

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

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2015-0006 ORCHARD RITE – PACIFIC DISTRIBUTING, INC.

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 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.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent sky glow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

6. 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.
7. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the Planning Director or appointed designee(s) prior to installation.
8. 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.
9. During the construction phases of the project, 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 archeologist. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
10. A valid Stanislaus County Business License shall be maintained.

Building Permits Division

11. Building permits are required for the new building. The project must conform to the California Code of Regulations, Title 24.

Department of Public Works

12. The applicant shall obtain an encroachment permit prior to any work being done in the Stanislaus County road right-of-way along Whitmore Ave.
13. Public Works shall approve the location and width of any new driveway approaches on any County maintained roadway.
14. Whitmore Avenue is classified as a 110 foot Major Roadway. The required ½ width of Whitmore Ave. is 55 feet south of the centerline of the roadway. If 55 feet of the road right of way does not exist, then the remainder 55 feet shall be dedicated with an Irrevocable Offer of Dedication for the entire parcel frontage.
15. Prior to the final of any building or grading permit, the applicant shall make road frontage improvements along the entire parcel length on Whitmore Avenue. These improvements shall include asphalt road widening, bringing the existing road up to 12' wide paved vehicle lane and a 4' wide paved asphalt shoulder north of the centerline of Whitmore Road. Improvement plans shall be submitted to Stanislaus Public Works for approval prior to the issuance of a building or grading permit.
16. The structural section and cross slopes shall meet Stanislaus County Public Works Standards and Specifications.

17. An acceptable financial guarantee for the road improvements shall be provided to the Department of Public Works prior to the issuance of any building permit. This may be deferred if the work in the right-of-way is done prior to the issuance of any building permit.
18. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.
19. No parking, loading, or unloading of vehicles shall be permitted within the county road right-of-way.
20. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - A. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - B. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
 - C. The grading and drainage plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Permit and the Quality Control standards for New Development and Redevelopment contained therein.
 - D. An Engineer's Estimate shall be submitted for the grading and drainage work.
 - E. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.
 - F. The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.
21. The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. A preliminary Engineer's Estimate for the grading and drainage work shall be submitted to determine the amount of deposit for the inspection of the grading. The deposit shall be made prior to the issuance of the building permit. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The Public Works inspector will not sign on the grading or building permit until such time that all inspection fees have been paid. Any fees left over from the deposit shall be returned to the applicant at the completion and acceptance of the grading and drainage construction by Stanislaus County Public Works.

Department of Environmental Resources

22. The applicant shall determine that a site containing (or formerly containing) residences or farm buildings or structures, has been fully investigated (via Phase I and Phase II study, if necessary) prior to issuance of a grading permit. Research should be conducted to determine if pesticides were used on the proposed development site. If confirmed, suspect site areas should be tested for organic pesticides and metals. Any discovery of underground

storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of the Department of Environmental Resources.

23. Prior to issuance of building permits, the property owner/operator shall either: (1) certify to Stanislaus County Department of Environmental Resources (Department) that the property use does not or will not constitute a public water system (as defined by California Health and Safety Code [CA HSC] Section 116275 and Title 22 California Code of Regulations [CCR] Sections 64400.10, 64400.80, 64401.85); or (2) submit a public water supply permit application ([CA HSC] 116525) to the Department accompanied by a public water system technical report ([CA HSC] 116530), financial and managerial and technical information ([CA HSC] 116540), and obtain a public water supply permit to operate the public water system ([CA HSC] Sections 116525, 116530, 116540, 116550).

Turlock Irrigation District

24. Prior to issuance of a building permit, the property owner/operator shall submit plans detailing the existing irrigation facilities, relative to the proposed site improvements, in order for the District to determine specific impacts and requirements.
25. The District shall review and approve all building permits for the project. Any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications. If it is determined that irrigation facilities will be impacted, the applicant shall provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for the required irrigation facility modifications. There is a District Board approved time and material fee associated with this review. Work on irrigation facilities can only be performed during the non-irrigation season which typically runs from November 1, thru March1, but can vary.
26. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties.
27. The property owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.

San Joaquin Valley Air Pollution Control District

28. Project is subject to District Rule 9510. The property owner/operator shall submit an Air Impact Assessment (AIA) application to the San Joaquin Valley Air Pollution Control District and shall pay all applicable off-site mitigation fees prior to issuance of building permits.
29. The proposed project may require additional District permits. Prior to the start of construction the property owner/operator shall contact the District's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required, or if any other District rules or permits are required.

Central Valley Regional Water Quality Control Board

30. Prior to ground disturbance or issuance of a building permit, the Central Valley Regional 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, 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 10th Street, Suite 3400
Modesto, California 95354

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CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2015-0006 - Orchard Rite - Pacific Distributing, Inc.
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Kristin Doud, Associate Planner
(209) 525-6330
4. **Project location:** 5724 and 5800 E Whitmore Ave., on the south side of E Whitmore Road between Pioneer and Mountain View Roads, just West of the City of Hughson. APN: 018-046-007
5. **Project sponsor's name and address:** Advanced Design Group, Elwyn Heinan
1128 6th St.
Modesto, CA 95354
6. **General Plan designation:** Agriculture
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

This is a request to expand an existing orchard shaker equipment dealership and repair business, owned by Orchard-Rite Ltd. and operated by its Hughson dealership, Pacific Distributing, Inc. This project proposes to construct a 4,960 square foot warehouse and manufacturing building. The 14.43 acre property was previously issued a Use Permit in 1979 to operate an agricultural irrigation business. Currently on-site activities include: the selling and storing of new orchard shaker equipment and the repairing, maintaining, selling, buying, and storing of used orchard shaker equipment. The hours of operation are 12 months a year, 6 days a week (Monday through Saturday), 5:00 am to 5:00 pm. The applicant estimates this project request will expand their current activities by 5 vehicle trips per day (increase from 5 employees to 8 and from 7 customers to 9) and 2 truck trips per day (from 3 truck trips to 5 per day).
9. **Surrounding land uses and setting:** The project site is surrounded by orchard and row crop operations, generally 10-20 acres in size. The City of Hughson is located approximately 1/2 mile east of the project site.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Department of Public Works
Department of Environmental Resources
Department of Planning and Community Development - Building Division
Hughson Fire District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Kristin Doud, Associate Planner
Prepared By _____

April 28, 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	
Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. No adverse impacts to the existing visual character of the site or its surroundings are anticipated.				
Mitigation: None.				
References: Application information and the Stanislaus County General Plan and Support Documentation ¹ .				
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

<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				<p>X</p>
<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>			<p>X</p>	
<p>Discussion: The 14.43 acre project site is located within an agricultural general plan and zoning designation. The property is in the process of being re-planted in almond trees and is not currently enrolled in a Williamson Act Contract. The surrounding area consists of agricultural parcels planted in row crops or orchards, ranging in size from 2 acres to 28 acres. The majority of the parcels in the areas range between 10-20 acres in size. The City of Hughson is located approximately 1/2 mile east of the project site. The California Department of Conservation’s (CDC) Important Farmland Maps identify the project site as Prime farmland. The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the property consists of 36.2% grade 1 (Storie Index Rating 95) Hanford sandy loam (HdA), with 0-3 percent slopes, 26.5% grade 1 (Storie Index Rating 90) Handford sandy loam, moderately deep over silt, with 0-1 percent slopes (HdpA), and 37.3% grade 2 (Storie Index Rating 76) Tujunga loamy sand, with 0-3 percent slopes (TuA).</p> <p>The current orchard shaker equipment operation occupies approximately 1 acre out of the total 14.43 acre orchard (approximately 7% of the total site). This project requests to construct a new 4,960 square foot warehouse and manufacturing building, which would be located in the existing footprint of the operation, and to expand the operation’s footprint by approximately .4 acres (for a total operational area covering approximately 9% of the total site). The expanded footprint will be utilized to access the new building and for equipment storage.</p> <p>Within the A-2 zoning district, Agricultural service establishments primarily engaging in the provision of agricultural services to farmers are permitted when a Tier Two Use permit is obtained. Tier Two uses are agriculture-related commercial and industrial uses that may be allowed when the Planning Commission or Board of Supervisors finds that the project will not be detrimental to agricultural uses of other property in the vicinity; will not create a concentration of commercial and industrial uses in the vicinity; and is necessary to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage. This project is considered a Tier Two use as it sells and repairs orchard shaking equipment.</p> <p>Buffer guidelines require any new or expanding non-agricultural uses approved by a discretionary permit in the A-2 zoning district to incorporate a buffer to minimize conflicts between agricultural and nonagricultural uses. This project has proposed fencing the area utilized for the shaker equipment business and a solid row of cypress trees along the eastern boundary of the operation. This project was circulated to the Stanislaus Ag Commissioner during the early consultation referral period and a comment was received regarding the proposed fencing not extending to the street on the west side of the project site. However, after further review it was made clear that the western edge of the existing building acts as a fence for the project site. The eastern boundary of the project site has an existing solid row of cypress tress. Although the applicant has proposed fencing and landscaping as a buffer, Tier One and Two uses are not considered people intensive and are exempt from the agricultural buffer requirement.</p> <p>Considering the information above, no negative impacts to agricultural resources are anticipated. No forest resources exist in the area.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the City of Newman dated September 15, 2014; California Farmland Mapping and Monitoring Program Data; the Stanislaus County Zoning Ordinance; and the 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:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
<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. The applicant estimates an expansion of 5 vehicle trips per day (increase from 5 employees to 8 and from 7 customers to 9) and 2 truck trips per day (from 3 truck trips to 5 per day). 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>The project will not conflict with, nor obstruct implementation of any applicable air quality plan. In response to an early consultation project referral the SJVAPCD provided a response letter which indicated that the project did not exceed the District's significance threshold of 10 tons/year NOX, 10 tons/year ROG, or 15 tons/year PM10. The District also indicated that based on the size and use of the proposed building that this project would be subject to District Rule 9510, and any other applicable district permits. These comments will be incorporated into the project as Conditions of Approval. Based on the project details stated above, no significant impacts to air quality are anticipated.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response letter received from the San Joaquin Valley Air Pollution Control District on February 18, 2015, San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis and the Stanislaus County General Plan and Support Documentation¹.</p>				

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
<p>Discussion: There are eleven (11) plants and animals which are State or Federally listed, threatened, or identified as species of special concern within the Ceres California Natural Diversity Database Quad. These species include the Swainson’s hawk, tricolored blackbird, burrowing owl, hardhead, steelhead, chinook salmon, valley elderberry longhorn beetle, moestan blister beetle, Townsend’s big-eared bat, heartscale, and subtle orache.</p> <p>If approved, the 1 acre area the current operation occupies will be expanded to approximately 1.4 acres of the total 14.43 acre parcel. The remaining acreage will remain planted in orchard trees.</p> <p>The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.</p> <p>An early consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no response has been received.</p>				
<p>Mitigation: None.</p>				
<p>References: California Department of Fish and Wildlife (formerly the Department of Fish and Game) California Natural Diversity Database and the Stanislaus County General Plan and Support Documentation¹.</p>				

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	
<p>Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources; however, a standard condition of approval will be added to this project to address any discovery of cultural resources during any ground disturbing activities.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	

<p>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?</p>			<p>X</p>	
<p>Discussion: The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the soils on the project site are a mixture of Hanford sandy loam (HdA) and Tujunga loamy sand (TuA). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of 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 Department of 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.</p> <p>DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Stanislaus County Department of Public Works dated March 4, 2015; California Building Code; and the Stanislaus County General Plan and Support Documentation - Safety Element¹.</p>				
<p>VII. GREENHOUSE GAS EMISSIONS -- 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) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>			<p>X</p>	
<p>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>				<p>X</p>
<p>Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. As a requirement of AB 32, the ARB was assigned the task of developing a Climate Change Scoping Plan that outlines the state's strategy to achieve the 2020 GHG emissions limits. This Scoping Plan includes a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce the state's dependence on oil, diversify the state's energy sources, save energy, create new jobs, and enhance public health. The Climate Change Scoping Plan was approved by the ARB on December 22, 2008. According to the September 23, 2010, AB 32 Climate Change Scoping Plan Progress Report, 40 percent of the reductions identified in the Scoping Plan have been secured through ARB actions and California is on track to its 2020 goal.</p>				

Although not originally intended to reduce GHGs, California Code of Regulations (CCR) Title 24, Part 6: California’s Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California’s energy consumption. Since then, Title 24 has been amended with recognition that energy-efficient buildings require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. The current Title 24 standards were adopted to respond to the requirements of AB 32. Specifically, new development projects within California after January 1, 2011, are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11).

Minimal greenhouse gas emissions will occur during construction, and from energy use. These emissions are considered to be less than significant. Greenhouse gas emissions will also be generated from vehicle and truck trips. The applicant estimates an expansion of 5 vehicle trips per day (increase from 5 employees to 8 and from 7 customers to 9) and 2 truck trips per day (from 3 truck trips to 5 per day). In response to an early consultation project referral the SJVAPCD provided a response letter which indicated that the project did not exceed the District’s significance threshold of 10 tons/year NOX, 10 tons/year ROG, or 15 tons/year PM10. The District also indicated that based on the size and use of the proposed building that this project would be subject to District Rule 9510, and any other applicable district permits. These comments will be incorporated into the project as Conditions of Approval. Provided that this project is an amendment to an existing commercial use, no significant impacts from greenhouse gas emissions occurring as a result of this project are anticipated.

Mitigation: None.

References: Referral response letter received from the San Joaquin Valley Air Pollution Control District on February 18, 2015, Stanislaus County General Plan and Support Documentation¹.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
<p>Discussion: The project was referred to the DER Hazardous Materials (HazMat) Division and they responded that prior to issuance of a grading permit, the applicant shall ensure that the project site has been fully investigated via a Phase I or Phase II Study, if needed. This will be added as a condition of approval on the project. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Stanislaus County Department of Environmental Resources Hazardous Materials Division dated February 17, 2015, and the Stanislaus County General Plan and Support Documentation¹.</p>				
IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				X

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. All measures required to be taken in regard to the Floodzone designation will be addressed by the Building Permits Division during the building permit process. The Central Valley Regional Water Quality Control Board (RWQCB) provided an early consultation referral response requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements must be obtained/met prior to operation. A condition of approval will be added to the project requiring the applicant comply with this request prior to issuance of a building permit.

Mitigation: None.

References: Referral response from the Central California Regional Water Quality Control Board dated February 17, 2015; FEMA Flood Maps; and the 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: Within the A-2 zoning district, agricultural service establishments primarily engaging in the provision of agricultural services to farmers are permitted when a Tier Two Use permit is obtained. Tier Two uses are agriculture-related commercial and industrial uses that may be allowed when the planning commission or board of supervisors finds that the project will not be detrimental to agricultural uses of other property in the vicinity; will not create a concentration of commercial and industrial uses in the vicinity; and is necessary to be located within the agricultural area as opposed to areas zoned for commercial or industrial usage. This project is considered a Tier Two use as it sells and repairs orchard shaking equipment. The project site was previously operated as an irrigation equipment business under a Use Permit received in 1979 (ZUPA 79-35) for Need Sprinkler Irrigation Systems.

The proposed use will not physically divide an established community and/or conflict with any habitat conservation plan or natural community conservation plan. This project is not known to conflict with any adopted land use plan, policy, or regulation of any agency with jurisdiction over the project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XI. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site.				
Mitigation: None.				
References: Stanislaus County General Plan and Support 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 area's ambient noise level will temporarily increase during construction of the 4,960 square foot warehouse and manufacturing building. As such, the project will be conditioned to abide by County regulations related to hours and days of construction in the A-2 zone. The potential for noise impacts occurring as a result of this project is considered to be less than significant.				
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
<p>Discussion: This project does not propose any significant type of growth inducing features; therefore, adverse effects created by population growth should not occur.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
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 Public Facilities Fees, as well as a Fire Facility Fee on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. Conditions of approval will be added to this project to insure the proposed use complies with all applicable fire department standards with respect to access and water for fire protection.</p> <p>This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the early consultation referral period and no concerns were identified with regard to public services. The Turlock Irrigation District did request that standard conditions of approval be applied in regard to existing irrigation infrastructure and the grading of the project site.</p>				
<p>Mitigation: None.</p>				

References: Referral response received from the Turlock Irrigation District on February 23, 2015, Stanislaus County General Plan and Support Documentation ¹ .				
XV. RECREATION --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
Discussion: This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development.				
Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ .				
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	
<p>Discussion: The applicant estimates an expansion of 5 vehicle trips per day (increase from 5 employees to 8 and from 7 customers to 9) and 2 truck trips per day (from 3 truck trips to 5 per day). The project was referred to Stanislaus County's Department of Public Works who responded with conditions of approval that require: an encroachment permit be obtained for any new driveway or work done in the right-of-way (ROW) of Whitmore Ave.; ROW be dedicated through an Irrevocable Offer of Dedication; that Whitmore Ave. be improved to a 12' wide paved vehicle lane and a 4' wide paved asphalt shoulder along the project frontage, that an engineers estimate and financial guarantee be provided for the work, and that a grading and drainage plan be submitted to the Department of Public Works for review and approval. The comment letter also states that no parking or loading is permitted within the County Right-of-Way. These comments will be applied to the project as conditions of approval.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Stanislaus County Department of Public Works dated March 4, 2015; and the Stanislaus County General Plan and Support Documentation¹.</p>				
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

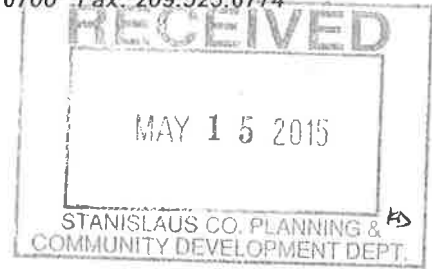
<p>g) Comply with federal, state, and local statutes and regulations related to solid waste?</p>				<p>X</p>
<p>Discussion: Limitations on providing services have not been identified. The site will be served by private well, septic system, and on-site drainage. A referral response from the Department of Public Works requires that they review and approve a grading and drainage plan prior to issuance of any building permit. Conditions of approval shall be added to the project to reflect this requirement. On-site septic and well infrastructure will be reviewed by the Department of Environmental Resources for adequacy through the building permit process.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response from the Stanislaus County Department of Public Works dated March 4, 2015; and the Stanislaus County General Plan and Support Documentation¹.</p>				
<p>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --</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) 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?</p>				<p>X</p>
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>				<p>X</p>
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>				<p>X</p>
<p>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.</p>				

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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.



DEPARTMENT : ENVIRONMENTAL RESOURCES
3800 Cornucopia Way, Suite C Modesto, CA 95358-9494
Phone: 209.525.6700 Fax: 209.525.6774



STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
FROM: Department of Environmental Resources
SUBJECT: **ENVIRONMENTAL REFERRAL- 30 DAY REFERRAL & INITIAL STUDDY
FOR USE PERMIT APPLICATION NO. PLN2015-0006 – ORCHARD
RITE**

Based on this agencies particular field(s) of expertise, it is our position the above-described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

1. From the project description facility could trigger the onsite water well to be defined as public water system (PWS). It would be to applicant advantage to construct a new well to PWS standards.

“The Water System may now be or may become a public water system as defined by California Health and Safety Code (CA HSC) Section 116275 and Title 22 California Code of Regulations (CCR) Sections 64400.10, 64400.80, 64401.85. Prior to issuance of building permits or licenses to conduct business identified in above UP Application No. PLN2015-0035. The property owner shall certify to Stanislaus County Department of Environmental Resources (Department) that: the property use does not or will not constitute a public water system, or submit an public water supply permit application [(CA HSC) 116525] to the Department accompanied by a public water system technical report [(CA HSC) 116530], financial and managerial and technical information [(CA HSC) 116540], and obtain a public water supply permit to operate the public water system [(CA HSC) Sections 116525, 116530, 116540, 116550].”

Response prepared by:

Date: May15, 2015

Bella Badal

BELLA BADAL, PhD, R.E.H.S.
SENIOR REGISTERED ENVIRONMENTAL HEALTH SPECIALIST
Department of Environmental Resources



Edmund G. Brown Jr.
Governor

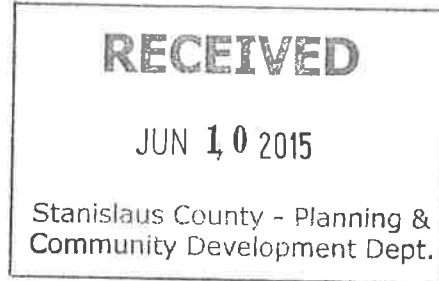
STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

June 8, 2015

Kristin Doud
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354



Subject: Use Permit Application No. PLN2015-0006 - Orchard Rite - Pacific Distributing, Inc.
SCH#: 2015022007

Dear Kristin Doud:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on June 5, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015022007
Project Title Use Permit Application No. PLN2015-0006 - Orchard Rite - Pacific Distributing, Inc.
Lead Agency Stanislaus County

Type Neg Negative Declaration

Description This is a request to expand an existing orchard shaker equipment dealership and repair business, owned by Orchard Rite Ltd. and operated by its Hughson dealership, Pacific Distributing, Inc. This project proposes to construct a 4,960 sf warehouse and manufacturing building. The 14.43 acre property was previously issued a Use Permit in 1979 to operate an agricultural irrigation business. Currently on-site activities include: the selling and storing of new orchard shaker equipment and the repairing, maintaining, selling, buying, and storing of used orchard shaker equipment. The hours of operation are 12 mos/yr, Monday through Saturday, 5 am - 5 pm. The business estimates a max of 8 employees/shift, 9 customers/day, and 5 trailer truck trips/day.

Lead Agency Contact

Name Kristin Doud
Agency Stanislaus County
Phone (209) 525-6330 **Fax**
email
Address 1010 10th Street, Suite 3400
City Modesto **State** CA **Zip** 95354

Project Location

County Stanislaus
City Hughson
Region
Lat / Long
Cross Streets E. Whitmore Ave
Parcel No. 018-046-007
Township 4S **Range** 10E **Section** 17 **Base** MDB&M

Proximity to:

Highways
Airports
Railways Burlington Northern Santa Fe
Waterways Tuolumne River
Schools Hughson Unified
Land Use PLU: Orchard Shaker Dealer/Repair
Z: A-2-40
GPD: Agriculture

Project Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 10; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public Utilities Commission

Date Received 05/07/2015 **Start of Review** 05/07/2015 **End of Review** 06/05/2015



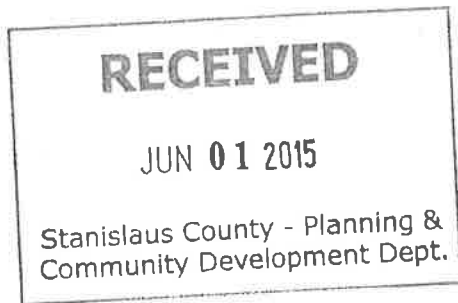
CHIEF EXECUTIVE OFFICE

*Stan Risen
Chief Executive Officer*

*Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer*

*Keith D. Boggs
Assistant Executive Officer*

*Jody Hayes
Assistant Executive Officer*



1010 10th Street, Suite 6800, Modesto, CA 95354
Post Office Box 3404, Modesto, CA 95353-3404

Phone: 209.525.6333 Fax 209.544.6226

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

May 29, 2015

Kristin Doud, Associate Planner
Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

**SUBJECT: ENVIRONMENTAL REFERRAL – ORCHARD RITE – PACIFIC
DISTRIBUTING, INC. – USE PERMIT APPLICATION NO. PLN2015-0006 –
INITIAL STUDY AND NOTICE OF INTENT TO ADOPT A NEGATIVE
DECLARATION**

Ms. Doud:

Thank you for the opportunity to review the Initial Study phase for the above-referenced project.

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has no comments at this time.

The ERC appreciates the opportunity to comment on this project.

Sincerely,

Patrick Cavanah
Management Consultant
Environmental Review Committee

PC:ss

cc: ERC Members

NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit Application No. PLN2015-0006 - Orchard Rite - Pacific Distributing, Inc.

LOCATION OF PROJECT: 5724 and 5800 E Whitmore Ave., on the south side of E Whitmore Road between Pioneer and Mountain View Roads, just West of the City of Hughson. APN: 018-046-007

PROJECT DEVELOPERS: Advanced Design Group, Elwyn Heinan
1128 6th St.
Modesto, CA 95354

DESCRIPTION OF PROJECT: This is a request to expand an existing orchard shaker equipment dealership and repair business, owned by Orchard-Rite Ltd. and operated by its Hughson dealership, Pacific Distributing, Inc. This project proposes to construct a 4,960 square foot warehouse and manufacturing building. The 14.43 acre property was previously issued a Use Permit in 1979 to operate an agricultural irrigation business. Currently on-site activities include: the selling and storing of new orchard shaker equipment and the repairing, maintaining, selling, buying, and storing of used orchard shaker equipment. The hours of operation are 12 months a year, 6 days a week (Monday through Saturday), 5:00 am to 5:00 pm. The applicant estimates this project request will expand their current activities by 5 vehicle trips per day (increase from 5 employees to 8 and from 7 customers to 9) and 2 truck trips per day (from 3 truck trips to 5 per day).

Based upon the Initial Study, dated **April 28, 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: Kristin Doud, Associate Planner

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

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SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: USE PERMIT APPLICATION NO. PLN2015-0006 - ORCHARD RITE - PACIFIC DISTRIBUTING, INC.

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X	X				X		X		X
CITY OF: HUGHSON	X	X	X		X							
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: HUGHSON FIRE	X	X	X		X							
IRRIGATION DISTRICT: TURLOCK	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1: HUGHSON UNION	X	X	X		X							
SCHOOL DISTRICT 2: HUGHSON UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X	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				X		X	X	
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST #2: CHIESA	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X	X				X		X		X
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							