

STANISLAUS COUNTY PLANNING COMMISSION

July 19, 2019

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2017-0118
FRAZIER NUT FARMS

**REQUEST: TO EXPAND AN EXISTING WALNUT SHELLING AND STORAGE FACILITY,
WITH THE CONSTRUCTION OF FOUR WAREHOUSE BUILDINGS.**

APPLICATION INFORMATION

Applicant/Property owner:	James Frazier dba Frazier Nut Farms
Agent:	Norman Wilson, Wilson Architecture
Location:	10830 Yosemite Boulevard (SR 132), between S. Blossom Road and S. Missouri Avenue, west of the City of Waterford.
Section, Township, Range:	31-3-11
Supervisory District:	District One (Supervisor Olsen)
Assessors Parcel:	080-006-047
Referrals:	See Exhibit F - Environmental Review Referrals
Area of Parcel(s):	64.7± acres
Water Supply:	Private well (Public Water System Standards)
Sewage Disposal:	Private septic and leach-field system
Existing Zoning:	A-2-40 (General Agriculture)
General Plan Designation:	AG (Agriculture)
Sphere of Influence:	NA
Community Plan Designation:	NA
Williamson Act Contract No.:	1973-1248
Environmental Review:	Negative Declaration
Present Land Use:	Two single-family dwellings, walnut orchard, storage and shelling buildings, office, and storage silos.
Surrounding Land Use:	Ranchettes with residential development and orchards surround the property in all directions, State Route 132 (Yosemite Boulevard) to the north, pastures and the City of Waterford are located to the east, and agricultural parcels with scattered single- family dwellings to the south and southeast.

RECOMMENDATION

Based on the discussion below and on the whole of the record provided to the County, Staff is recommending that the Planning Commission approve this request, as presented in this staff report. If the Planning Commission decides to approve the project, Attachment A provides an overview of all of the findings required for project approval.

PROJECT DESCRIPTION

The project is a request to expand an existing walnut sheller and storage operation by constructing four warehouse buildings totaling 70,000± square feet in size on a 64.78± acre parcel. The additional warehouses will allow walnuts that are currently stored outside to be stored inside of a building, to comply with United States Department of Agriculture (USDA) indoor storage requirements. The warehouse buildings will also house new sheller equipment, which will replace aging equipment. (See Exhibit B – *Maps*.) New sheller equipment will be installed at different phases as current equipment is replaced. Empty walnut storage bins will also be stored on-site during the off-season. Walnuts are hulled off-site at a different location. No increase in the current amount of walnuts to be stored or shelled on-site is proposed. The applicant is not anticipating any increase in the maximum number of employees, currently 40, or any increase in truck trips from the current total of eight truck trips per day during harvest periods, which typically runs August through September. Hours of operation are Monday through Friday 8:00 a.m. to 3:00 p.m. during the off-season and 7:00 a.m. to 4:00 p.m. during harvest periods. If approved, the construction will be completed over a period of five years.

SITE DESCRIPTION

The site is located at 10830 Yosemite Boulevard (SR 132), between S. Blossom Road and S. Missouri Avenue, west of the City of Waterford. The site is surrounded by ranchettes with residential development as well as orchards in all directions. Pastures and the City of Waterford are located to the east, State Route 132 (Yosemite Boulevard) is located to the north, and agricultural parcels with scattered single-family dwellings are located to the south and southeast of the project site. Other addresses connected to the project site include 406 and 124 South Blossom Road.

The site is currently planted in walnuts and is developed with two single-family dwellings. The existing walnut sheller and storage operation is located on the southern portion of the property and is developed with 145,424± square feet of building space, including an office, two roof only structures utilized for the storage of walnuts, storage silos, and multiple warehouse buildings. Currently, the sheller equipment is located within the existing warehouse building south of proposed warehouse No. 2, while the remaining buildings are used for the storage of walnuts and walnut bins (See Exhibit B – *Maps*). The developed site also includes 43 striped parking spaces located throughout the operational area. The site currently takes access from both S. Blossom and Yosemite Boulevard (SR 132). However, most truck traffic enters and exits the site through the Yosemite Boulevard entrance to utilize the existing truck scale, located adjacent to the office.

The existing on-site operation was established in 1963, prior to the requirement that a use permit be obtained, and has expanded over the years through issuance of various staff approval permits. . A new use permit is required for the proposed expansion due to the increased square footage of the requested improvements exceeding the twenty-five percent expansion limit allowed by staff approval permit.

ISSUES

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

The proposed project was referred to CalTrans for review and comment. CalTrans initially responded that the project's driveway onto State Route 132 was not up to current standards and that the project may be required to construct a left turn lane for westbound trucks onto SR 132. After further discussion with Caltrans and Staff, it was determined that the left turn lane would not be warranted. Subsequently, CalTrans amended their referral response to request that an

encroachment permit be obtained to accommodate ingress/egress from the SR 132 driveway which meets their current driveway standards. A condition of approval has been added to address this request prior to the issuance of a grading or building permit.

GENERAL PLAN CONSISTENCY

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

To minimize conflicts between agriculture operations and non-agricultural operations, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted. The purpose of these guidelines is to protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district.

Appendix A of these guidelines states that low people intensive Tier One and Tier Two uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities), which do not serve the general public, shall not be subject to compliance with these guidelines. The decision making body (Planning Commission) shall have the ultimate authority to determine if a use is “low people intensive”.

The facility currently employs 40 people on a maximum shift during harvest season, with a minimum of 10 employees during non-harvest periods. No increase in the total number of employees is proposed and most activities take place within enclosed buildings. The expansion of the existing walnut sheller and storage operation is considered to be consistent with a low people intensive Tier One agriculture use in the A-2 zoning district and therefore, not subject to the agricultural buffer guidelines. The impact to adjacent agricultural uses is not anticipated to be greater as a result of this project.

ZONING ORDINANCE CONSISTENCY

The site is currently zoned A-2-40 (General Agriculture). It is the intent of the General Agriculture (A-2) zoning district to support and enhance agriculture as the predominant land use in the unincorporated areas of Stanislaus County. The regulations contained within the A-2 zoning district are specifically established to ensure that all land uses are compatible with agriculture. Tier One uses, which are closely related to agriculture, may be allowed when the Planning Commission finds that:

1. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.
2. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of “Agriculture” and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

The project site is enrolled under Williamson Act Contract No. 1973-1248. County Code Section 21.20.045 specifies that, in compliance with Government Code Section 51238.1, uses approved on contracted lands shall be consistent with three Principles of Compatibility. Those principles state that the proposed use shall not significantly compromise, displace, impair or remove current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Pursuant to Section 21.20.045(B)(3) of the Stanislaus County Zoning Ordinance, Tier One uses are determined to be consistent with the Principles of Compatibility and may be approved on contracted land unless a finding to the contrary is made.

With the application of conditions of approval, there is no indication that, under the circumstances of this particular case, the proposed expansion of this existing facility will be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. Tier One uses are an important component of the agricultural economy in Stanislaus County. There is no indication this project will interfere or conflict with other agricultural uses in the area.

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 **\$2,337.75** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Jeremy Ballard, Associate Planner (209) 525-6330

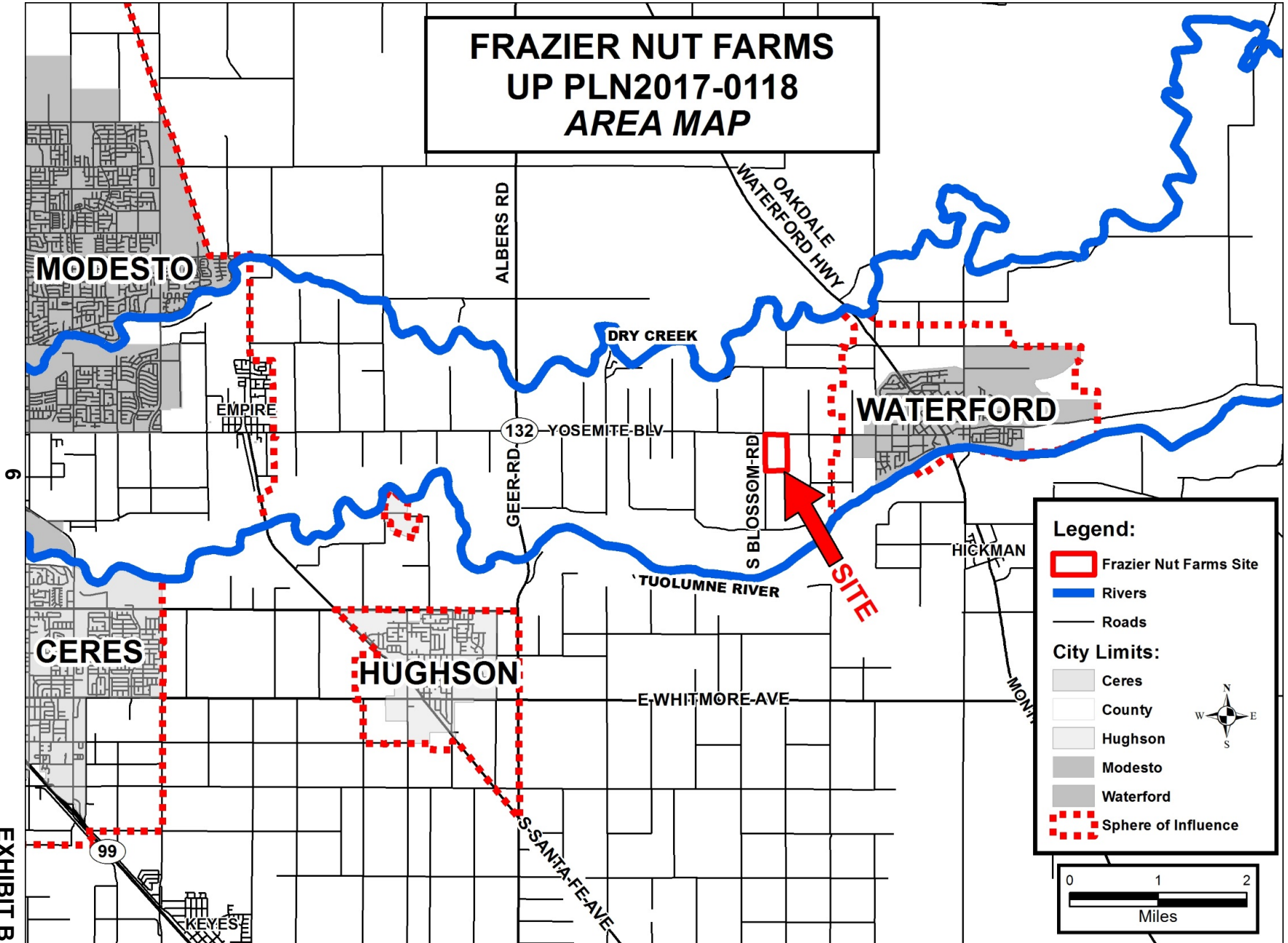
Attachments:

- 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’s Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - (a) The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of “Agriculture” and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
 - (b) The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.
 - (d) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.
 - (e) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural product on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - (f) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.
 - (g) That the proposed Tier 1 use is “low-people intensive” and not subject to the agricultural buffer.
 - (h) That 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 Use Permit Application No. PLN2017-0118 – Frazier Nut Farms subject to the attached Conditions of Approval.

FRAZIER NUT FARMS UP PLN2017-0118 AREA MAP



Legend:

- Frazier Nut Farms Site
- Rivers
- Roads

City Limits:

- Ceres
- County
- Hughson
- Modesto
- Waterford
- Sphere of Influence

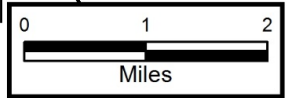


EXHIBIT B

FRAZIER NUT FARMS UP PLN2017-0118 ACREAGE MAP

64.92
SITE


WATERFORD

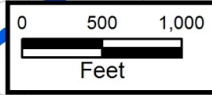
Legend:

- Frazier Nut Farms Site
- Rivers
- Roads

City Limits:

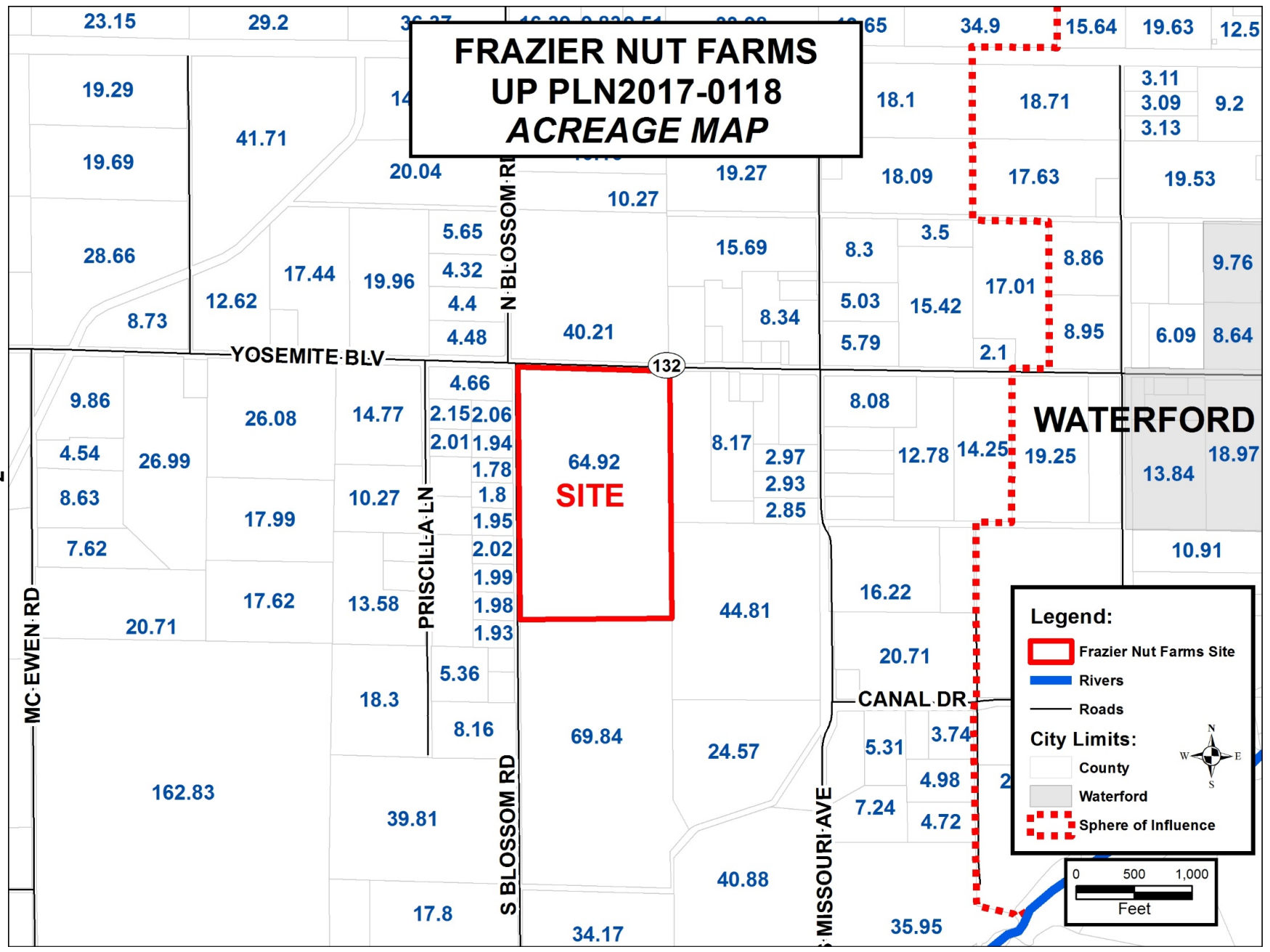
- County
- Waterford
- Sphere of Influence



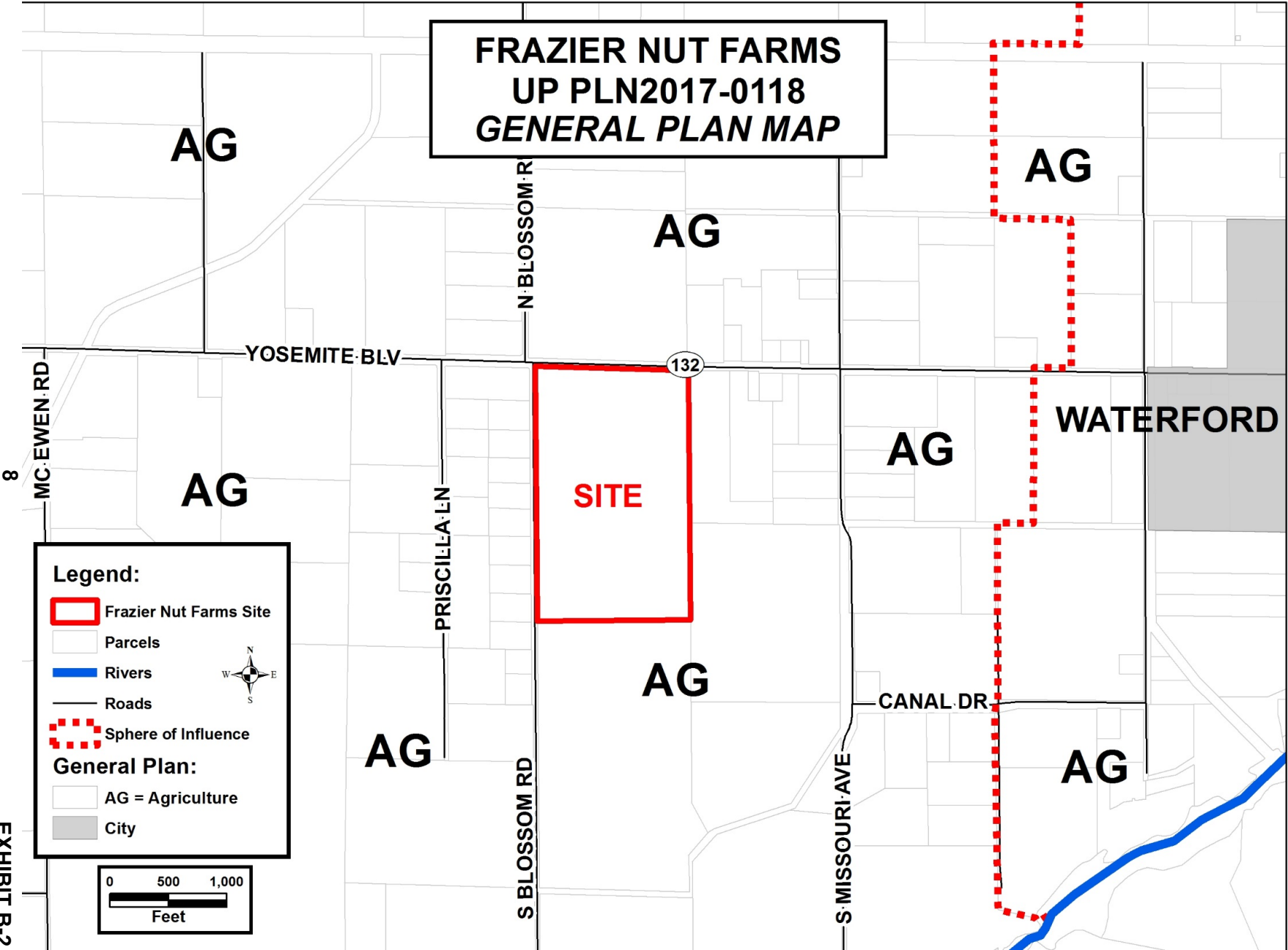


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EXHIBIT B-1



**FRAZIER NUT FARMS
UP PLN2017-0118
GENERAL PLAN MAP**

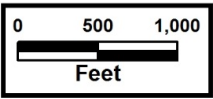


Legend:

- Frazier Nut Farms Site
- Parcels
- Rivers
- Roads
- Sphere of Influence

General Plan:

- AG = Agriculture
- City



FRAZIER NUT FARMS UP PLN2017-0118 ZONING MAP

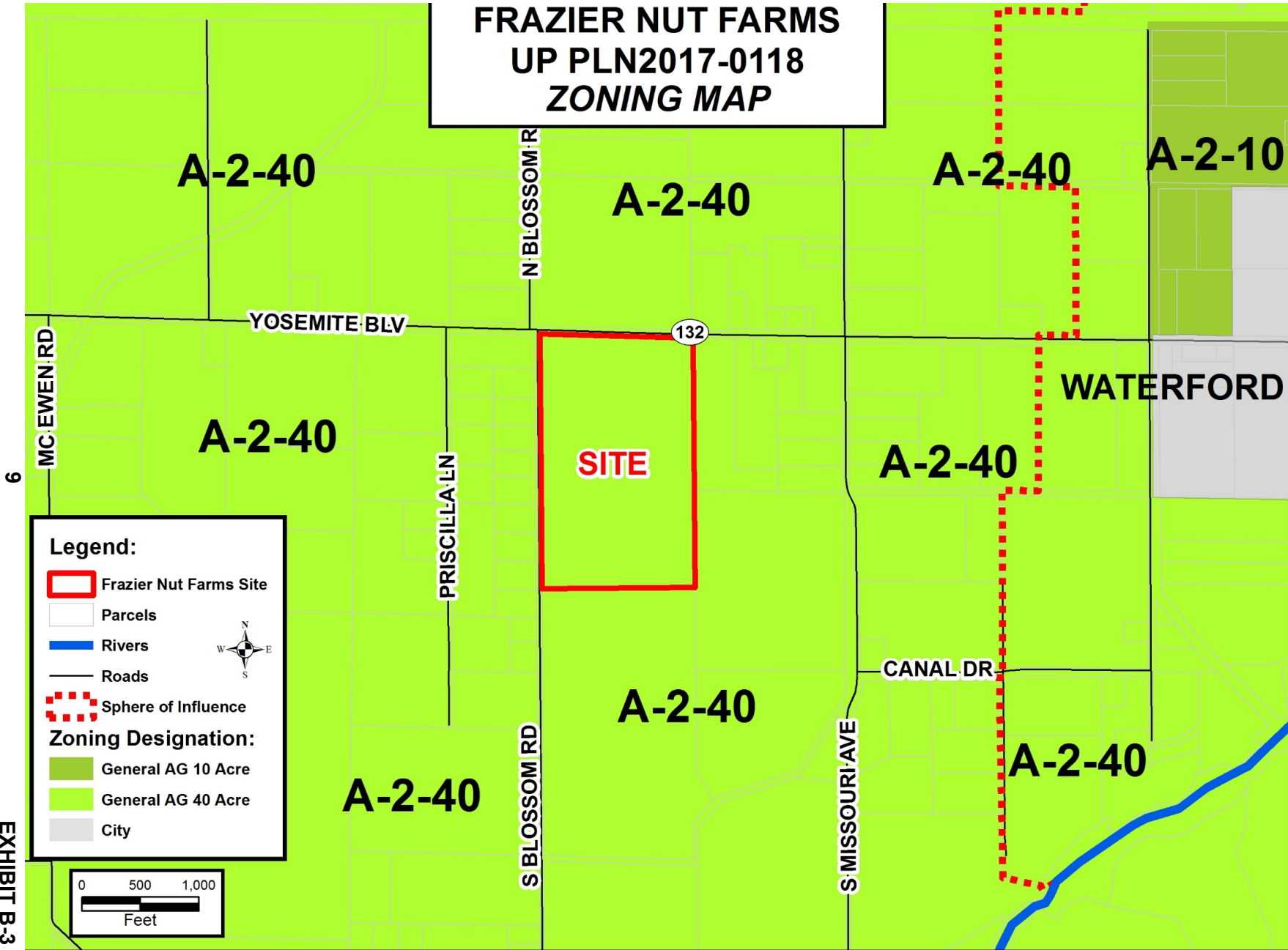
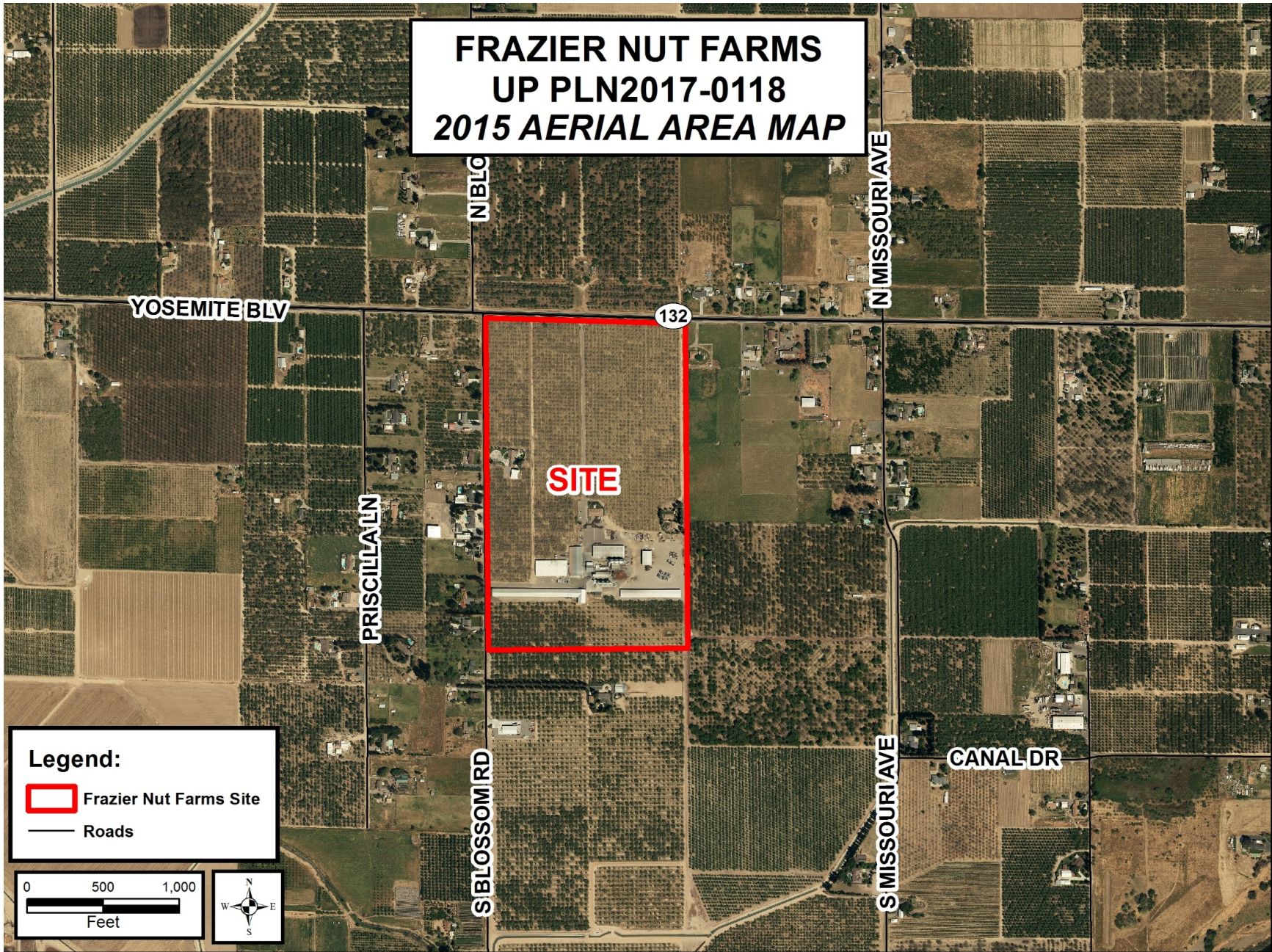


EXHIBIT B-3

**FRAZIER NUT FARMS
UP PLN2017-0118
2015 AERIAL AREA MAP**



YOSEMITE BLV

N BLO

N MISSOURI AVE

132

SITE


PRISCILLA LN

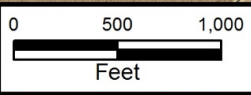
S BLOSSOM RD

S MISSOURI AVE

CANAL DR

Legend:

-  Frazier Nut Farms Site
-  Roads



FRAZIER NUT FARMS UP PLN2017-0118 2015 AERIAL SITE MAP

YOSEMITE BLV

132

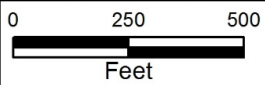
SITE

PRISCILLA LN

S BLOSSOM RD

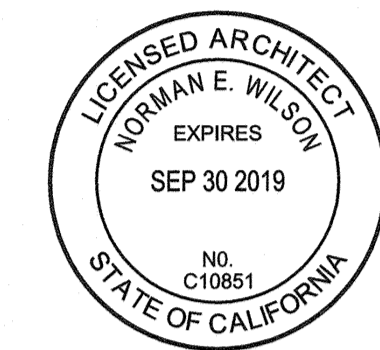
Legend:

-  Frazier Nut Farms Site
-  Roads





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 MODESTO, CALIFORNIA 95354-2510
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 FAX: (209) 577-0116
 EMAIL: www@wilsona.com
 NORMAN E. WILSON



PROJECT TITLE:
 MASTER PLAN FOR:
FRAZIER
NUT FARMS
 10830 YOSEMITE BLVD
 WATERFORD, CA

SHEET TITLE:
OVERALL
SITE PLAN

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF WILSON ARCHITECTURE, INC. AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESS WRITTEN PERMISSION OF WILSON ARCHITECTURE, INC.

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DO NOT SCALE

REVISIONS:

#	DATE	DESCRIPTION

JOB NO: 151794 C2

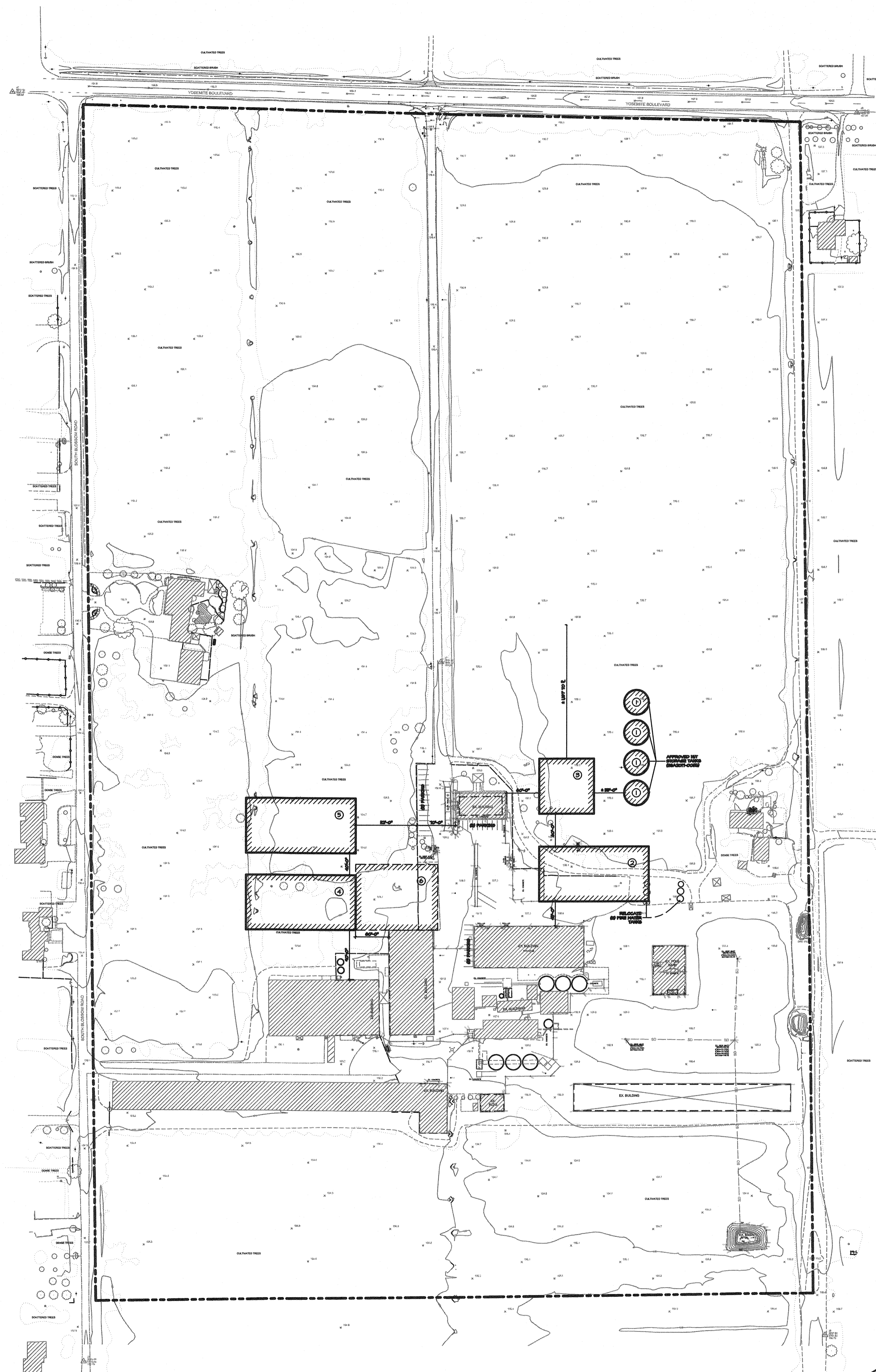
DATE: JUNE 2017

CHKD: NEW

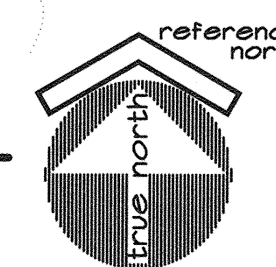
DRAWN: JPH

SHEET NO.

A



OVERALL SITE PLAN
 SCALE: NTS

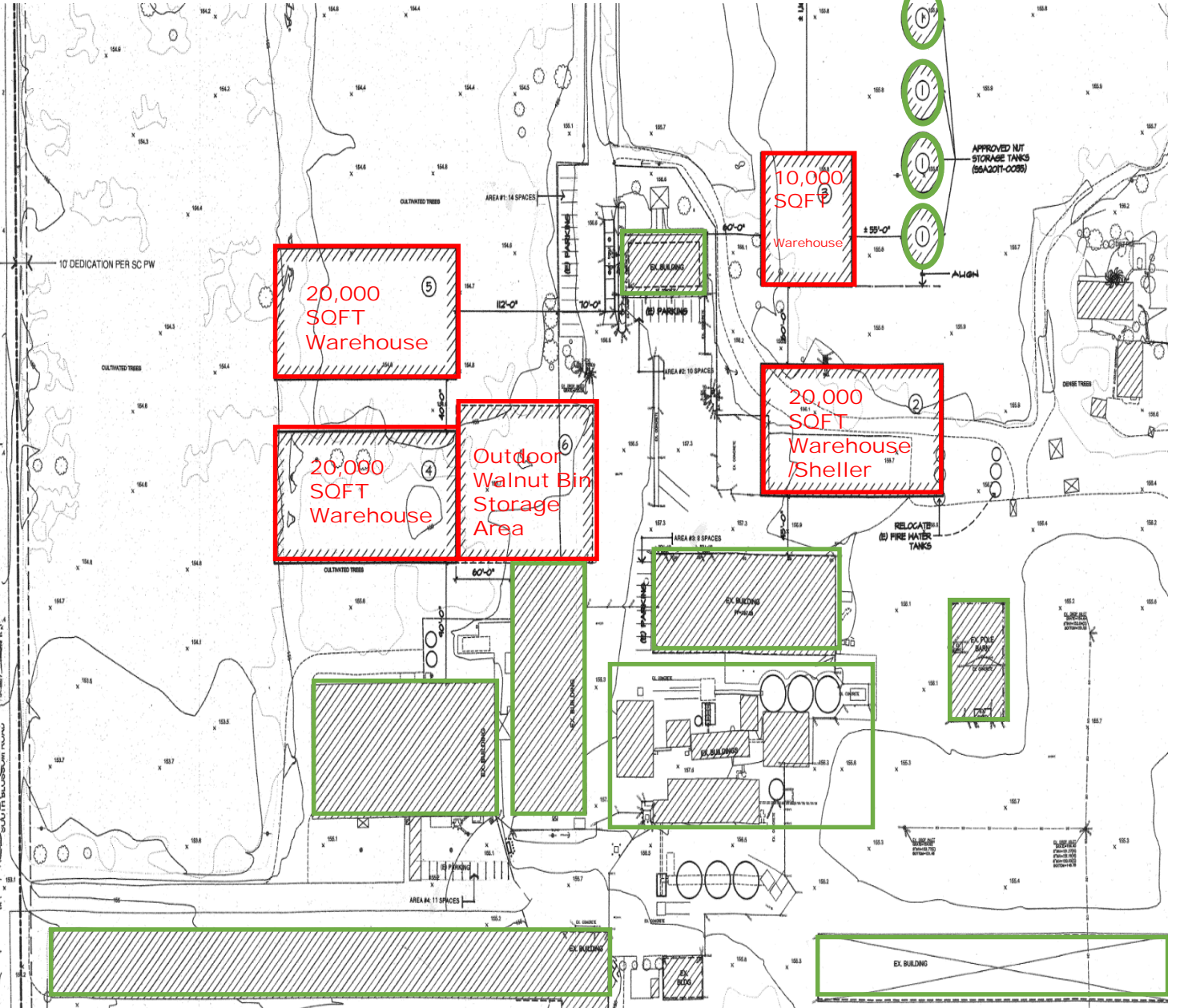
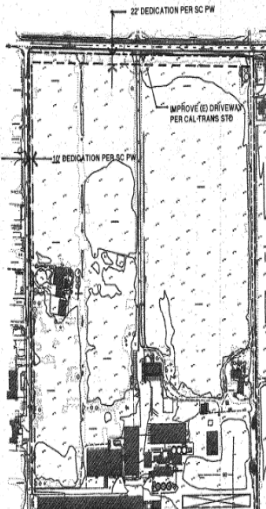


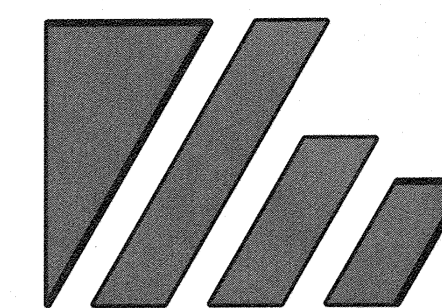
Proposed

Existing

PROJECT LEGEND

- ① NUT STORAGE TANKS (PREVIOUSLY APPROVED 55A2071-0026)
- ② WAREHOUSE/NUT CRACKER (20,000sf)
- ③ WAREHOUSE (10,000sf)
- ④ WAREHOUSE (20,000sf)
- ⑤ WAREHOUSE (20,000sf)
- ⑥ TEMPORARY BIN STORAGE AREA





WILSON
ARCHITECTURE, INC.

609 15th STREET
MODESTO, CALIFORNIA 95354
TEL: (209)577-0114
FAX: (209)577-0116

NORMAN E. WILSON, AIA



PROJECT TITLE:
MASTER PLAN FOR:
FRAZIER
NUT FARMS
10830 YOSEMITE BLVD
WATERFORD, CA

SHEET TITLE:
EXTERIOR
ELEVATIONS

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF WILSON ARCHITECTURE, INC. AND WERE CREATED, EVALUATED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESS WRITTEN PERMISSION OF WILSON ARCHITECTURE, INC.

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JOB NO: 151794 C2

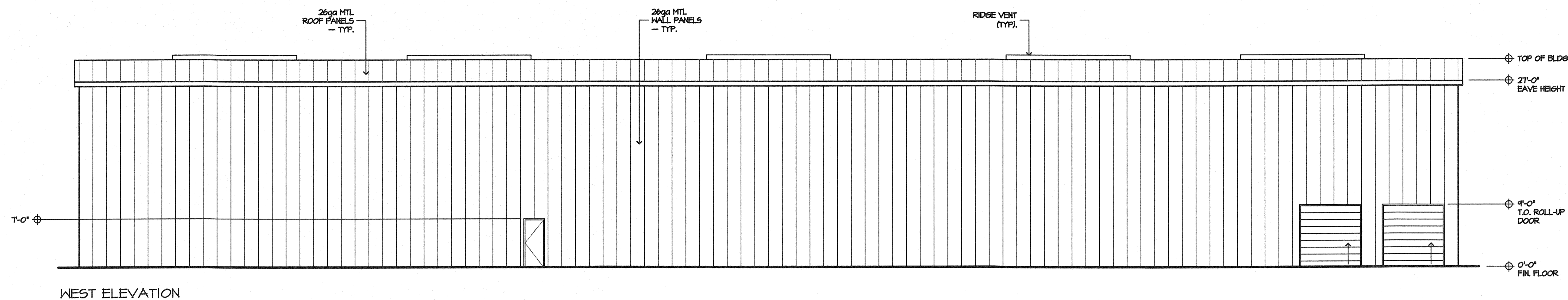
DATE: JUNE 2017

CHKD: NEW

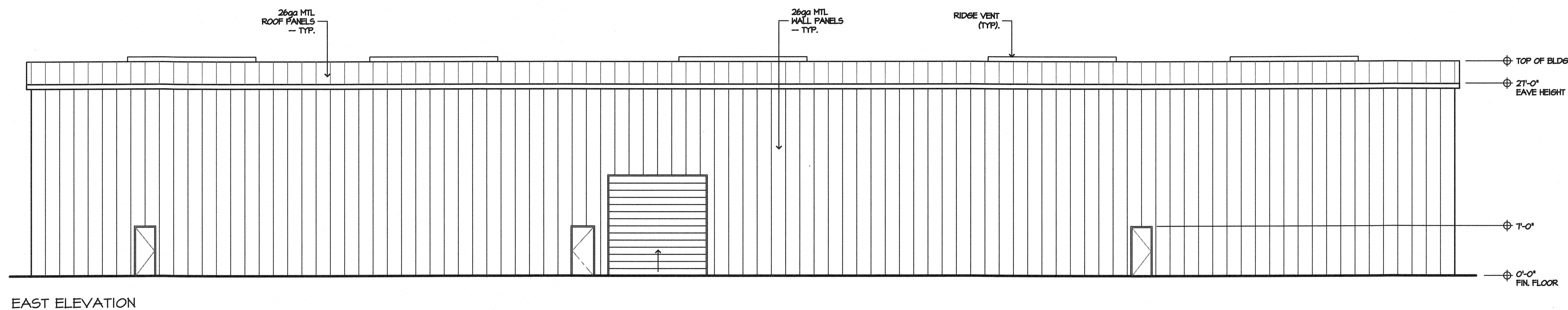
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SHEET NO.

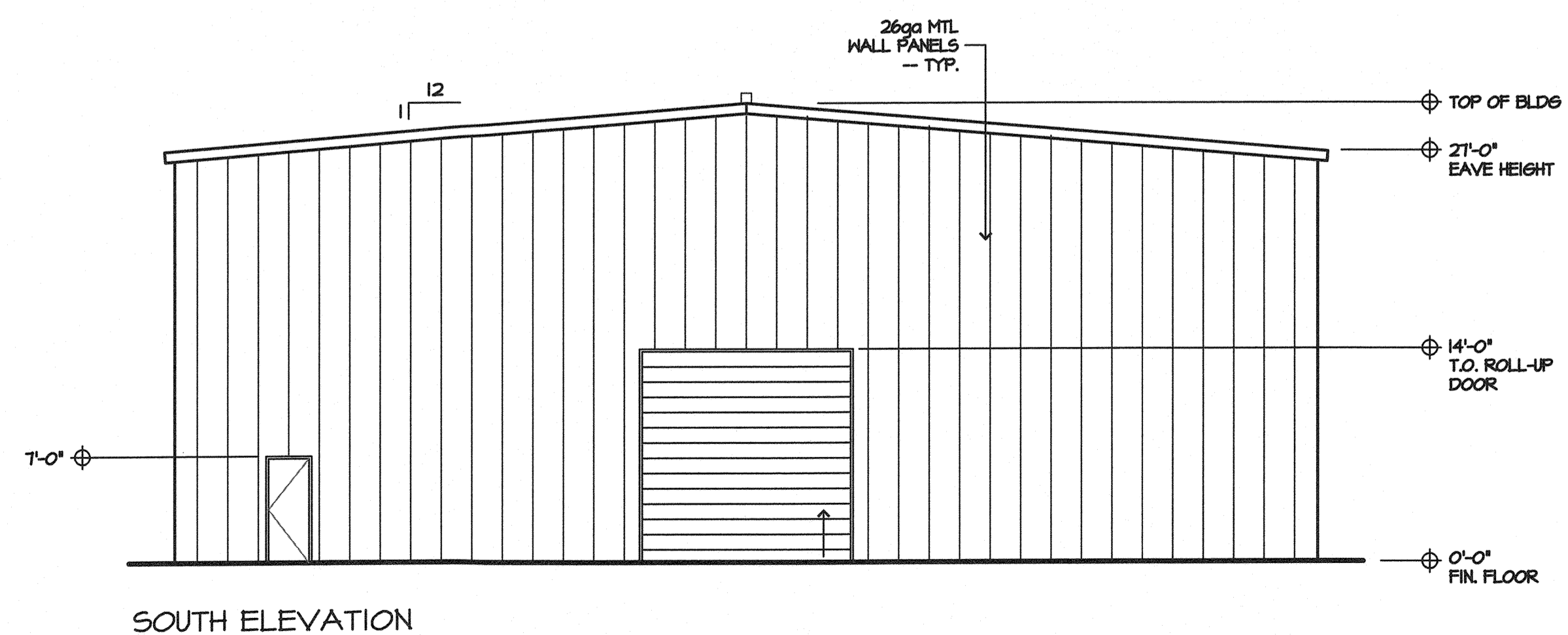
A-2



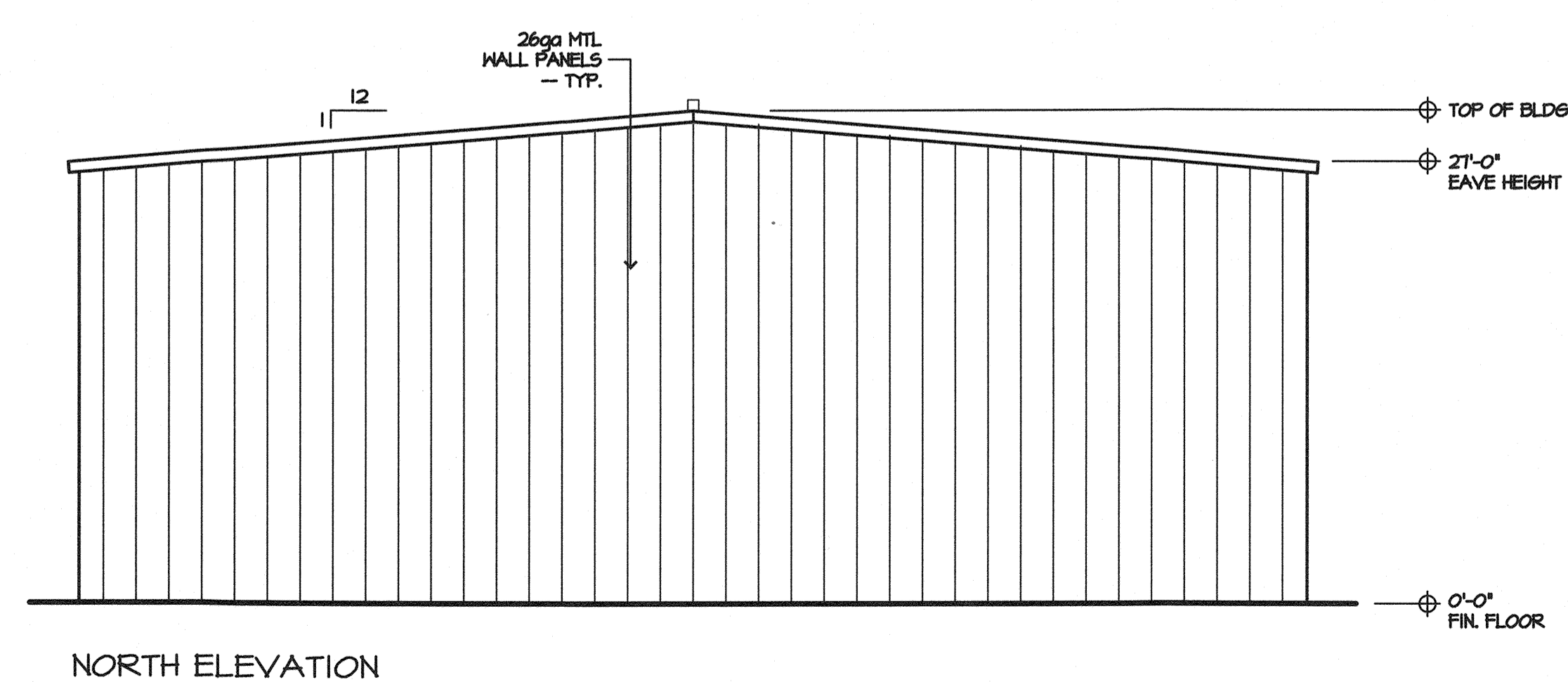
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"

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. PLN2017-0118 FRAZIER NUT FARMS

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2017), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,337.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

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

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. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
10. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

Department of Public Works

11. Prior to issuance of any building or grading permit for the property, State Route 132 frontage shall be offered to Stanislaus County as an Irrevocable Offer of Dedication (IOD). State Route 132 is classified as a 110 foot 4-lane Expressway. The required ½ width of State Route 132 is 55 feet south of the centerline of the roadway. At this time, there is 33 feet of existing right-of-way, making the requirement for the IOD to be 22 feet south of the existing right-of-way.
12. Prior to the issuance of any building or grading permit for the property, S. Blossom Road frontage shall be offered to Stanislaus County as IOD. S. Blossom Road is classified as 60 foot wide local road. The required ½ width is 30 feet east of the centerline. At this time, there is 20 feet of existing right-of-way, making the requirement for the IOD to be 10 feet east of the existing right-of-way.
13. Prior to issuance of a building or grading permit, a grading, drainage, and erosion/sediment control plan for the project site shall be submitted to the Department of Public Works. Public Works will review and approve the drainage calculations. The plans shall include the following information:
 - A. The plan shall include enough information to verify that all runoff will be kept from going into the Stanislaus County road right-of-way or adjacent parcels. It shall also

meet the Stanislaus County Public Works Standards and Specifications that are current at the time of the grading plan.

- B. The plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharge Identification Number and a copy of the Notice of Intent and the project's Stormwater Pollution Prevention Plan shall be provided prior to the approval of any grading, if applicable.
- C. The applicant shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.

Department of Environmental Resources

- 14. All proposed structures shall meet the required setbacks to the on-site public water well as well as the on-site septic system. The setbacks shall be illustrated on any proposed building permit.
- 15. Prior to issuance of a grading permit the applicant shall perform a Phase I study, and if necessary a Phase II study.
- 16. The applicant shall contact the DER regarding appropriate permitting requirements for hazardous materials and/or wastes.

Building Permits Division

- 17. Building permits are required and the project must conform with the California Code of Regulations, Title 24.
- 18. Commercial walnut storage facilities shall be classified in accordance to its use and occupancy as in S-2 in accordance to the California Building Code.
- 19. Commercial walnut processing/shelling facilities shall be classified in accordance to its use and occupancy as an F-2 in accordance to the California Building Code.
- 20. Building permits shall be required for any equipment installation.
- 21. All commercial buildings are subject to Public Facility Fees.

Modesto Irrigation District (MID)

- 22. All existing overhead and underground electric facilities within or adjacent to the proposed development shall be protected, relocated or removed as required by the District's Electric Engineering Department. Appropriate easements for electric facilities shall be granted as required.
- 23. Applicant shall verify actual depth and location of all underground utilities and notify the Underground Service Alert prior to the start of construction
- 24. All MID easements existing within the project site shall be maintained.

25. Costs for relocation of the District's electrical facilities at the request of others will be borne by the requesting party. Relocation or installation electric facilities shall conform to the District's Electric Service Rules.

San Joaquin Valley Air Pollution Control District

26. Prior to issuance of a building permit for any proposed building, an Authority to Construct permit shall be obtained.
27. Prior to construction, the developer shall be responsible for contacting the San Joaquin Valley Air Pollution Control District to determine if any additional District permits are required, including but not limited to the following:
- Regulation VIII (Fugitive PM10 Prohibitions)
 - District Rule 9510 (AIA)
 - Rule 4002 (National Emission Standards for Hazardous Air Pollutants)
 - Rule 4102 (Nuisance)
 - Rule 4601 (Architectural Coatings)
 - Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations)

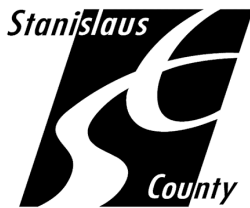
Central Valley Regional Water Quality Control Board

28. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" (Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002), is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
29. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a Phase I and II Municipal Separate Storm Sewer System (MS4) Permit, an Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit, or Waste Discharge Requirement (WDR) permits are required.

CalTrans

30. Prior to issuance of a grading or building permit, an encroachment permit shall be obtained for the driveway on SR 132 (Yosemite Boulevard).

*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~~.*



CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2017-0118 – Frazier Nut Farms
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Jeremy Ballard, Associate Planner
4. **Project location:** 10830 Yosemite Boulevard (State Route 132) and 402 South Blossom Road, between South Blossom Road and South Missouri Avenue, west of the City of Waterford. APN: 080-006-047
5. **Project sponsor’s name and address:** James Frazier dba Frazier Nut Farms
10830 Yosemite Boulevard
Waterford, CA 95386
6. **General Plan designation:** AG (Agriculture)
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

Request to expand an existing walnut sheller and storage operation by constructing four warehouse buildings, totaling 70,000± square feet in size on a 64.78± acre parcel. The warehouse buildings will be utilized for storage of walnuts to comply United States Department of Agriculture (USDA) requirements as well as new sheller equipment, all hulling of nuts will take place at a separate off-site location. Empty walnut storage bins will also be stored on site during the off-season. There is not an anticipated increase capability of the amount of nuts to be stored on-site. New sheller equipment will be installed at different phases as current equipment is replaced; it is not anticipated to increase the total amount of product to be cracked on-site. The applicant is not anticipating any increase in the maximum number of employees, currently 40, or any increase in truck trips than the current total of eight truck trips per day during harvest periods. Hours of operation include Monday through Friday 8:00 AM to 3:00 PM during the off-season and 7:00 AM to 4:00 PM during harvest periods. If approved, the construction will take place over a period of five years.
9. **Surrounding land uses and setting:** Ranchettes with residential development, orchards in all directions, State Route 132 (Yosemite Blvd) and Dry Creek to the north, pastures to the east, the City of Waterford to the west and the Tuolumne River to the south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** State of California Department of Transportation, Department of Public Works, Department of Environmental Resources

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

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

Signature on file.
 Signature

May 17, 2018
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

ISSUES

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion: Aesthetics associated with the project site and proposed warehouse structures are not anticipated to change as a result of this project. The proposed structures will be similar in nature to the other structures on-site and will be comprised of metal which is a material consistent with accessory structures in and around the A-2 (General Agriculture) zoning district. Standard conditions of approval will be added to this project to address glare from any proposed on-site lighting.

Mitigation: None

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

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

d) Result in the loss of forest land or conversion of forest land to non-forest use?			X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

Discussion: The project site is enrolled under the Williamson Act, Contract No. 1973-1248 and has soils classified as Prime Farmland by the Farmland Mapping and Monitoring Program. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that the property is made up of Grade 1 Hanford fine sandy loam soils, with an index rating of 100. County Code Section 21.20.045, in compliance with Government Code Section 51238.1, specifies that uses approved on contracted lands shall be consistent with three principles of compatibility. Those principles state that the proposed use shall not significantly compromise, displace, impair or remove current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. This project is considered to be a Tier One use. Pursuant to Section 21.20.045(B)(3) of the Stanislaus County Zoning Ordinance, Tier One uses, which are uses that are considered to be closely related to agriculture, are determined to be consistent with the Principles of Compatibility and may be approved on contracted land unless a finding to the contrary is made. This project was referred to the State of California Department of Conservation (DOC). Presently, no response has been received from the DOC.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects, including finding Tier One and Tier Two uses not subject to the buffer requirements provided they are not people intensive. As this is a Tier One use, if not considered people intensive by the Planning Commission, the project will not be subject to agricultural buffers. Staff believes that the use will be low-people intensive, as most of the operation will take place indoors and the most people intensive area, the office, is approximately 600 feet away from any adjacent parcel.

Based on the specific features and design of this project, it does not appear this project will impact the long-term productive agricultural capability of the subject contracted parcel or other contracted lands in the A-2 zoning district. There is no indication this project will result in the removal of adjacent contracted land from agricultural use. The expanded storage facilities will be in support of agricultural operations.

Mitigation: None

References: Stanislaus County Zoning Ordinance; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2016; NRCS Web Soil Survey Stanislaus County General Plan and Support Documentation¹.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	

d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

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

This is a request to expand an existing walnut shelling and storage facility with the construction of four additional warehouse buildings, totaling 70,000 square feet along with utilizing an outside area for the storage of walnut bins. Existing shelling equipment will also be updated and ultimately relocated inside one of the proposed warehouses. The expansion is proposed to comply with USDA requirements that disallow the outdoor storage of nuts. The operation does not anticipate an increase from the current a total of eight per day during the harvest season, which typically falls between August and October/November. At full build-out the project estimates that the total number of employees during a maximum shift will not increase from the current 40 employees during the peak season.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California Environmental Protection Agency (EPA) which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies.

The construction of the proposed buildings will not conflict with, nor obstruct implementation of any applicable air quality plan. An Early Consultation project referral was sent to the SJVAPCD. The District responded that the project is not anticipated to create any significant impacts on air quality and that regulatory orders may apply. The project will be conditioned to require that all District standards are met.

Based on the project details stated above, no significant impacts to air quality are anticipated.

Mitigation: None

References: Referral response from San Joaquin Valley Air Pollution Control District dated April 19, 2018; Stanislaus County General Plan and Support Documentation¹

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion: The project is located within the Waterford Quad (3712067) of the California Natural Diversity Database. There are seven plants and animals which are state or federally listed, threatened, or identified as species of special concern within the Waterford California Natural Diversity Database Quad. These species include Swainson’s hawk, tricolored blackbird, steelhead, valley elderberry longhorn beetle, Colusa Grass, San Joaquin Valley Orcutt grass and Greene’s tuctoria. The proposed project site is partially developed including two single-family dwellings, an office, metal shop buildings and roof only structures with the balance of the property planted in walnut trees making the likelihood that any of these species exist on the site, low. No rivers, creeks, ponds, or open canals exist on the project site.

An Early Consultation was referred to the California Department of Fish and Wildlife, (formerly the Department of Fish and Game) and no response was received. No negative impacts to Biological Resources are anticipated to occur as a result of this project. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

Mitigation: None

References: California Department of Fish and Wildlife (formerly the Department of Fish and Game), California Natural Diversity Database Stanislaus County General Plan and Support Documentation¹

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: This project does not fall under the requirements for tribal consultation of either AB 52 or SB 18, as it is not a General Plan or Specific Plan Amendment, and none of the tribes listed by the Native American Heritage Commission (NAHC) have contacted the County to request project referrals. A comment letter was received from NAHC listing the basic procedures for notification required by the applicable legislation.

This project has low sensitivity for cultural, historical, paleontological, or tribal resources, due to it being already developed and planted in orchards for many years. It does not appear that this project will result in significant impacts to any archaeological or cultural resources; however, a standard condition of approval will be added to this project to address any discovery of cultural resources during any ground disturbing activities.

Mitigation: None

References: Referral response from the Native American Heritage Commission dated November 30, 2017; Element¹Stanislaus County General Plan and Support Documentation¹

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	

Discussion: The USDA NRCS’s Eastern Stanislaus County Soil Survey indicates that the soils on the project site are made up of Grade 1 Hanford fine sandy loam soils. 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. All structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. An Early Consultation Referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project is required, subject to Public Works review and Standards and Specifications. Likewise, any 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.

DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project.

Mitigation: None

References: Referral response from the Stanislaus County Department of Public Works dated December 1, 2017; California Building Code; and the Stanislaus County General Plan and Support Documentation - Safety Element¹

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

Discussion: This is a request to expand an existing walnut shelling and storage facility with the construction of four additional warehouse buildings, totaling 70,000 square feet. The expansion is proposed to comply with USDA requirements which disallow the outdoor storage of nuts. The operation does not anticipate an increase from the current total of eight per day during the harvest season, which typically falls between August and October/November. At full build-out the project estimates that the total number of employees during a maximum shift will remain at the current level of 40 employees during the peak season.

The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and tropospheric Ozone (O₃). CO₂ is the reference gas for climate change, because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) 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.

The proposed structures are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Minimal greenhouse gas emissions will occur during construction. Construction activities are considered to be less than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control.

No significant impacts from greenhouse gas emissions occurring as a result of this project are anticipated.

Mitigation: None

References: Referral response from the San Joaquin Valley Air Pollution Control District, dated April 19, 2017; 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	

Discussion: The County Department of Environmental Resources is responsible for overseeing hazardous materials and has not indicated any particular concerns with hazardous material on the project site. Pesticide exposure is a risk in the agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Applications of sprays are strictly controlled by the Agricultural Commissioner and can only be applied after first obtaining permits. The project site is not located within an airport land use plan or a wildlands area.

The project is located outside any land designated a fire hazard severity zone by Cal Fire per the County's Safety Element of the General Plan. The site is served by Stanislaus Consolidated Fire Protection District and will pay fire impact fees for all new construction. No referral response was received from the District. There is not anticipated to be any significant impacts regarding hazards and hazardous materials.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation, Safety Element; Airport Land Use Commission Plan.¹

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 by the Federal Emergency Management Agency (FEMA). The project site is located outside any FEMA designated floodplain. The Central Valley Regional Water Quality Control Board (RWQCB) provided an Early Consultation Referral response requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements be obtained/met prior to operation. Conditions of approval will be added to the project requiring the applicant comply with this request prior to issuance of a building permit.

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

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

Per DER the operation is a regulated Public Water System, all additional water connections as a result of the proposed development would be subject to meet these state standards.

Currently, the site retains any stormwater runoff through an existing developed retention basin. As part of the proposed 70,000 square feet of building space, expansion of the retention basin will need to take place to ensure all stormwater is kept on site. As previously mentioned, a Public Works referral response required that a grading and drainage plan be submitted prior to any earth moving activities. The grading plan would design the site to keep all required runoff on-site for the proposed building space. A condition of approval will be added to reflect this requirement.

Mitigation: None

References: Referral response received from the Department of Environmental Resources April 17, 2018; Referral response from the Stanislaus County Department of Public Works dated December 1, 2017; Referral responses received from the Central Valley Regional Water Quality Control Board on November 9, 2017; Stanislaus County General Plan and Support Documentation¹

X. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Discussion: The proposed use is considered a Tier One use, which are those uses closely related to agriculture and are necessary for a healthy agricultural economy. Tier One uses may be allowed when the Planning Commission finds that:

1. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
2. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Agriculture" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Based on Planning records the existing sheller and storage facility started its operation approximately in 1967, which allowed the storage of farm produce as a permitted use. There is no clear record that indicate when shelling of walnuts began, which would have required a use permit in 1967. The operation has expanded over the years through various Staff Approval permits. A new use permit was required for the proposed expansion as the allowable development through Staff Approvals had been completely utilized.

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: Title 21 of the County Code; 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 have been mapped by the State Division of Mines and Geology in Special Report 173 (and portions of Special Report Nos. 91-03, 160, and 199 include Stanislaus County). There are no known significant resources on the site.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

XII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion: A temporary noise increase will be associated with construction of the new structures. There is no indication that approval of this project will result in a permanent increase in ambient noise levels. The proposed structures will be utilized primarily for the storage needs of the walnut facility, and as such, no additional noise is anticipated.

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: The proposed use of the site will not create significant service extensions or new infrastructure which could be considered as growth inducing. No housing or persons will be displaced by this project.

Mitigation: None

References: Application material; Stanislaus County General Plan and Support Documentation¹

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

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

This project was circulated to all applicable school, fire, police, irrigation, and applicable special districts during the Early Consultation Referral period; a comment referral was received from the Modesto Irrigation District (MID). The District’s comments were in relation to the existing electrical facilities on-site and stated requirements for the relocation of the existing electrical facilities. A condition regarding the District’s comments will be added to the project.

Mitigation: None

References: Referral response received from the Modesto Irrigation District on November 16, 2017; Stanislaus County General Plan and Support Documentation¹

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

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

Mitigation: None

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: This is a request to expand an existing walnut shelling and storage facility with the construction of four additional warehouse buildings, totaling 70,000 square feet along with utilizing an outside area for the storage of walnut bins. Existing shelling equipment will also be updated and ultimately relocated inside one of the proposed warehouses. The expansion is proposed to comply with USDA requirements that disallow the outdoor storage of nuts. The operation does not anticipate an increase from the current total of eight per day during the harvest season, which typically falls between August and October/November. At full build-out the project estimates that the total number of employees during a maximum shift will remain at the current level of 40 employees during the peak season.

The project was referred to both to Stanislaus County Department of Public Works and State of California Department of Transportation (CalTrans). Public Works responded with conditions of approval that require dedication along both State Route 132 and South Blossom Road and that a grading and drainage plan be submitted to the Department of Public Works for review and approval. These comments will be applied to the project as conditions of approval.

Originally, Caltrans stated that the project site driveway that fronts State Route 132 (Yosemite Blvd) is not up to required standards and requested that a left turn lane for westbound traffic be installed. After clarifications between Planning Staff and Caltrans, Caltrans amended their comment letter to only require that an encroachment permit be applied for the driveway. A condition of approval will be added to address this request prior to the issuance of any new building permits.

Mitigation: None

References: Referral response received from the Stanislaus County Department of Public Works on December 1, 2017; Referral response received from the State of California Department of Transportation on November 17, 2017, amended on March 5, 2018; Stanislaus County General Plan and Support Documentation¹

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

Discussion: Limitations on providing 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 DER for adequacy and required setbacks through the building permit process. No new wells are proposed as part of this project as the operation does not utilize water. The California Safe Drinking Water Act (CA Health and Safety Code Section 116275(h)) defines a Public Water System as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

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

Per correspondence with DER the operation is a regulated Public Water System, all additional water connections as a result of the proposed development would be subject to meet these state standards.

The referral response received from MID did contain any comments in relation to irrigation.

Mitigation: None

References: Referral response received from the Modesto Irrigation District on November 16, 2017; Referral response received from the Stanislaus County Department of Public Works on December 1, 2017; Referral response received from the Department of Environmental Resources April 17, 2018; Stanislaus County General Plan and Support Documentation¹

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

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

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

NEGATIVE DECLARATION

- NAME OF PROJECT:** Use Permit Application No. PLN2017-0118 – Frazier Nut Farms
- LOCATION OF PROJECT:** 10830 Yosemite Boulevard (State Route 132), between South Blossom Road and South Missouri Avenue, west of the City of Waterford. APN: 080- 006-047
- PROJECT DEVELOPER:** James Frazier dba Frazier Nut Farms
10830 Yosemite Boulevard
Waterford, CA 95386
- DESCRIPTION OF PROJECT:** Request to expand an existing walnut shelling and storage facility, with the construction of four additional warehouse buildings for the shelling and storage of walnuts, totaling 70,000 square feet, and to utilize an outside area for the storage of empty walnut bins during the off-season on a 64.7 acre parcel in the A-2 (General Agriculture) zoning district.

Based upon the Initial Study, dated **May 17, 2018**, the Environmental Coordinator finds as follows:

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

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

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

Initial Study prepared by: Jeremy Ballard, Associate Planner

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

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: UP APP NO. PLN2017-0118 - FRAZIER NUT FARMS

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				X		X	X	
CA OPR STATE CLEARINGHOUSE	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CA SWRBC - DIV OF DRINKING WATER		X	X		X							
CITY OF: WATERFORD	X	X	X		X							
COOPERATIVE EXTENSION	X	X			X							
FIRE PROTECTION DIST: STAN CONSILDA	X	X	X		X							
HOSPITAL DISTRICT: OAK VALLEY	X	X	X		X							
IRRIGATION DISTRICT: MID	X	X	X	X				X		X	X	
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1: WATERFORD UNIFIE	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				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 1: OLSEN	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
StanCOG	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS			X		X							
TELEPHONE COMPANY: ATT	X	X	X		X							
TRIBAL CONTACTS												
(CA Government Code §65352.3)	X	X	X		X							