

STANISLAUS COUNTY PLANNING COMMISSION

February 19, 2015

STAFF REPORT

TENTATIVE PARCEL MAP APPLICATION NO. PLN2014-0081
ARNERICH

REQUEST: REQUEST TO CREATE FOUR PARCELS OF 53±, 57±, 63±, AND 197± ACRES FROM A 370± ACRE PARCEL.

APPLICATION INFORMATION

Applicant/Owner:	Larry & Marilyn Arnerich
Agent:	Kevin Cole, Giuliani & Kull, Inc.
Location:	14630 Sonora Road, on the south side of Sonora Road, between Orange Blossom and Frankenheimer Roads, northeast of the City of Oakdale, in the Knights Ferry area.
Section, Township, Range:	12 & 13-1-11
Supervisorial District:	One (Supervisor O'Brien)
Assessor's Parcel:	002-021-053
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	Proposed Parcel 1: 53± Acres Proposed Parcel 2: 57± Acres Proposed Parcel 3: 63± Acres Proposed Parcel 4: 197± Acres
Water Supply:	Private Well
Sewage Disposal:	Septic
Existing Zoning:	A-2-40 (General Agriculture)
General Plan Designation:	Agriculture
Sphere of Influence:	Not Applicable
Community Plan Designation:	Not Applicable
Williamson Act Contract No.:	73-1404
Environmental Review:	Negative Declaration
Present Land Use:	Rangeland, irrigated crops, and two single-family dwellings
Surrounding Land Use:	Irrigated crops and a single-family dwelling to the south; rangeland and a single family-dwelling to the north and east; and rangeland to the west

RECOMMENDATION

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

PROJECT DESCRIPTION

The project is a request to create four parcels of 53± (Proposed Parcel 1), 57± (Proposed Parcel 2), 63± (Proposed Parcel 3) and 197± (Proposed Parcel 4) acres from an existing 370± acre parcel. Access for Proposed Parcels 1, 2, and 3 will be obtained via Sonora Road and Proposed Parcel 4 will be served by a proposed access and utility easement. The project site is currently, and will remain, enrolled in Williamson Act Contract No.73-1404. At this time, there are no proposals to construct any new single-family dwellings on any of the proposed parcels.

SITE DESCRIPTION

The site is located at 14630 Sonora Road, on the south side of Sonora Road, between Orange Blossom and Frankenheimer Roads, northeast of the City of Oakdale, in the Knights Ferry area. Currently, the parcel consists of rangeland (Proposed Parcels 1, 2, and 3), row crops irrigated with water received from Oakdale Irrigation District (Proposed Parcel 4), and two single-family dwellings (one on each of Proposed Parcels 2 and 4). The existing parcel has also been improved with two domestic wells (one on each of Proposed Parcels 2 and 4) and two accessory structures (Proposed Parcel 4). The project site is bound by Little John's Creek to the south and contains a seasonal creek near the northwest portion of the parcel.

ISSUES

Biological Studies

An Early Consultation referral response from the State of California Department of Fish and Wildlife (CDFW) detailed the possible presence of protected wildlife and plant life in the project area. The response recommended biological studies for native plant species, nesting birds, California Tiger Salamander's, Swainson's Hawk, and Burrowing Owls. To address those concerns, staff is recommending applying conditions of approval to the project that require the applicant, or any future owner of the newly created parcels, to contact CDFW prior to any ground disturbing activities. The applicant/owner shall be responsible for any and all certified studies CDFW may require as a precursor to ground disturbing activities. CDFW also requested that ground disturbing activities include land use conversion. These conditions of approval will also be recorded on the final parcel map.

"No Build" Restriction

Based on the characteristics of all proposed parcels, a "no build" restriction will apply. This is discussed further in the *General Plan Consistency* section below.

GENERAL PLAN CONSISTENCY

The site is currently designated Agriculture in the Stanislaus County General Plan and this designation is consistent with the site's A-2 (General Agriculture) zoning district. The Agriculture designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas and, as such, should generally be zoned with 40 to 160 acre minimum parcel sizes.

The project site is currently enrolled in Williamson Act Contract No. 73-1404. In accordance with both local and state Williamson Act provisions, lands are presumed to be too small to sustain their agricultural use if the lands are less than 40 acres in size in the case of non-prime agricultural land;

10 acres in size in the case of prime agricultural land; or the subdivision will result in residential development not incidental to the commercial agricultural use of the land. In this case, all proposed parcels are 40 acres or more in size.

The project site is currently in agricultural production and is comprised of irrigated row crops and unirrigated grazing land. Stanislaus County General Plan Agricultural Element Policy 2.8 specifies that the subdivision of agricultural land consisting of unirrigated farmland, unirrigated grazing land, or land enrolled under a Williamson Act contract, into parcels of less than 160-acres in size shall be allowed provided a “no build” restriction on the construction of any residential development on newly created parcel(s) is observed until one or both of the following criteria is met:

- 90% or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For land which is not irrigated by surface water, on-site irrigation infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place.
- Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation.

Production agriculture is defined as agriculture for the purpose of producing any and all plant and animal commodities for commercial purposes. As stated previously, the applicant is not proposing to construct any new single-family dwellings on any of the proposed parcels at this time.

Currently, the existing parcel receives irrigation water from Oakdale Irrigation District (OID) via Little John’s Creek; however, only a portion of the parcel (154 acres) is within the OID service area. Upon project approval, Proposed Parcel 4 will be the only parcel entitled to receive irrigation water from Little John’s Creek, an OID approved conduit of conveyance. A referral response from OID stated that any newly created parcel with less than 10 acres within the OID service area (Proposed Parcels 1, 2, and 3) shall be considered substandard and is subject to OID’s requirements of annexation. All of the OID service area will be contained within Proposed Parcel 4. Voiding the “no build” restriction and approval of the tentative parcel map would allow for a total of six (6) additional single-family dwellings at max build out. While Proposed Parcel 4 receives irrigation water from OID, the parcel’s agricultural production will be less than 90%. Based on this current information, it appears that all proposed parcels will be subject to the “no build” restriction as they do not currently meet the 90% agricultural production threshold. The proposed design of the parcel map is in conformance with the General Plan designation of Agriculture.

The 30-day referral/Initial Study was sent to the Department of Conservation (DOC) for review regarding the Williamson Act. To date, staff has not received any written correspondence from DOC regarding this proposed parcel map.

ZONING & SUBDIVISION ORDINANCE CONSISTENCY

The site is currently zoned A-2-40 (General Agriculture) and will comply with the intent of the district regulations by supporting and enhancing agriculture as the predominant land use in the unincorporated areas of the county. All four of the proposed parcels meet the minimum parcel size requirement of the A-2-40 zoning district and Proposed Parcels 1, 2, and 3 will have legal and physical access to County-maintained roads (Sonora Road). Proposed Parcel 4 will have access to Sonora Road via a 35-foot wide access easement located between Proposed Parcels 1 and 2.

In accordance with the Williamson Act, proposed parcels will be restricted by zoning to on-site residential development which is incidental to the agricultural use of the land and will not diminish the agricultural production. The Planning Department has instituted a process by which all building permit applications submitted for any new structures (including new single-family dwellings) on Williamson Act properties must be accompanied by a signed Landowner Statement that verifies compatibility with the Williamson Act contract. The Landowner Statement further acknowledges that, pursuant to AB 1492, severe penalties may arise should the County or the Department of Conservation (DOC) determine in the future that the structure(s) is in material breach of the contract.

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 F - *Environmental Review Referrals*.) A Negative Declaration has been prepared for approval prior to action on the map itself as the project will not have a significant effect on the environment. (See Exhibit E - *Negative Declaration*.) Conditions of approval reflecting referral responses have been placed on the project. (See Exhibit C - *Conditions of Approval*.)

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,267.00** 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: Jeremy Ballard, Assistant Planner, (209) 525-6330

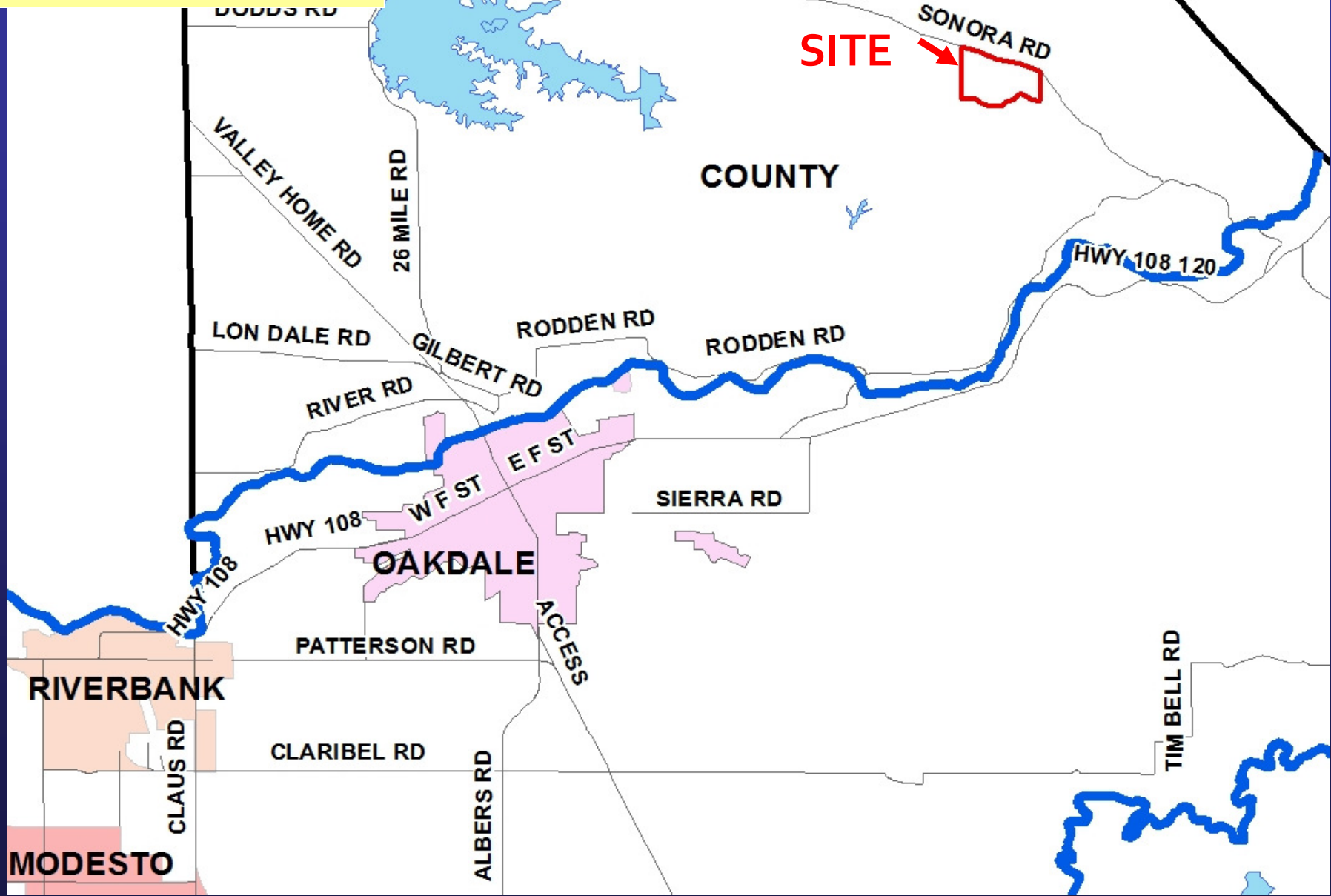
Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - Environmental Review Referrals

Exhibit A
Findings and Actions Required for Project Approval

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - (a) The proposed map is consistent with applicable general and community plans as specified in Section 65451;
 - (b) The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
 - (c) The site is physically suitable for the type of development;
 - (d) The site is physically suitable for the proposed density of development;
 - (e) 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;
 - (f) The design of the subdivision or type of improvements are not likely to cause serious public health problems;
 - (g) 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;
 - (h) The proposed parcel map is consistent with the restrictions and conditions of the existing Williamson Act contract(s);
 - (i) The proposed parcels are of a size suitable to sustain agricultural uses;
 - (j) The proposed parcel map will not result in residential development not incidental to the commercial agricultural use of the land; and
 - (k) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
4. Approve Tentative Parcel Map Application No. PLN2014-0081 – Arnerich subject to the attached conditions of approval.

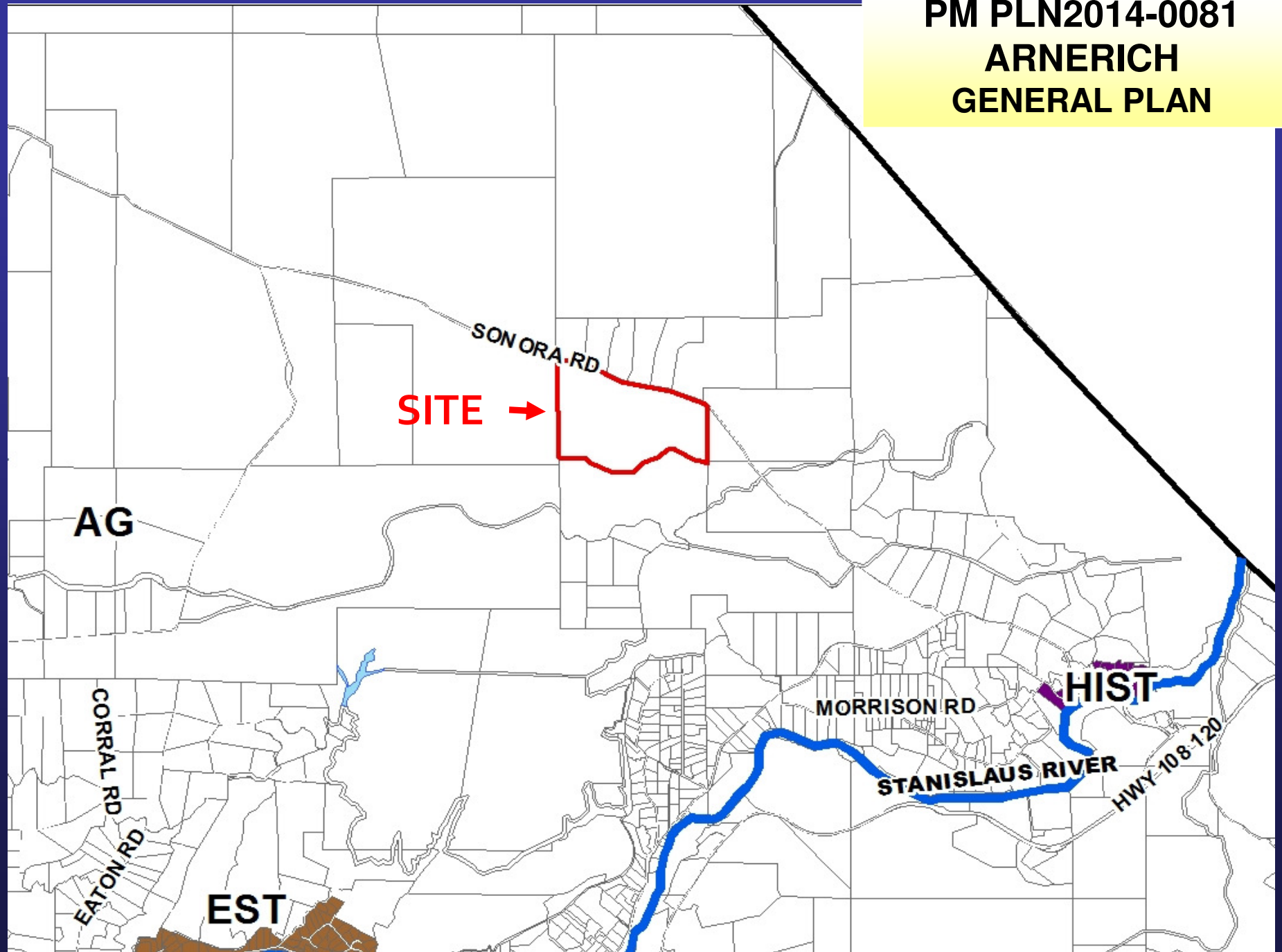
**PM PLN2014-0081
ARNERICH
AREA**



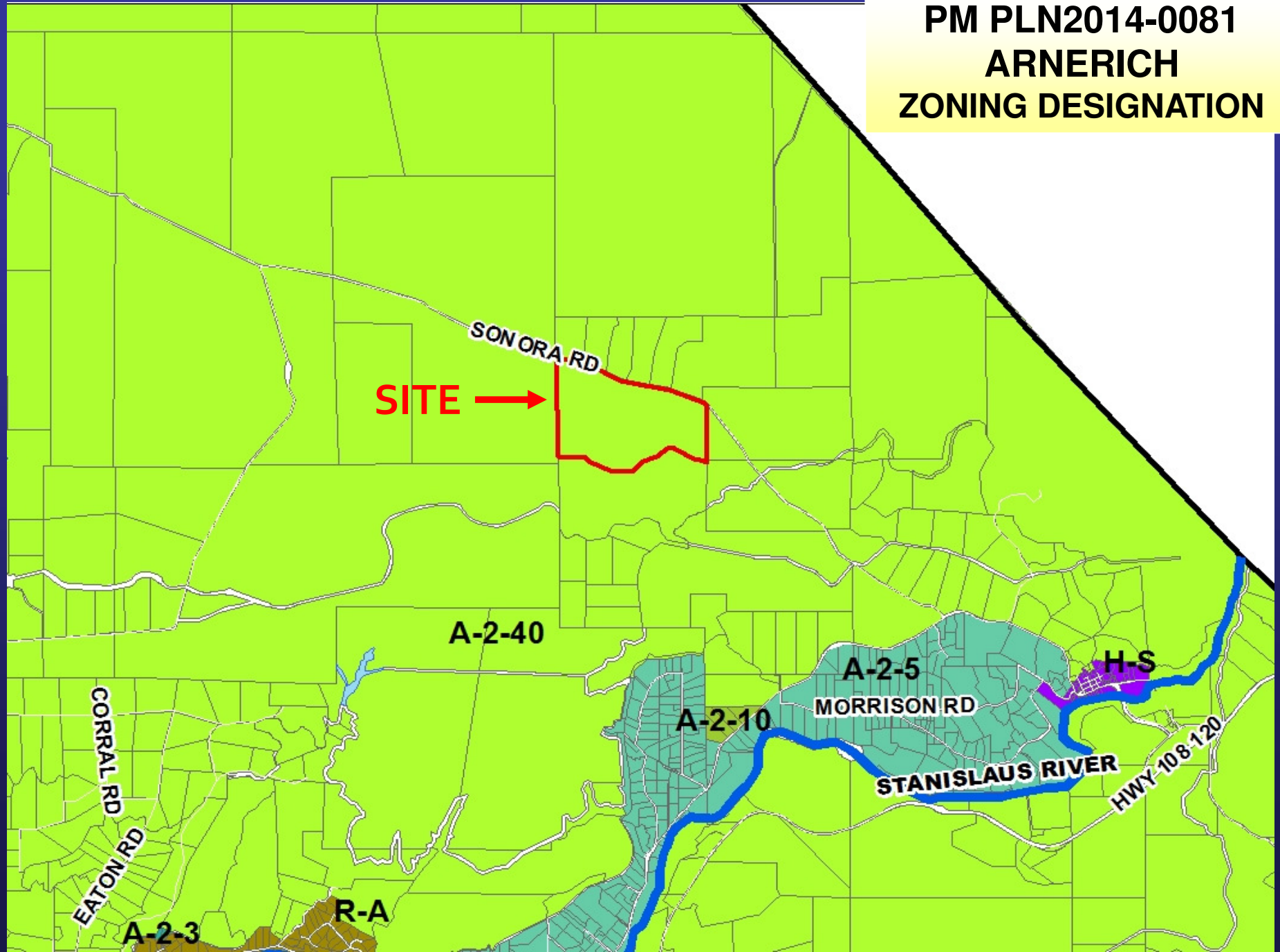
9

EXHIBIT B

**PM PLN2014-0081
ARNERICH
GENERAL PLAN**



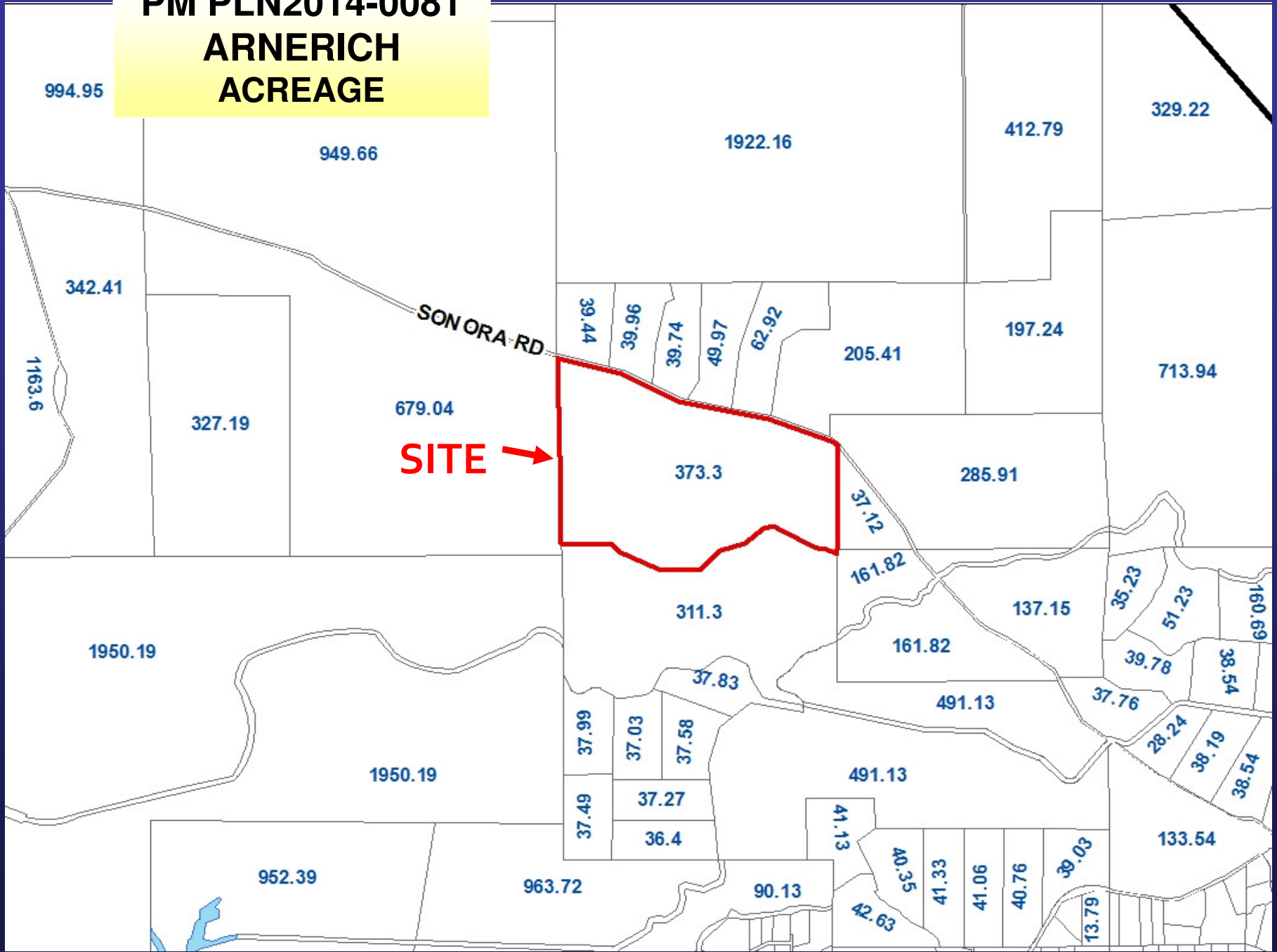
**PM PLN2014-0081
ARNERICH
ZONING DESIGNATION**



8

EXHIBIT B-2

**PM PLN2014-0081
ARNERICH
ACREAGE**

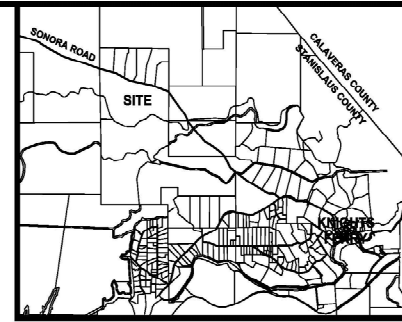
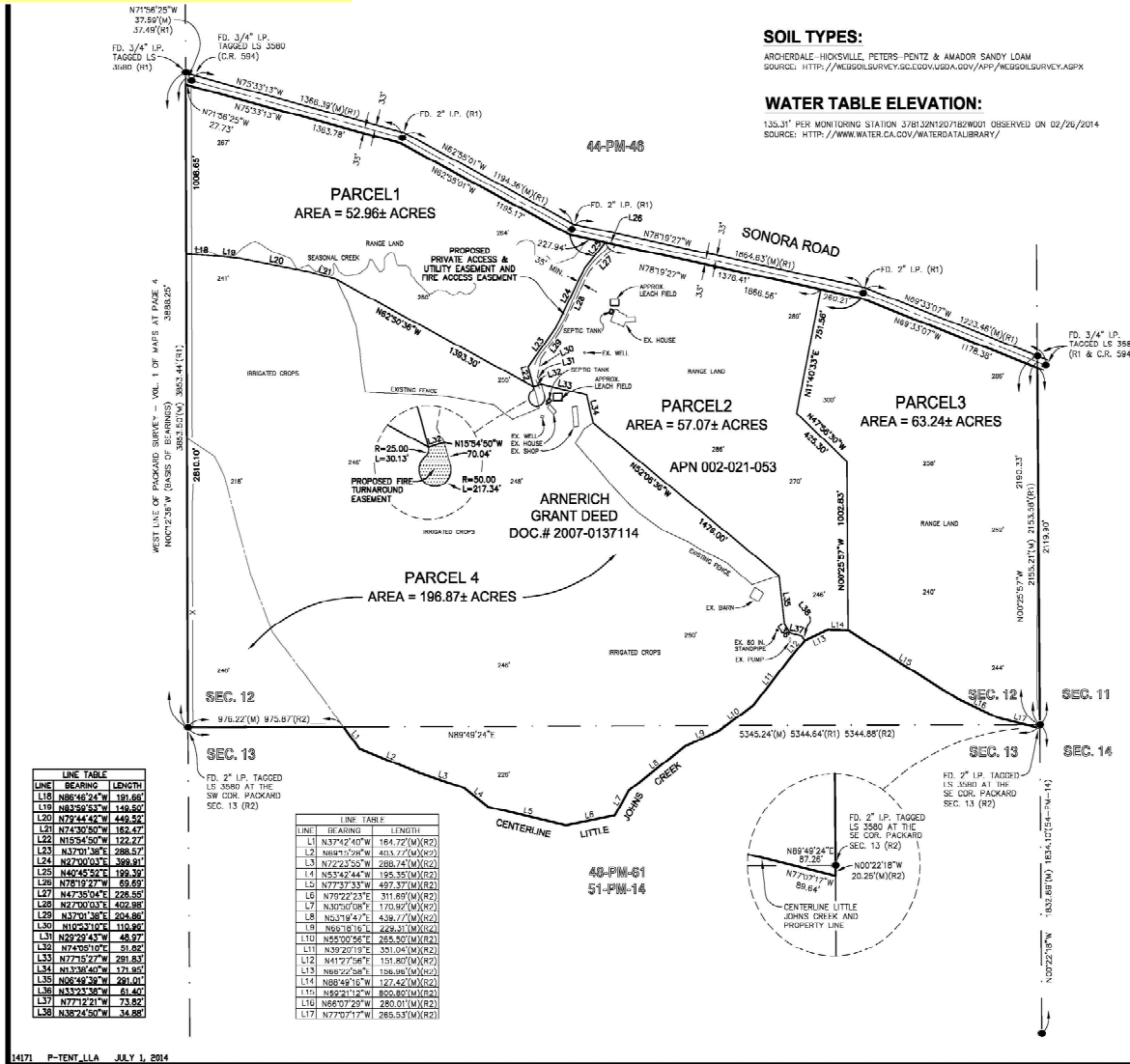


**PM PLN2014-0081
ARNERICH
2013 AERIAL**

SITE



PM PLN2014-0081 ARNERICH TENTATIVE MAP



VICINITY MAP

OWNER/APPLICANT: LARRY & MARILYN ARNERICH
14630 SONORA ROAD
OAKDALE, CA 95361

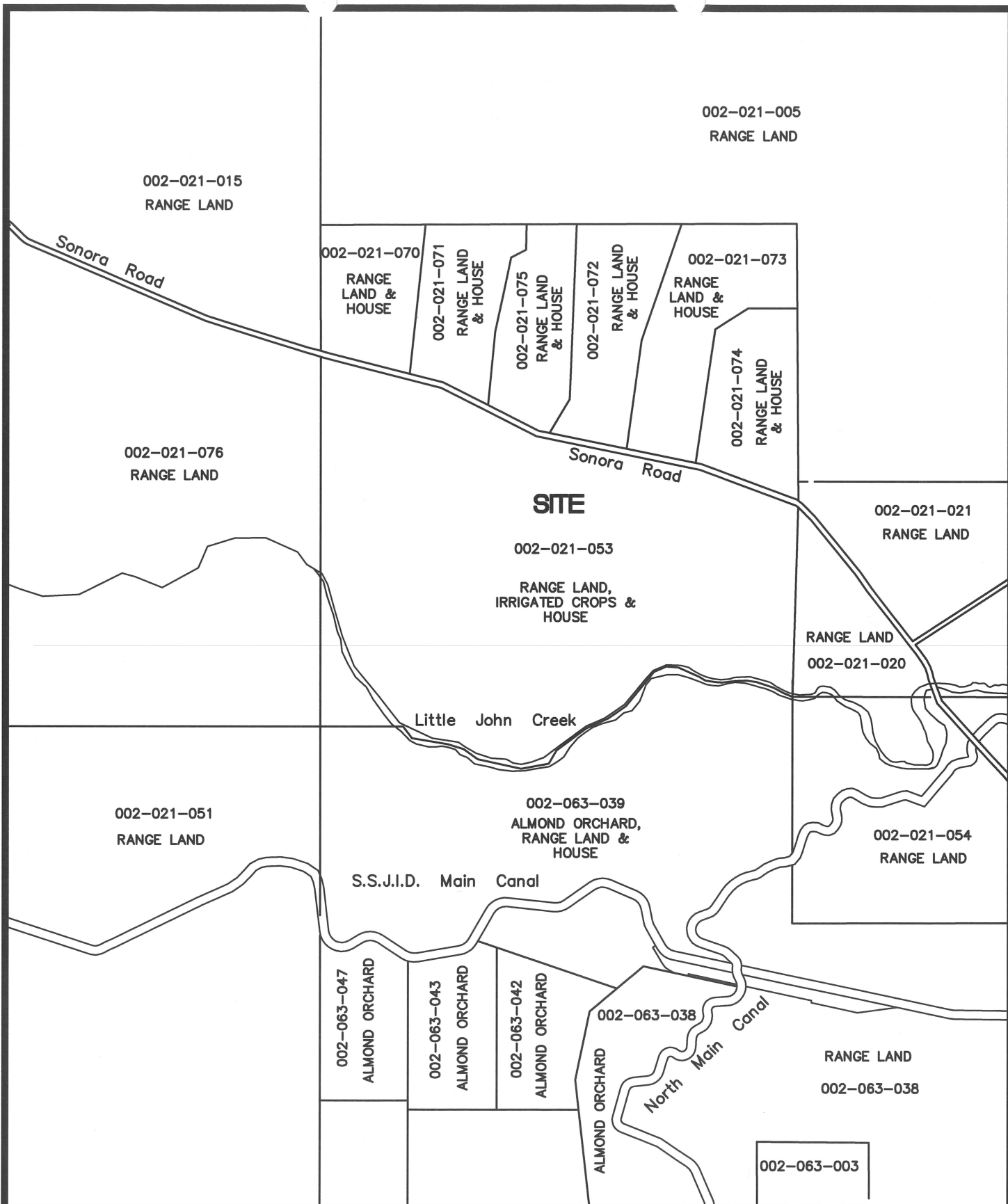
PREPARED BY: GIULIANI & KULL, INC.
440 S. YOSEMITE AVENUE SUITE A
OAKDALE, CA 95361

TOTAL AREA: 370.14 AC.
NO. OF PARCELS: 4
A.P.N.: PORTION OF 002-021-053
ZONING: A2-40
WATER: PRIVATE WELL
SANITARY SEWER: SEPTIC
STORM DRAIN: OVERLAND
SLOPE OF LAND: FLAT-10%

TENTATIVE PARCEL MAP

BEING A DIVISION OF THE WEST HALF, AND THE EAST HALF LYING NORTH OF LITTLE JOHN'S CREEK, OF SECTION 12 AND ALL OF SECTION 13 LYING NORTH OF LITTLE JOHN'S CREEK IN TOWNSHIP 1 SOUTH, RANGE 11 EAST OF ALBERT PACKARD'S PRIVATE SURVEY OF 3-1/2 LEAGUES OF RACHERIA DEL RIO ESTANISLAO, EXCEPTING THEREFROM PARCELS 1-6 OF THAT PARCEL MAP FILED FOR RECORD IN BOOK 44 OF PARCEL MAPS AT PAGE 46, STANISLAUS COUNTY RECORDS SITUATE IN STANISLAUS COUNTY, CALIFORNIA
SCALE 1" = 400' JULY 2014

GK Giuliani & Kull, Inc.
Engineers • Planners • Surveyors
440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
(209) 847-8726 Fax (209) 847-7323
Auburn • Oakdale • San Jose



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

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

SCALE: 1" = 1500'
DRAWN: KSC
CHECKED: KSC
JOB NO.: 14171
SHEET: 1 OF 1

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**ARNERICH TPM
AREA MAP**

**STANISLAUS COUNTY, CALIFORNIA
EXHIBIT B-6**

CONDITIONS OF APPROVAL

**TENTATIVE PARCEL MAP APPLICATION NO. PLN2014-0081
ARNERICH**

Department of Planning and Community Development

1. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2015), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination". Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,267.00**, 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.

2. 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.
3. 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.
4. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
5. 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.
6. Pursuant to Sections 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and shall be responsible for obtaining all appropriate streambed alteration agreements, permits, or authorizations, if necessary.

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 Wildlife (formerly the 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. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
11. The recorded parcel map shall contain the following statements:

“All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with the 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.”

And

“All persons purchasing lots within the boundaries of the approved map shall be required to contact, perform, and have certified any and all biological studies the State of California Department of Fish and Wildlife may find applicable prior to any ground disturbing activities. Applicable ground disturbing activities shall include: building or grading permits; land conversion of any kind; and/or any activities that may cause any harm to indigenous wildlife or species.”
12. A "No Build" restriction on the construction of any residential development shall be observed until one or both of the following criteria is met:
 - A. Ninety percent or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For land which is not irrigated by surface water, on-site irrigation infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site

infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place.

- B. Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation.

Department of Public Works

13. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying.
14. All structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.
15. The new parcels shall be surveyed and fully monumented prior to the recording of the final map.
16. Sonora Road is classified as an 80-foot Collector Road. The required roadway $\frac{1}{2}$ width is 40-feet south of the Sonora Road centerline. If 40-feet of the road right of way south of Sonora Road's centerline does not exist, the remainder of the 40-feet not previously dedicated shall be dedicated with an Irrevocable Offer of Dedication with the recording of the final map.
17. Prior to the final map being recorded, a Road Maintenance Agreement shall be executed and recorded or a Homeowner's Association shall be formed. This agreement shall cover all access easements adjoining the parcels being formed by this map. The necessary documents shall be recorded and specify that maintenance of all private access easements and/or roads will be the sole responsibility of the property owners. A copy of the recorded Road Maintenance Agreement or Homeowner's Association shall be provided to the Department of Public Works and the Department of Planning and Community Development for review and approval prior to recordation of the map.

Department of Environmental Resources

18. Each parcel shall have an approved independent water supply. Prior to the issuance of a building permit, each parcel shall have its own well. A drilling permit shall be obtained from the Department of Environmental Resources (Stanislaus County Policy and State Model Well Standards Ordinance).
19. The existing septic system(s) is/are to be contained within the Proposed Parcel 2 and 4 boundaries as per required Department setback standards.

Oakdale Irrigation District

20. No additional irrigation delivery connections will be provided as a result of development unless approved by the Board of Directors. New points of delivery as approved by the Board shall be at the expense of the Developer and shall be subject to a new service connection charge and water rate to be determined by the Board of Directors.

For agricultural lands that continue to be farmed, the District shall make available a consensual lien process to defer the cost of new delivery installations until such time as the parcels are sold.

21. The historical water delivery point for the developed property will continue to be the point of diversion for the development. All existing points of delivery which do not meet current District standards shall be replaced at the expense of the Developer.
22. The historical water delivery volume for the developed property will not increase as a result of development. All points of delivery shall be measurable, as per District standards.
23. Parcels within the proposed development that continue to irrigate shall have water made available under one of three options:

Option 1: An independent delivery system to each parcel. Each parcel to be served by a single pipeline with its beginning at a cluster well or sump provided at the historical point of delivery. The District has standard plans available for this purpose;

Option 2: A single pipeline that serves multiple properties with its beginning at the historical point of delivery. The District has standard plans available for this purpose. This option is only available for developments operating under an Improvement District (Water Code §23600) arrangement with OID; or

Option 3: As defined under Requirements-Irrigation, point No. 1 (of the OID Subdivision Parcel Map Policy).
24. The final parcel map shall be in compliance with the Oakdale Irrigation District Subdivision Parcel Map Policy.
25. The final parcel map shall identify the OID boundary and delineate the in-district area as relates to the created parcels.

*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~~.*



Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, California 95354

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

CEQA INITIAL STUDY

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

1. **Project title:** Tentative Parcel Map Application No. PLN2014-0081- Arnerich
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Jeremy Ballard, Assistant Planner
(209) 525-6330
4. **Project location:** 14630 Sonora Road, on the south side of Sonora Road between Orange Blossom Road, and Frankenheimer Road, northeast of the City of Oakdale. APN: 002-021-053
5. **Project sponsor's name and address:** Kevin Cole – Giuliani & Kull, Inc.
440 S. Yosemite Ave,
Oakdale, CA 95361
6. **General Plan designation:** Agriculture
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

Request to create four parcels of 53 (Parcel 1), 57 (Parcel 2), 63 (Parcel 3) and 197 (Parcel 4) acres from an existing 370 acre parcel. Parcel uses currently consist of rangeland (Parcels 1, 2 and 3), irrigated crops (Parcel 4) and two single-family dwellings (Parcels 2 and 4). Access for Parcels 1, 2 and 3 will be obtained via Sonora Road and Parcel 4 will be served by a proposed access and utility easement.
9. **Surrounding land uses and setting:** All surrounding properties are zoned and designated in the General Plan for Agriculture. The property that neighbors the project to the south is in irrigated crops, all other nearby properties are in rangeland. A number of neighboring properties contain single-family homes. A seasonal creek, Little Johns Creek, borders the property to the south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Department of Public Works
Stanislaus County Department of Environmental Resources

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Jeremy Ballard, Assistant Planner
 Prepared By _____

December 30, 2014
 Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the 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	
<p>Discussion: Per Stanislaus County's General Plan Conservation Element, the site is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for architectural review of agricultural or residential subdivisions. Currently, the project site has been improved with two single family homes. Any new development resulting from this project will be consistent with the existing surrounding land uses. Currently, the surrounding land uses consist of agricultural production with some parcels improved with single-family homes and agricultural accessory structures. Neither substantial change to the visual character, nor damage to scenic resources will result from the parcel map. At this time no future development is being proposed with this project that may affect the aesthetics of the direct vicinity, or cause for any new substantial light or glare.</p>				
<p>Mitigation: None.</p>				
<p>References: Application Materials, Stanislaus County General Plan and Support Documentation¹.</p>				
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	

<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>			X	
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				X
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>			X	

Discussion: The existing property is zoned A-2-40, General Agriculture and is currently enrolled in the Williamson Act. The property will remain in the Williamson Act and remain zoned A-2-40, restricting its uses to agriculturally-related uses as allowed by those designations. Parcel 4 (196.87 Acres), is currently in row crops and designated as Farmland of Local Importance by the California Department of Conservation. Parcels 1, 2, and 3, are rangeland and designated as Grazing Land by the California Department of Conservation. The parcel consists of two different soil types, Amador Sandy Loam, 5 to 15 percent slopes, and Archerdale Hicksville 0 to 2 percent slopes. According to Stanislaus Zoning Code 21.20.050, creation of new parcels by division, that are enrolled in Williamson Act contract, and are less than 160 acres will adhere to a “no build” restriction of any residential development until the proper criteria is met. At this time no residential development is being proposed as part of this project. However, a condition of approval will be placed on the project to address the restriction. The project site contains no forest land. The project was referred to the California Department of Conservation but no comments have been received at this time.

Mitigation: None.

References: Stanislaus County Zoning Code, California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2012; Tentative Parcel Map, 1964 Eastern Stanislaus County Soil Survey; Stanislaus County General Plan and Support Documentation¹.

<p>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:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Included</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>			X	
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>			X	
<p>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)?</p>			X	
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>				X

<p>e) Create objectionable odors affecting a substantial number of people?</p>				<p>X</p>
<p>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.</p> <p>The primary source of air pollutants generated by this project would be classified as being generated from “mobile” sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California Environmental Protection Agency (EPA), which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.</p> <p>After the project approval, zoning code will allow for two single-family homes on each parcel. The project may generate increased air pollutants due to construction and trips generated from the single family homes. However, there is no new residential development being proposed at this time. The temporary construction of the additional homes should not create a significant or cumulative impact on air quality. This project has been referred to the SJVAPCD, but no comments have been received at this time.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County Zoning Code; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; Stanislaus County General Plan and Support Documentation¹.</p>				
<p>IV. BIOLOGICAL RESOURCES -- Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Included</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>a) 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?</p>				<p>X</p>
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>			<p>X</p>	
<p>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?</p>			<p>X</p>	
<p>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?</p>				<p>X</p>

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: Parcelization of the site, as proposed, will not result in any direct or indirect impacts to endangered species or habitats, locally designated species, or wildlife dispersal and mitigation corridors. The property is bound by Little John Creek to the south, however no construction activity nor alteration of the landscape is proposed near the creek. A referral response received from California State Department of Fish and Wildlife (DFW) detailed the possible wildlife and plant life in the project area. The response recommended biological studies for native plant species, nesting birds, California Tiger Salamander, Swainson's Hawk, and Burrowing Owls. Staff received calcification from DFW as to when the recommendations should be carried out. DFW had concerns with the applicants lawful ability to development on the newly created parcels within the A-2 zoning district approved uses because of the possible presence of the above mentioned wild and plant life. Staff will address those concerns by adding conditions of approval to the project that prior to any ground disturbing activities on any of the newly created parcels, the applicant shall contact DFW. The applicant shall also be responsible for any and all studies DFW may require as precursor to ground disturbing activities. DFW also requested that ground disturbing activities include land conversion. Stanislaus County requires grading permits for the grading, excavation and earthwork construction activities in the unincorporated areas of Stanislaus County. As stated previously, prior to issuance of grading permits the applicant shall contact DFW. These conditions will also be recorded on the final parcel map. There is no adopted Conservation Plan that includes the project location.

Mitigation: None.

References: California Department of Fish and Game California Natural Diversity Database; Referral Response from California State Department of Fish and Wildlife dated December 4 and 10 2014; 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: According to the Central California Information Center (CCIC), there are no known historic, archaeological, nor any human remains. However, the search indicated that the project area has a high sensitivity for possible discovery of historical resources, including both prehistoric and historic archaeological resources. The CCIC believes that because of the proximity to Little Johns Creek and its tributaries there is potential for discoveries. There is no development being proposed as part of this project; however, a condition of approval will be placed on the project that if any resources are found, construction activities will be halted and the appropriate agencies will be contacted.

Mitigation: None.

References: Central California Information Center Report Dated 7/18/14, and 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:				
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: As contained in Chapter Five of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required as part of the building permit process. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which consider the potential for erosion and run-off prior to permit approval. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

Mitigation: None.

References: California Building Code, Stanislaus County General Plan and Support Documentation - Safety Element¹.

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	
<p>Discussion: The proposed project will not generate greenhouses gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p>				
<p>Mitigation: None.</p>				
<p>References: Application Materials, Stanislaus County General Plan and Support Documentation¹.</p>				
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	

Discussion: There are no known hazardous materials on the site. Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commission and can only be accomplished after first obtaining permits. DER is responsible for overseeing hazardous materials in this area. The project is located in an area rated as a Moderate Fire risk. The property is served for fire protection by the Oakdale Rural Fire Protection District and will pay fire impact fees for all new construction. A project referral was sent to Oakdale Rural Fire but no comment has been received at this time. The Project is not located in the vicinity of an airport or private airstrip.

Mitigation: None.

References: County Records, Application Materials, 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
l) 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: Most of the property is naturally hilly, with the natural drainage of the property running to the south and into Little John's Creek. If the project is approved, the zoning code will allow for additional homes to be built on each parcel. Further development may increase the total impervious surface area, however staff believes that it will not significantly alter the drainage pattern or substantially increase stormwater runoff into the bordering Little John's Creek. Staff contacted Regional Water Quality Control Board (RWQCB), which did not have any comments on the project. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is not located within a recognized flood zone and, as such, flooding is not an issue with respect to this project. Based on a project referral response from the Stanislaus County Department of Environmental Resources any new development will require independent water and sewer supply. The response also requested that the existing septic systems meet all setback requirements. According to a referral response from OID dated September 16, 2014, there are currently 154 acres of the parcel are served by the District. Upon project approval Parcel 4 will irrigated with water provided by the Oakdale Irrigation District. Any new parcel that may have partial acreage inside the OID boundary are only entitled to receive irrigation water for the portion that is within the boundary. Any new parcel with less than 10 acres within the OID boundary are to be considered substandard by OID and will need approval from the OID Board of Directors to continue to receive irrigation water. OID also requests that the boundary be added to the parcel map. A condition will be placed to accommodate that request prior to the recording of the final map. OID also requested that if any additional portions of the parcels wished to irrigate crops, they must annex into the Irrigation District and meet all the requirements of the District for service. Those conditions will be added to the projects conditions of approval.

Mitigation: None.

References: Application Materials; County Records; Referral response from Oakdale Irrigation District dated September 16, 2014; Referral response from Stanislaus County Department of Environmental Resources dated September 05, 2014; 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: The project is consistent with the Agriculture General Plan designation and A-2-40 (General Ag) zoning of the site. The features of the project will not physically divide an established community and/or conflict with any known habitat conservation plan or natural community plan. This project is not known to conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project.

Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ .				
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 Documentation ¹ .				
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 project would generate no noise beyond what is already experienced in the area due to existing farming operations and single family homes. The agricultural use of the site will remain the same. No construction is proposed, but any future construction as a result of this project is not expected to exceed the area's existing noise level. The project is not located in the vicinity of any airport or airstrip.				

Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ .				
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 project does not propose any significant type of growth inducing features; therefore, adverse affects created by population growth should not occur. The proposed parcels will be restricted by the A-2-40 (General Ag) zoning district. Two permanent dwellings on parcels twenty (20) acres or greater are permitted as per County Code Section 21.20.020 (B). Currently, there are two dwellings on the parcel and upon project approval will reside on created parcels 2 and 1 respectively. Each parcel created will be allowed two permanent dwellings. However, no residential development is being proposed as part of the project.				
Mitigation: None.				
References: Application Materials, Stanislaus County General Plan and Support Documentation ¹ .				
XIV. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?				X

Other public facilities?				X
<p>Discussion: The County has adopted a standardized mitigation measure requiring payment of all applicable Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. In addition, first year costs of the Sheriff's Department have been standardized based on studies conducted by the Sheriff's Department. Should a single-family dwelling be placed on one of the proposed parcels, a less than significant impact will occur as fees are put in place to offset the demand for more services. These fees will be required upon issuance of any building permit and will be placed as conditions of approval for this project.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
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
<p>Discussion: Currently, there are no recreation facilities that would be affected by the proposed project.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
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: Direct access to Sonora Road will be provided to parcels 1, 2, and 3. A recorded easement will establish a right-of-way to access parcel 4. A project referral received from Stanislaus County Public Works dated September 10, 2014, requires the applicant to execute an ingress/egress easement agreement prior to the recording of the final Parcel Map. Either a Road Maintenance Agreement or a homeowner association will also be required to maintain the access road. Staff will make this agreement a condition of approval and the applicant must provide the Planning Department proof before recording the final parcel map. Public Works has also requested an Irrevocable Offer of Dedication if the 40 foot half width south of the centerline of Sonora Road does not already exist. Staff will execute this request in the conditions of approval for the project. Additional residential development will be possible on parcels created following the approval of the tentative map; however, the additional car trips generated by these potential dwelling units will not have a significant impact on the level of service on Sonora Road or the surrounding road network.

Mitigation: None.

References: Referral response from Stanislaus County Department of Public Works dated September 10, 2014; Applications Materials; 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 Currently, the existing dwellings and any future residential development of the created parcels on the project site will have wastewater treatment provided by individual onsite septic systems and water provided by onsite domestic wells. These systems are subject to DER approval, and must comply with all relevant health and safety regulations. No facilities outside the project site will be impacted. Staff contacted RWQCB which did not have any comments on the project. Due to the size of the properties and the limited construction allowed, impacts to storm water drainage are minimal. The regional landfill that serves this project site has sufficient capacity to serve the project and any future residential development from the created parcels. However, at this time no residential development is being proposed as part of the project.

Mitigation: None.

References: Application Materials; Department of Environmental Health Project Comments; County Records; 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.

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¹Stanislaus County General Plan and Support Documentation adopted in October 1994, as amended. Optional and updated elements of the General Plan and Support Documentation: **Agricultural Element** adopted on December 18, 2007; **Housing Element** adopted on August 28, 2012; **Circulation Element** and **Noise Element** adopted on April 18, 2006.

NEGATIVE DECLARATION

NAME OF PROJECT: Tentative Parcel Map Application No. PLN2014-0081 - Arnerich

LOCATION OF PROJECT: 14630 Sonora Road, on the south side of Sonora Road between Orange Blossom Road, and Frankenheimer Road, northeast of the City of Oakdale. APN: 002-021-053

PROJECT DEVELOPERS: Kevin Cole – Giuliani & Kull, Inc.
440 S. Yosemite Ave,
Oakdale, CA 95361

DESCRIPTION OF PROJECT: Request to create four parcels of 53 (Parcel 1), 57 (Parcel 2), 63 (Parcel 3) and 197 (Parcel 4) acres from an existing 370 acre parcel. Parcel uses currently consist of rangeland (Parcels 1, 2 and 3), irrigated crops (Parcel 4) and two single-family dwellings (Parcels 2 and 4). Access for Parcels 1, 2 and 3 will be obtained vis Sonora Road and Parcel 4 will be served by a proposed access and utility easement.

Based upon the Initial Study, dated **December 30, 2014**, the Environmental Coordinator finds as follows:

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

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

Initial Study prepared by: Jeremy Ballard, Assistant 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: TENTATIVE PARCEL MAP APPLICATION NO. PLN2014-0081 - ARNERICH

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF CONSERVATION: Land Resources (cert.)	X	X	X		X							
CA DEPT OF FISH & WILDLIFE	X	X	X	X			X			X	X	
CA DEPT OF FORESTRY (CAL FIRE)	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10		X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CEMETERY DISTRICT: KNIGHTS FERRY	X	X	X		X							
COOPERATIVE EXTENSION	X	X										
FIRE PROTECTION DIST: OAKDALE	X	X	X		X							
HOSPITAL DISTRICT: OAK VALLEY	X	X	X		X							
IRRIGATION DISTRICT: OAKDALE & S SAN JOAQUIN	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1: KNIGHTS FERRY	X	X	X		X							
SCHOOL DISTRICT 2: OAKDALE	X	X	X		X							
STAN CO AG COMMISSIONER	X	X			X							
STAN CO GEO	X	X			X							
STAN CO DER	X	X		X				X		X	X	
STAN CO ERC	X	X		X				X		X		X
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X			X							
STAN CO PUBLIC WORKS	X	X		X				X		X	X	
STAN CO SHERIFF	X	X			X							
STAN CO SUPERVISOR DIST 1: O'BRIEN	X	X			X							
STAN COUNTY COUNSEL	X	X			X							
STANISLAUS FIRE PREVENTION BUREAU	X	X			X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							