

# STANISLAUS COUNTY PLANNING COMMISSION

June 4, 2015

## STAFF REPORT

TENTATIVE PARCEL MAP APPLICATION NO. PLN2015-0005  
BASRAI

**REQUEST: TO DIVIDE AN 117± ACRE PARCEL INTO TWO PARCELS OF 58± AND 59± ACRES.**

### APPLICATION INFORMATION

Property Owner:	Basrai Family Trust
Agent:	Dylan Wooten, Schack & Company, Inc.
Location:	1837 Welty Road, between Spencer Road and W. Blewett Road, in the Vernalis area
Section, Township, Range:	3-4-6
Supervisorial District:	Five (Supervisor DeMartini)
Assessor's Parcel:	016-004-015
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	Proposed Parcel 1: 58± acres Proposed Parcel 2: 59± acres
Water Supply:	Private Well
Sewage Disposal:	Septic/Leach System
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.:	71-0412
Environmental Review:	Negative Declaration
Present Land Use:	Orchard with three agriculture shops and a single family dwelling
Surrounding Land Use:	Orchards are located on all adjacent parcels. Scattered single family dwellings to the east, San Joaquin County to the west, and an elementary school to the south.

### RECOMMENDATION

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

## **PROJECT DESCRIPTION**

Request to divide an 117± acre parcel into two parcels of 58± and 59± acres. The project site is currently enrolled in Williamson Act Contract No. 71-0412, and planted in orchards. Proposed Parcel “2” (59± acres) will take direct access to county maintained Welty Road. Parcel “1” (58± acres) has an access easement through the north side of proposed Parcel 2, which will create access to Welty Road. At this time, there are no proposals to construct any new single-family dwellings on any of the proposed parcels.

## **SITE DESCRIPTION**

The project site is located at 1837 Welty Road, between Spencer Road, and W. Blewett Road, approximately one mile west of Highway 33, in the Vernalis area. Welty Road is designated as a 60-foot Local Road.

The parcel is currently planted in orchards, improved with an existing single-family dwelling and three agricultural shops, and will remain in agricultural production. The existing structures will be maintained on proposed Parcel “2”. West Stanislaus Irrigation District Lateral Number 6N (55 feet wide) is parallel to the western boundary of the parcel. The proposed project site sits in the north-western portion of Stanislaus County, with adjacent parcels to the north-west situated in San Joaquin County.

## **ISSUES**

No significant issues have been identified during the review of this application. Standard conditions of approval are being proposed for the project.

## **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-2-40 (General Agriculture, 40 acre minimum) zoning. 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 proposed project is addressed by the following goals, objectives, and policies of the Land Use, and Agricultural Elements of the General Plan:

### **Land Use Element**

Goal Two, Policy Fourteen, Implementation Measure 1 of the Land Use Element requires all development proposals that require discretionary action to be carefully reviewed to ensure that approval will not adversely affect an existing agricultural area and to ensure compatibility between land uses. The proposed parcel sizes of 58± and 59± acres are consistent with the A-2-40 zoned properties surrounding the project site and are, therefore, deemed to be compatible.

### **Agricultural Element**

The project site is currently enrolled in Williamson Act Contract No. 71-0412. According to Policy 2.8 of the Agricultural Element of the General Plan, In order to further the conservation of agricultural land, the subdivision of agricultural lands shall not result in the creation of parcels for ‘residential

purposes'. Any residential development on agriculturally zoned land shall be incidental and accessory to the agricultural use of the land.

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. In this case, 90% of each of the proposed parcels is being used as an orchard for agriculture production.

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. The proposed project will meet zoning requirements for minimum parcel size and physical access, via an access easement, to County-maintained roads. The current zoning will allow for two single-family dwelling units on proposed Parcel "1", and an additional single family dwelling on proposed Parcel "2"; however, at this time, no dwelling units are being proposed as part of the project.

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: Timothy Vertino, 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 Referral

**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. PLN2015-0005 – Basrai subject to the attached conditions of approval

**PM PLN2015-0005  
BASRAI  
AREA MAP**

**SAN JOAQUIN  
COUNTY**

**SITE**

SHOEMAKE AVE

CITY OF  
MODESTO

132

MAZE BLV

99

TUOLUMNE RIVER

WELTY RD

RIVER RD

SAN JOAQUIN RIVER

W HAMILTON RD

33

I-5

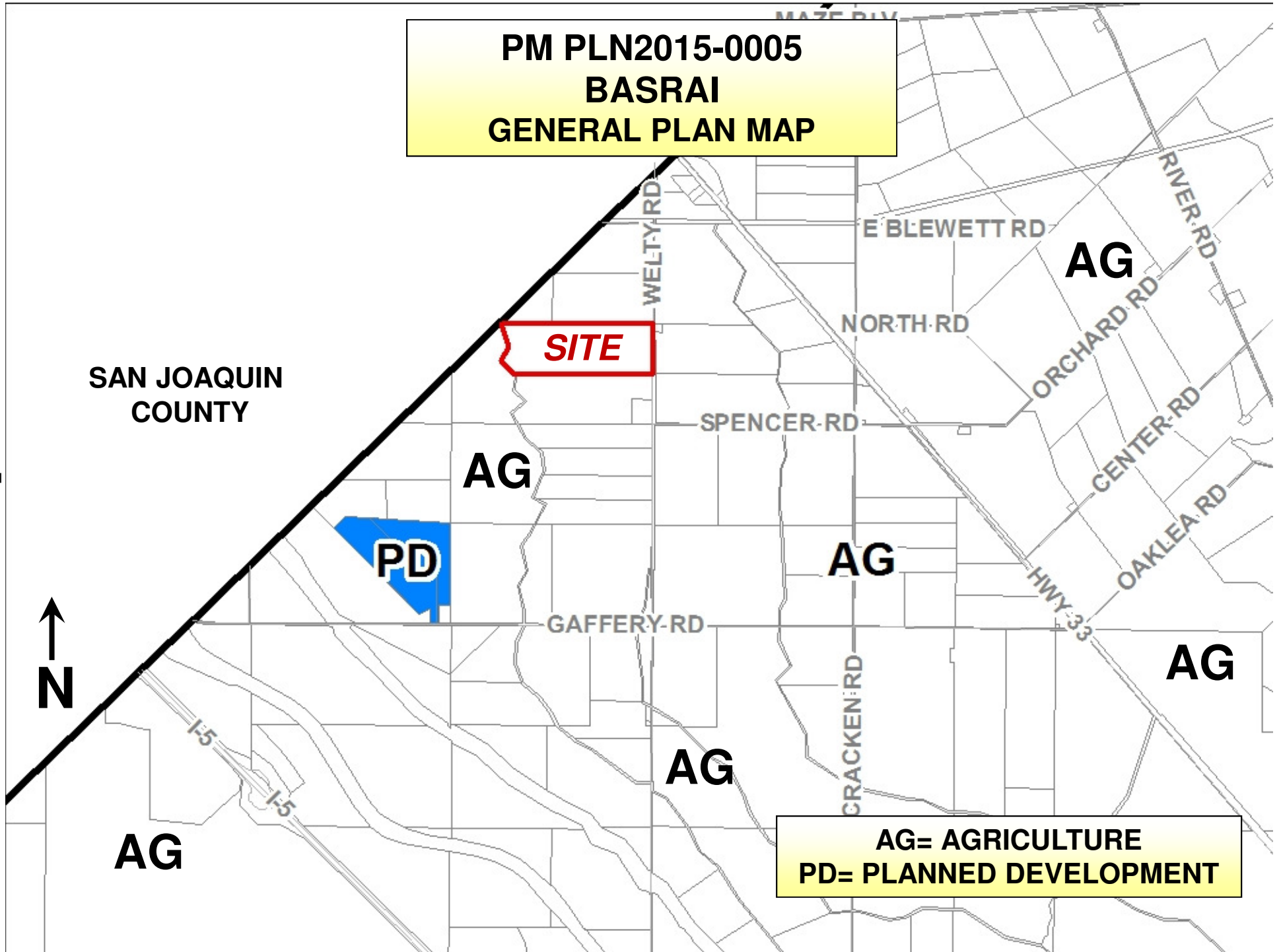
CITY OF PATTERSON



9

EXHIBIT B

**PM PLN2015-0005  
BASRAI  
GENERAL PLAN MAP**



**SAN JOAQUIN  
COUNTY**

**AG**

**PD**

**AG**

**AG**

**AG**

**AG**

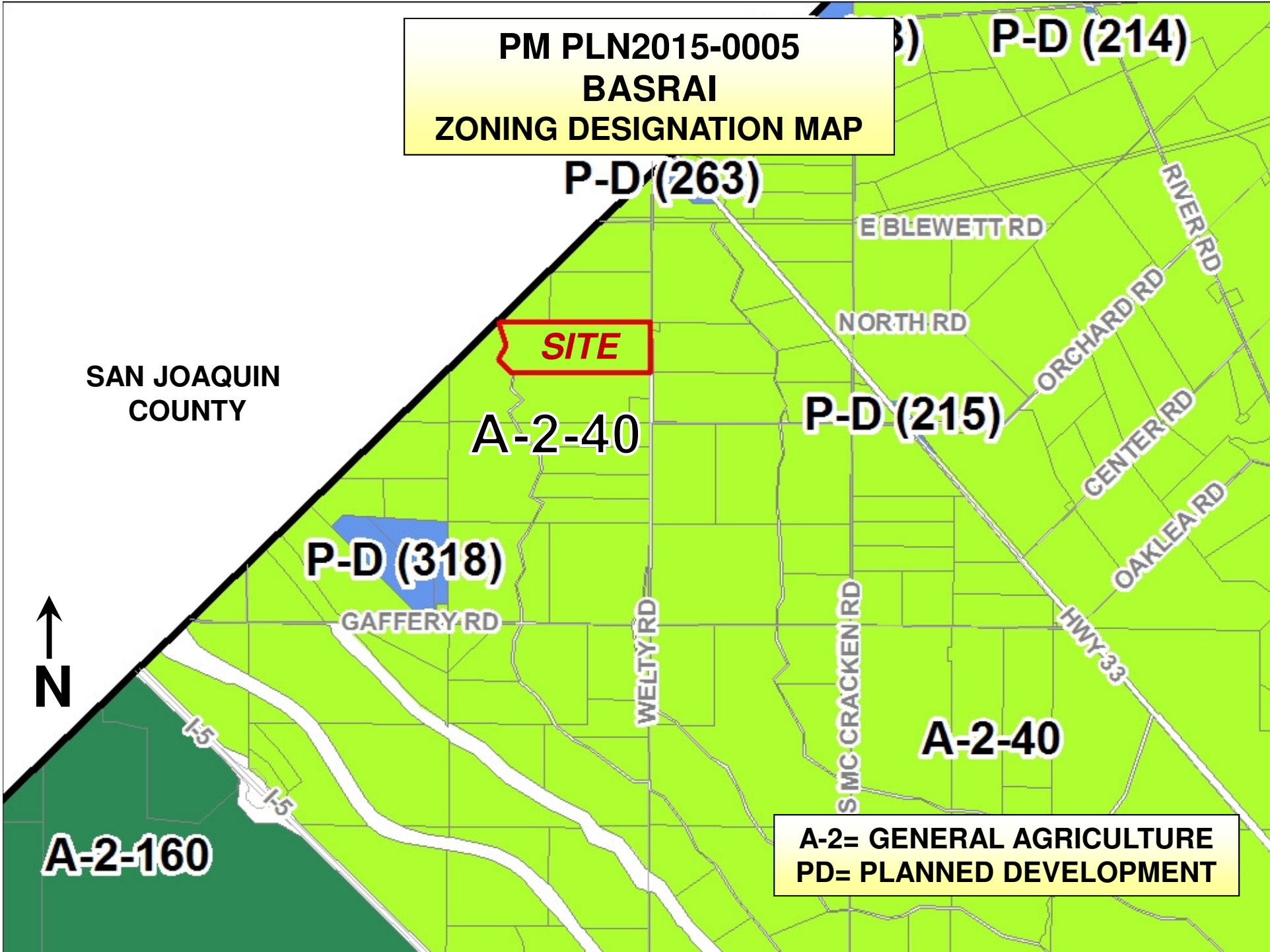
**AG= AGRICULTURE  
PD= PLANNED DEVELOPMENT**



7

EXHIBIT B-1

**PM PLN2015-0005  
BASRAI  
ZONING DESIGNATION MAP**

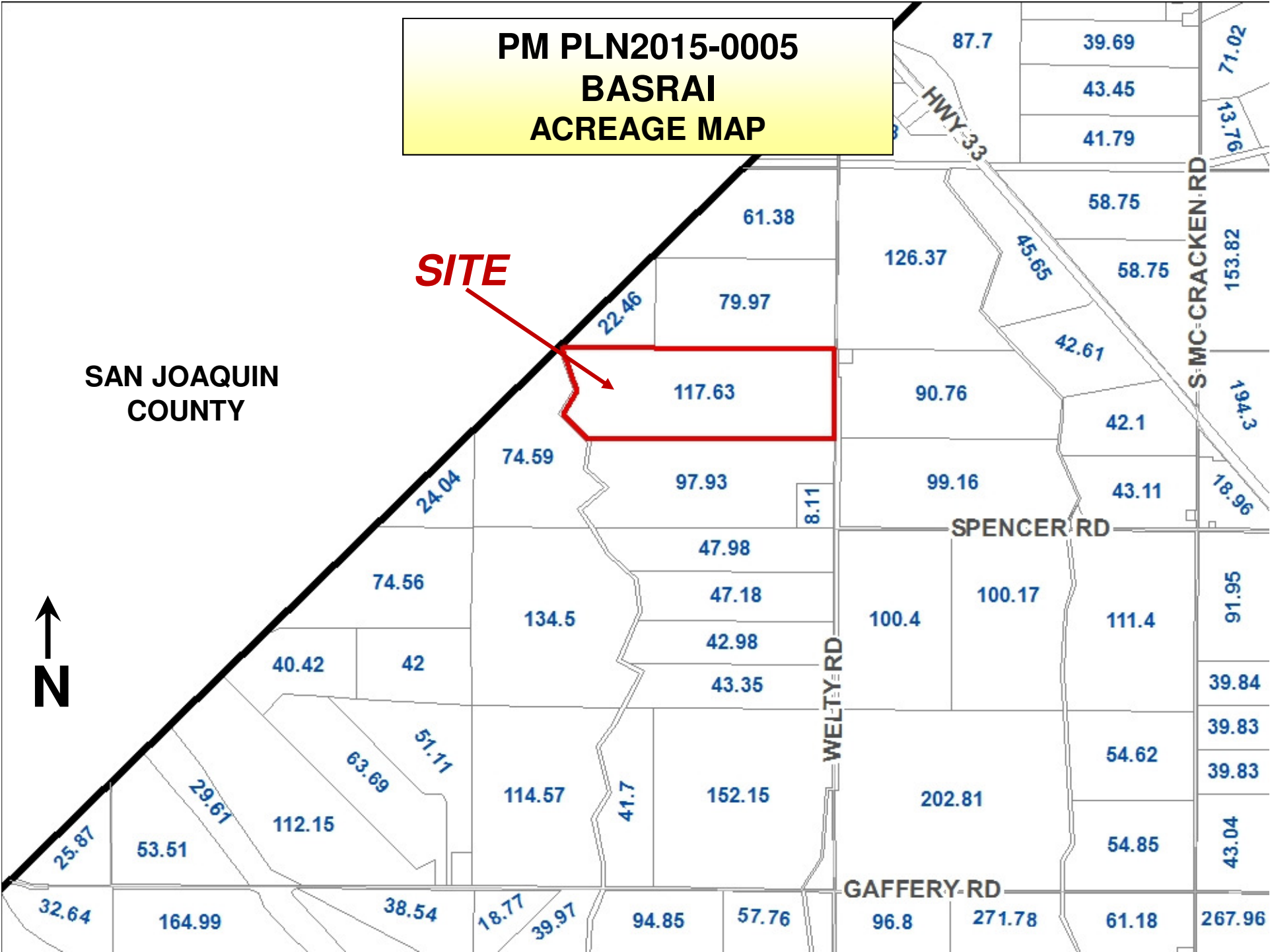




**PM PLN2015-0005  
BASRAI  
ACREAGE MAP**

**SAN JOAQUIN  
COUNTY**

**SITE**



**PM PLN2015-0005  
BASRAI  
2010 STANISLAUS COUNTY AERIAL**

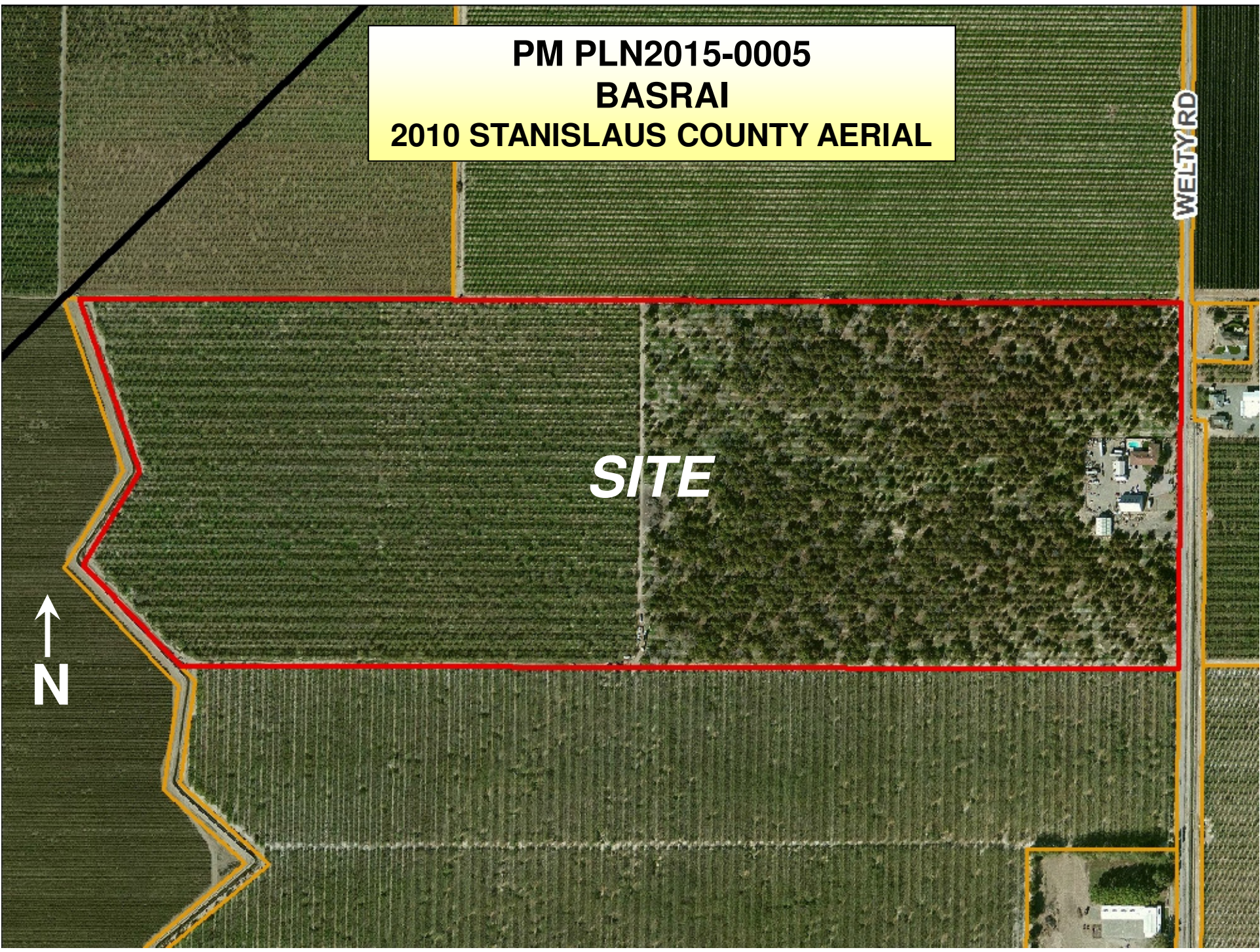
**WELTY RD**

**SITE**



10

EXHIBIT B-4



# PM PLN2015-0005 BASRAI TENTATIVE PARCEL MAP


## TENTATIVE PARCEL MAP

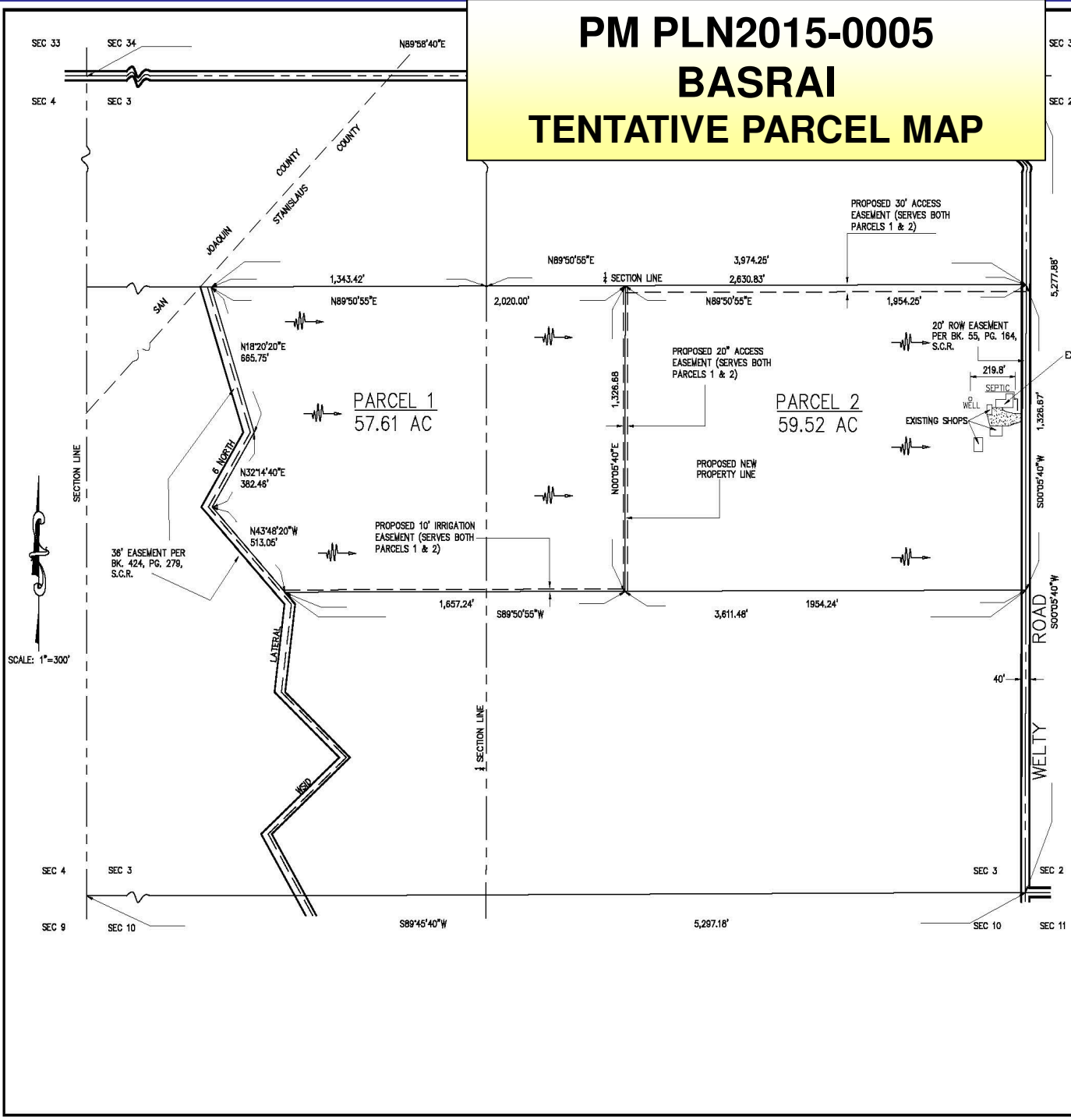
A PORTION OF SECTION 3,  
TOWNSHIP 4 SOUTH, RANGE 6 EAST,  
MOUNT DIABLO BASE & MERIDIAN  
STANISLAUS COUNTY - CALIFORNIA

DECEMBER 2014 - SCALE 1"=300'  
SHEET 1 OF 1

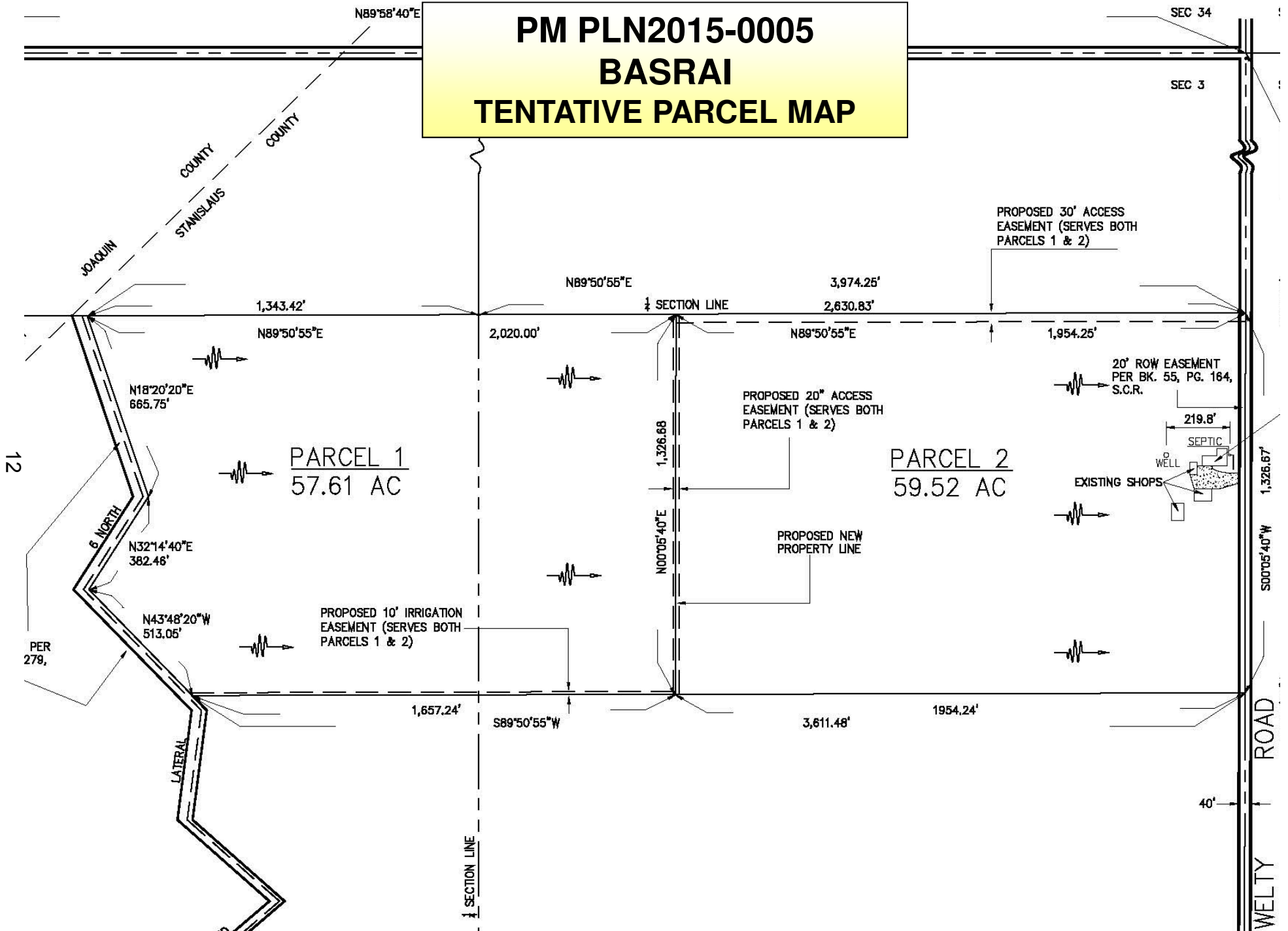
**Schack & Company, Inc.**  
Professional Design Group

**OWNERS:** SATNAM SANDHU AND MANJEET SANDHU, TRUSTEES OF THE SATNAM SANDHU AND MANJEET SANDHU 2012 TRUST AS AN UNDIVIDED  $\frac{1}{2}$  INTEREST; AND IQBAL SANDHU AND INDERJIT SANDHU, TRUSTEES OF THE IQBAL SANDHU AND INDERJIT SANDHU 2012 TRUST AS AN UNDIVIDED  $\frac{1}{2}$  INTEREST; AND KARNAIL SANDHU AND RANBIR SANDHU, TRUSTEES OF THE KARNAIL SANDHU AND RANBIR SANDHU 2012 TRUST AS TO AND UNDIVIDED  $\frac{1}{2}$  INTEREST

1. CIVIL ENGINEER: SCHACK & COMPANY, INC.  
1026 CENTRAL AVENUE  
TRACY, CALIFORNIA 95376  
(209) 835-2178
2. PROPERTY ADDRESS: 1837 WELTY ROAD  
VERNALIS, CALIFORNIA
3. ASSESSOR'S PARCEL NO: 016-004-015
4. EXISTING LAND USE: AGRICULTURE
5. EXISTING GENERAL PLAN: AGRICULTURE
6. EXISTING ZONING: A-2-40
7. LAND AREA:  
EXISTING: GROSS 117.73 AC  
PROPOSED: GROSS 57.61 AC (PARCEL 1)  
GROSS 59.52 AC (PARCEL 2)
8. NUMBER OF PARCELS: TWO
9. PURPOSE: TO SPLIT APN 016-004-015 INTO TWO PARCELS.
10. UTILITIES  
WATER: WEST STANISLAUS IRRIGATION DISTRICT  
SEWER: NONE  
GAS: PACIFIC GAS & ELECTRIC  
ELECTRIC: TURLOCK IRRIGATION DISTRICT  
TELEPHONE: FRONTIER COMMUNICATIONS  
STORM DRAIN: ON-SITE
12. LOT DIMENSIONS ARE PRELIMINARY ONLY AND ARE SUBJECT TO FINAL DESIGN.
13. A PRELIMINARY TITLE REPORT BY NORTH AMERICAN TITLE COMPANY, DATED AUGUST 26, 2014, ORDER NO. 1311984 WAS USED FOR THIS TENTATIVE PARCEL MAP.
14. PARCEL NUMBERS ARE USED FOR IDENTIFICATION PURPOSED ONLY.
15. THIS PROPERTY IS NOT SUBJECT TO INUNDATION FROM THE 100 YEAR FLOOD.
16. GROUND WATER DEPTH - 56.1' PER WATER.CA.GOV - WATER DATA LIBRARY
17. SOILS TYPE - VERNALIS-ZACHARIAS COMPLEX, EL SOLYO SITYLY CLAY LOAM, VERNALIS LOAM & VERNALIS CLAY LOAM
18. PUBLIC UTILITY EASEMENTS ARE NOT SHOWN.
19. ABBREVIATIONS & LEGEND:  
AC ACRES  
SEC SECTION  
SCR STANISLAUS COUNTY RECORDS  
 IRRIGATION PATTERN TO THE EAST



# PM PLN2015-0005 BASRAI TENTATIVE PARCEL MAP



**CONDITIONS OF APPROVAL**

**TENTATIVE PARCEL MAP APPLICATION NO. PLN2015-0005  
BASRAI**

**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. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.
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. 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.
6. 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.
7. 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. Any future development will be subject to SJVAPCD Rules and Regulations.

8. 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 Game and shall be responsible for obtaining all appropriate stream-bed alteration agreements, permits, or authorizations, if necessary.
9. 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.
10. 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.
11. 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 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."
12. A "No Build" restriction on the construction of any residential development shall be observed until parcels are no longer enrolled under a Williamson Act Contract or one (1) of the following criteria are 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; or
  - 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. Welty Road is classified as a 60-foot Local Road. The required roadway ½-width is 30-feet north of the Welty Road centerline. If 30-feet of road right-of-way north of Welty Road's centerline does not exist, the remainder of the 30-feet not previously dedicated shall be dedicated with an Irrevocable Offer of Dedication with the recording of the final map.
17. All access easements shall be labeled as private.
18. All access easements shall be a minimum of 30 feet wide.
19. Prior to the final parcel map being recorded, a Road Maintenance Agreement shall be executed and recorded or a Homeowner's Association shall be formed. This agreement shall cover the access easement 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 the recordation of the map.

**Department of Environmental Resources**

20. Each parcel shall have an independent water supply (if not provided public water service). Prior to the issuance of a building permit, each parcel shall have its own well. A drilling permit shall be obtained from Department of Environmental Resources. (Stanislaus County Policy and State Model Well Standards Ordinance).
21. The existing septic system(s) is/are to be contained within the proposed Parcel "2" boundary as per required Department setback standards.

**Regional Water Quality Control Board (RWQCB)**

22. Prior to ground disturbance or issuance of a building permit, the Regional Water Quality Control Board shall be consulted to obtain any necessary permits and to implement any necessary measures, including but not limited to Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit (Water Quality Certification), Waste Discharge Requirements, Regulatory Compliance for Commercially Irrigated Agriculture, Low or Limited Threat General NPDES Permit, and any other applicable Regional Water Quality Control Board permit.

\*\*\*\*\*

*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 10<sup>th</sup> 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. PLN2015-0005 - Basrai
2. **Lead agency name and address:** Stanislaus County  
1010 10th Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Timothy Vertino, Assistant Planner  
(209) 525-6330
4. **Project location:** 1837 Welty Road, north of Spencer Road, south of W. Blewett Road, approximately one mile west of Highway 33, in the Vernalis area. APN: 016-004-015
5. **Project sponsor's name and address:** Schack and Company, Inc.  
1025 Central Avenue  
Tracy, CA 95376
6. **General Plan designation:** Agriculture
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

Request to divide a 117± acre parcel into two parcels of 58± and 59± acres. The parcel is currently planted in orchards, improved with an existing single-family dwelling and three agricultural shops, and will remain in agricultural production. The project site is currently enrolled in Williamson Act Contract No. 71-412. Proposed parcels will have access to County maintained Welty Road.
9. **Surrounding land uses and setting:** All surrounding properties are zoned A-2-40 (General Agriculture), designated as Agriculture in the General Plan, and improved with orchards and scattered single-family dwellings. An elementary school is located to the south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Public Works  
Department of Environmental Resources  
Central Valley Regional Water Quality Control Board



**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.

Timothy Vertino, Assistant Planner  
Prepared By \_\_\_\_\_

March 26, 2015  
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><b>Discussion:</b> The site itself is currently improved with an orchard, a single-family dwelling, three agricultural shops, and may be considered a scenic resource; however, community standards generally do not dictate the need or desire for architectural review of any additional residential structures.</p> <p>No construction is being proposed as a part of this application; however, provided the property owner meets Williamson Act, building code, and A-2 zoning requirements, including appurtenant agricultural production, two residential structures could be constructed on each parcel.</p> <p>No new source of light or glare will be created as no residential or agricultural structures are being proposed in conjunction with the subject parcel map. Conditions of approval will be placed on the project to mitigate any lighting impacts that may effect surrounding neighbors. Any development resulting from this project will be consistent with existing area developments.</p>				
<p><b>Mitigation:</b> None.</p>				
<p><b>References:</b> Application information; Stanislaus County Zoning Ordinance; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.</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
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 project site is currently enrolled in Williamson Act Contract No. 71-412 and is a producing orchard with soils identified as Prime Farmland according to the California State Department of Conservation Farmland Mapping and Monitoring Program. Any use of the property must be compatible with the County's General Agriculture (A-2) zoning district and the Williamson Act which limits the property to agricultural uses and uses incidental and accessory to the on-site agricultural use of the property.

The project proposes to divide the 117± acre parcel into two parcels of 58± and 59± acres. No residential or agricultural structures are being proposed in conjunction with the subject parcel map; however, the A-2 zoning district permits two single-family dwellings on each 20+ acre parcel as well as appurtenant residential and agricultural structures. Any construction must be accompanied by a Williamson Act Landowner's Statement verifying that the landowner understands the rules of the Contract and that any proposed structure is being constructed as an accessory to the on-site agricultural use. This project will have no impact to forest land or timberland.

This project will not conflict with any agricultural activities in the area and/or lands enrolled in the Williamson Act. All surrounding parcels are improved as orchards with scattered single-family dwellings. Under the Williamson Act, 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, the proposed parcels will be 50 acres or greater in size and in agricultural production. The County has a Right-to-Farm Ordinance in place to protect agricultural operations from unjust nuisance complaints.

**Mitigation:** None.

**References:** Applicant information; Stanislaus County Agricultural Element<sup>1</sup>; Stanislaus County Zoning Ordinance; The California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2012; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

<p><b>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)?</b></p>			<p>X</p>	
<p><b>d) Expose sensitive receptors to substantial pollutant concentrations?</b></p>				<p>X</p>
<p><b>e) Create objectionable odors affecting a substantial number of people?</b></p>				<p>X</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.

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 emission standards for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.

The project site is currently improved with an orchard, a single-family dwelling, and three shops. No new uses or structures are being proposed which would result in additional traffic and/or changes in farming practices that could result in the creation of objectionable odors or exposure of sensitive receptors to substantial pollutant concentrations; however, the A-2 zoning district permits two single-family dwellings on each 20+ acre parcel as well as appurtenant residential and agricultural structures.

This project was referred to the SJVAPCD on January 29, 2015, but no comments have been received to date. A standard condition of approval will be placed on the project requiring compliance with applicable SJVAPCD rules.

**Mitigation:** None.

**References:** Regulation VIII Fugitive Dust/PM-10 Synopsis; Stanislaus County Zoning Ordinance; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

**IV. BIOLOGICAL RESOURCES -- Would the project:**

<p><b>IV. BIOLOGICAL RESOURCES -- Would the project:</b></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><b>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?</b></p>			<p>X</p>	
<p><b>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?</b></p>			<p>X</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?			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 site is approximately four miles west of the San Joaquin River. The site is currently a producing orchard and will continue as such. No construction, earth moving, grading, or deep ripping is being proposed as a part of this request; however, parcelization of the site into 40+ acre parcels will allow for the construction of up to two residences per parcel as well as agricultural storage buildings with building permits. It does not appear this project will result in impacts to endangered species or habitats, locally designated species, wildlife dispersal, or mitigation corridors.

**Mitigation:** None.

**References:** Application information; California Natural Diversity Database and Biological Resources 2005; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

**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:** It does not appear this project will result in significant impacts to any archaeological or cultural resources. A records survey performed on the subject properties by the Central California Information Center (CCIC) indicated that no cultural resources are known to be within the project vicinity. CCIC reported that no prehistoric or historic archaeological resources or historic properties have been reported. The project area has a low to moderate sensitivity for the possible discovery of historical resources including building foundations and artifact/refuse deposits or scatters associated with the earliest historic occupation of this property.

The project parcel is currently a producing orchard and no new construction is being proposed as a part of the application. A condition of approval will be placed on the project that if any resources are found, construction activities will be halted at that time and the appropriate agencies contacted.

**Mitigation:** None.

**References:** Applicant query from the Central California Information Center dated January 6, 2015, and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
<b>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>				
<b>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.</b>			X	
<b>ii) Strong seismic ground shaking?</b>			X	
<b>iii) Seismic-related ground failure, including liquefaction?</b>			X	
<b>iv) Landslides?</b>				X
<b>b) Result in substantial soil erosion or the loss of topsoil?</b>				X
<b>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?</b>			X	
<b>d) Be located on expansive soil creating substantial risks to life or property?</b>			X	
<b>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?</b>			X	

**Discussion:** The project consists of a division of land in agricultural production. No construction is proposed at this time; however, in the event that additional structures are constructed, geological factors must be considered. 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 grading and/or building 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 and the Stanislaus County General Plan and Support Documentation - Safety Element<sup>1</sup>.

**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:** The project site is currently a producing orchard and has the potential to generate greenhouse gas emissions through routine farming practices; however, it is not believed that any increase of greenhouse gas emissions will be caused by this proposed project which consists of a division of land. The applicant is not proposing to construct additional structures nor change farming practices and/or crops as a part of this request.

This project was referred to the SJVAPCD on January 29, 2015, but no comment has been received to date.

**Mitigation:** None.

**References:** Stanislaus County General Plan and Support Documentation<sup>1</sup>.

**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:** As part of the routine farming operations, pesticides and fungicides may be used as needed and a fuel tank will remain on site; however, the presence of these hazardous materials will create a less than significant impact. 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 Commissioner and can only be accomplished after first obtaining permits. DER is responsible for overseeing hazardous materials in this area. The project was referred to the Agricultural Commissioner and DER’s Hazardous Materials (HazMat) Division, on January 29, 2015, but no referral responses have been received to date.

The Envirostor database was accessed to determine if any of the properties were listed as potential hazardous waste or superfund sites. 1837 Welty Road was not identified as a hazardous site.

**Mitigation:** None.

**References:** Department of Toxic Substances Control ([www.envirostor.dtsc.ca.gov](http://www.envirostor.dtsc.ca.gov)) and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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:** Proposed Parcel 2 is presently served by a private water well and septic system. A proposed 10-foot irrigation easement will serve both proposed parcels.

DER recommended that each parcel shall have an approved independent water supply (if not provided public water service). Prior to the issuance of a building permit, each parcel shall have its own well and a drilling permit shall be obtained from DER. The existing septic system is to be contained within the Proposed Parcel 2 boundaries and meet setback standards.

A referral response from the Regional Water Quality Control Board (RWQCB) dated February 10, 2015, recommended that appropriate water permits may be required.

**Mitigation:** None.

**References:** Applicant information; referral response from the Stanislaus County Department of Environmental Resources dated January 30, 2015; referral response from the Regional Water Quality Control Board dated February 10, 2015; Stanislaus County Geographic Information Systems; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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 project is consistent with the Agriculture designation and A-2-40 (General Agriculture) zoning of the site. The features of this project will not physically divide an established community and/or conflict with any habitat conservation plan or natural community conservation plan. This project will not conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project.

<b>Mitigation:</b> None.				
<b>References:</b> Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
<b>XI. MINERAL RESOURCES -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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
<b>Discussion:</b> 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. West of the San Joaquin River has not been mapped and there are no known significant resources on the site. The proposed parcel map is not proposing to change the property's use. Consequently, the proposed project is not expected to have any impact on potentially present aggregate resources.				
<b>Mitigation:</b> None.				
<b>References:</b> Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
<b>XII. NOISE -- Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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
<b>Discussion:</b> No construction is proposed but any construction as a result of this project should not increase the area's ambient noise level. Any noise impacts associated with increased on-site activities and traffic is not anticipated to exceed the area's existing level of noise. The subject parcel is not near any public or private airports. There is one single-family home located on the project site and several residences located on surrounding parcels.				

**Mitigation:** None.

**References:** Stanislaus County General Plan and Support Documentation<sup>1</sup>.

**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:** This project does not propose any significant type of growth inducing features; therefore, adverse effects created by population growth should not occur. The proposed parcels will be restricted by the General Agriculture (A-2-40) zoning district. Two permanent dwellings on parcels twenty (20) acres or greater in size are permitted as per County Code Section 21.20.020(B). There is one home on the existing 117± acre parcel.

**Mitigation:** None.

**References:** Application information; Stanislaus County Zoning Ordinance; and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

**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

**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. Any proposed dwellings will be served by a private well and septic tank. Well and septic system permits are reviewed and issued by DER. New septic tanks for new dwellings on newly created parcels are subject to Measure X and are included in the building permit application which is reviewed by DER.

**Mitigation:** None.

**References:** County policies and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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:** Single-family dwellings are not being proposed as a part of this project. Upon project approval, the landowner could construct up to two dwellings on each parcel after demonstrating that the dwellings will support the on-site agricultural use. There are no recreation facilities that would be affected by the proposed project; however, the proposed parcels are large enough to provide recreation area for the landowner.

**Mitigation:** None.

**References:** Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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
<b>Discussion:</b> This project proposal will not substantially increase traffic for this area. The proposed parcels will have access to County-maintained Welty Road via a 30 foot recorded access easement along the north boundary of Proposed Parcel 2. The Stanislaus County Department of Public Works has reviewed this project and has asked for an Irrevocable Offer of Dedication (IOD) for the portions of Welty Road adjacent to the project site. The IOD will be triggered if the required half width of the roadway does not exist west of the Welty Road centerline. If applicable, the applicant will be required to dedicate the remaining difference. Public Works commented that all access easements shall be private and a minimum of 30 feet wide.				
<b>Mitigation:</b> None.				
<b>References:</b> Referral response from the Stanislaus County Department of Public Works dated March 23, 2015, and the Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
<b>XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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	
<b>Discussion:</b> Limitations on public utilities and service systems have not been identified. An early consultation referral was sent to DER and RWQCB but no utility concerns were addressed. The project was also referred to the West Stanislaus Irrigation District, Frontier Communications, and PG&E on January 29, 2015, but no responses have been received to date.				

<b>Mitigation:</b> None.				
<b>References:</b> Referral response from the Stanislaus County Department of Environmental Resources dated January 30, 2015; referral response from the Regional Water Quality Control Board dated February 10, 2015; and the Stanislaus County General Plan and Support Documentation <sup>1</sup> .				
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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	
<b>Discussion:</b> Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area. The project site is currently, and will remain, planted as an orchard and no structures or construction are being proposed as a part of this project.				

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<sup>1</sup>Stanislaus 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. PLN2015-0005 - Basrai

**LOCATION OF PROJECT:** 1837 Welty Road, north of Spencer Road, south of W. Blewett Road, approximately one mile west of Highway 33, in the Vernalis area. APN: 016-004-015

**PROJECT DEVELOPERS:** Schack and Company, Inc.  
1025 Central Avenue  
Tracy, CA 95376

**DESCRIPTION OF PROJECT:** Request to divide a 117± acre parcel into two parcels of 58± and 59± acres. The parcel is currently planted in orchards, improved with an existing single-family dwelling and three agricultural shops, and will remain in agricultural production. The project site is currently enrolled in Williamson Act Contract No. 71-412. Proposed parcels will have access to County maintained Welty Road.

Based upon the Initial Study, dated **March 26, 2015**, 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: Timothy Vertino, 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. PLN2015-0008 - BASRAI**

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 / Mine Reclamation	X	X	X		X							
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	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: PATTERSON	X	X	X		X							
COUNTY OF: SAN JOAQUIN	X	X	X		X							
FIRE PROTECTION DIST: WEST STAN	X	X	X		X							
HOSPITAL DISTRICT: DEL PUERTO	X	X	X		X							
IRRIGATION DISTRICT: W. STANISLAUS	X	X	X		X							
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: CA NORTHERN	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X		X
SAN LUIS/DELTA-MENDOTA WATER AUTH	X	X	X		X							
SCHOOL DISTRICT 1: PATTERSON	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 FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	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 #:5 DeMARTIN	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS	X	X	X		X							
TELEPHONE COMPANY: FRONTIER	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							
US MILITARY AGENCIES (SB 1462) (5 agencies)	X	X	X		X							