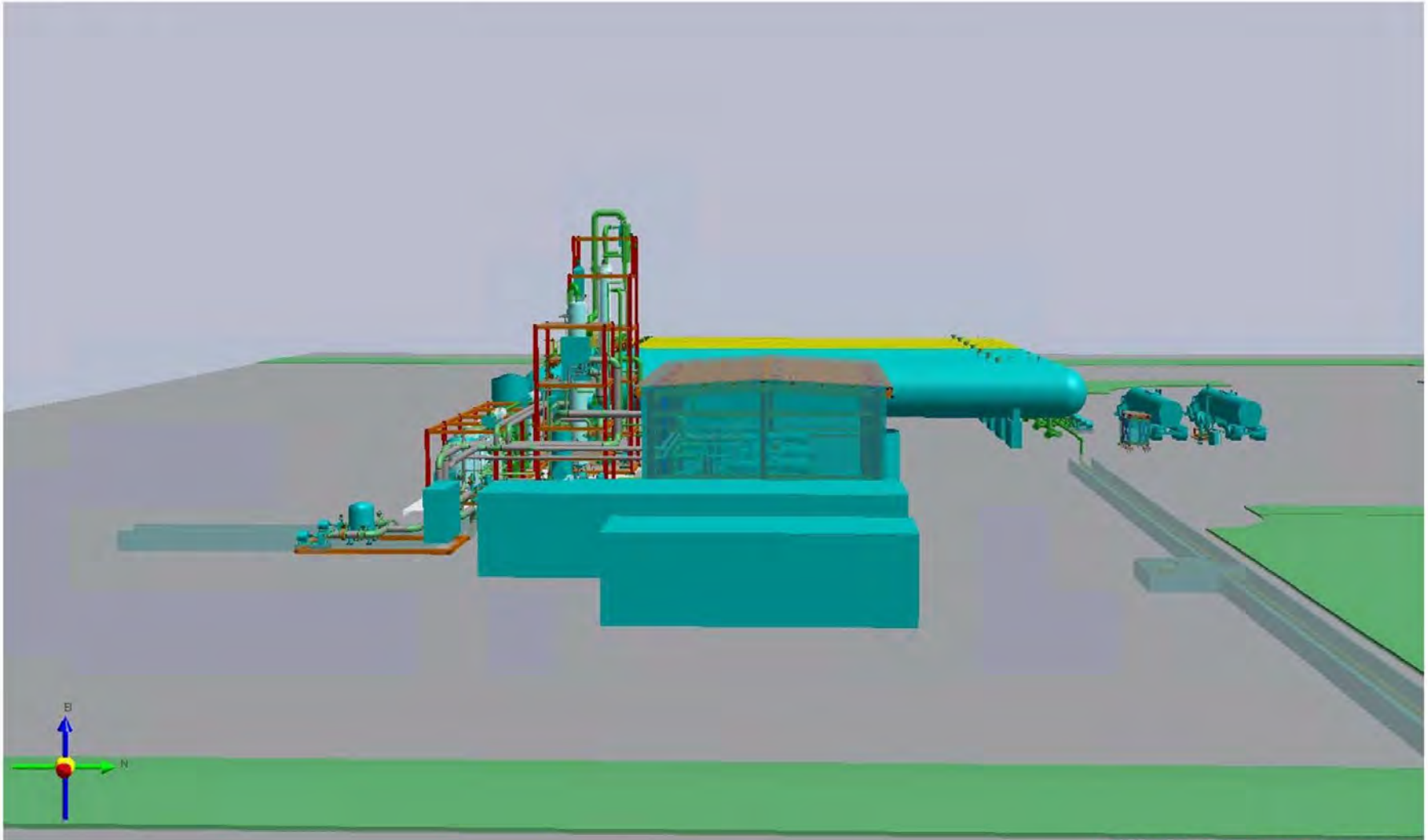
LINDE GROUP, LLC
REZ & PM PLN2018-0017
SITE RENDERING – SOUTH EAST

2. Overview, looking south east



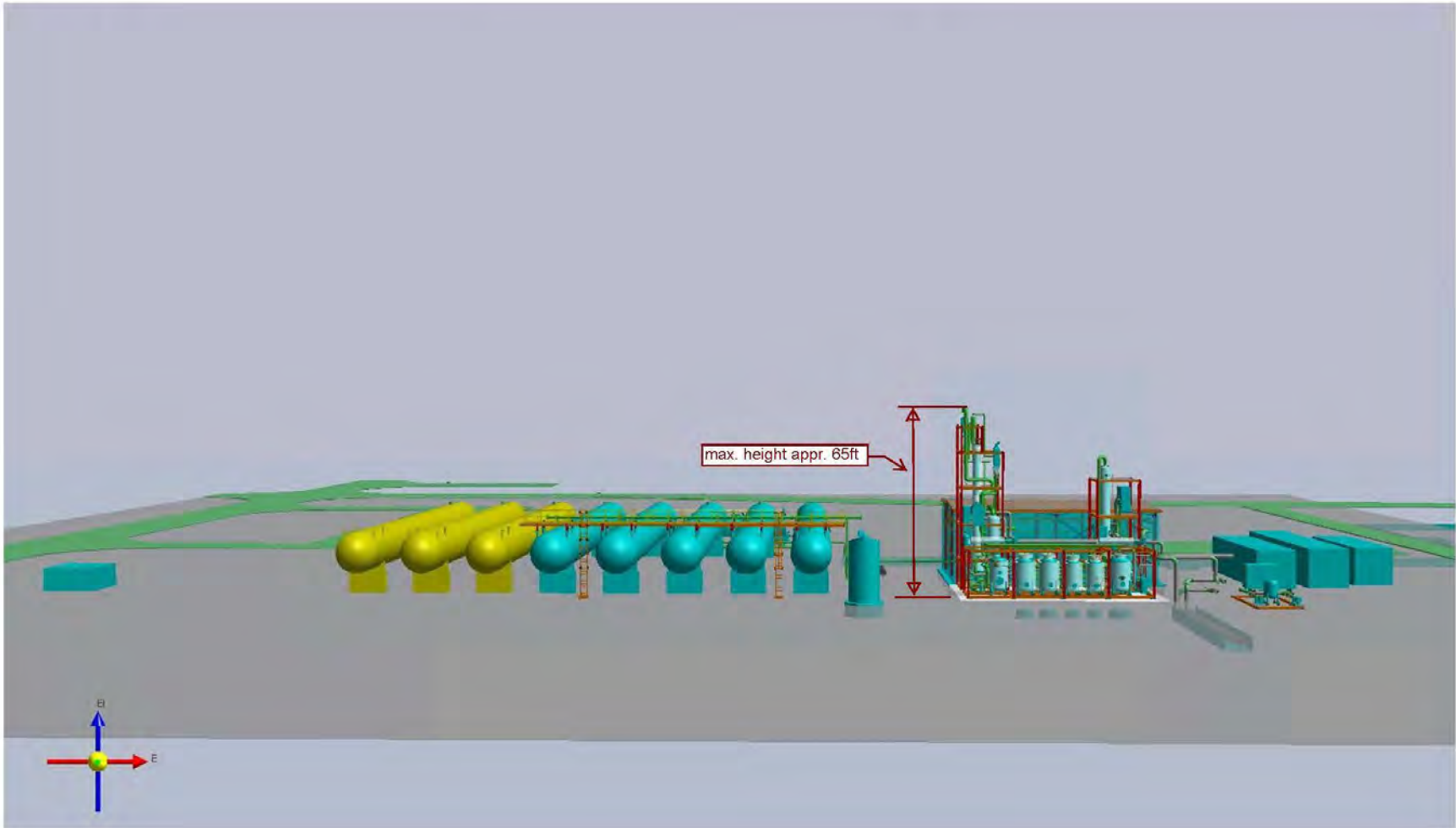
LINDE GROUP, LLC
REZ & PM PLN2018-0017
SITE RENDERING – WEST

6. looking west



LINDE GROUP, LLC
REZ & PM PLN2018-0017
SITE RENDERING – NORTH

4. looking north



General Plan, Zoning, and Subdivision Ordinance Consistency

- General Plan
 - Land Use Element
 - Land Use Designation – Planned Development
 - Keyes Community Plan
 - Agricultural Element
 - Ag Buffer
- Zoning Ordinance
 - Planned Development
- Subdivision Ordinance



Environmental Review

- CEQA – Mitigated Negative Declaration



Planning Commission

- Planning Commission hearing - July 19, 2018
- Planning Commission questions:
 - Process safety
 - Use of rail
 - Proposed height of the structures
 - Agricultural buffer requirement
 - Traffic mitigation fee
 - Clarifying property ownership
- 6-0 vote, the Planning Commission recommended the Board of Supervisors approve the request as proposed.



Recommendation

- **Planning Commission recommendation**
 - Recommend Board of Supervisors Approval
- **Findings – Exhibit A**
 - Environmental Review
 - General Plan Consistency
 - Low People Intensive Use
 - Dedication and Improvements
 - Parcel Map Findings
 - Project Approval



Questions

