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. 2012-07
CAMBODIAN BUDDHIST ASSOCIATION OF CERES

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information, including activities and general hours of operation and 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, 2014), 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 $2,238.25, 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. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.

7. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.

8. 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 City of Ceres and a Building Permit obtained through Stanislaus County prior to installation.

9. Pursuant to Sections 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and shall be responsible for obtaining all appropriate streambed alteration agreements, permits, or authorizations, if necessary.

10. 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.

11. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Wildlife (formerly the Department of Fish and Game) to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.

12. 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.

13. 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.

14. All daily activities will be limited to operate between the hours of 6:00 a.m. and 8:00 p.m. Special events consisting of holidays, weddings, birthdays, and cultural celebrations and ceremonies shall be limited to operate between the hours of 8:00 a.m. and 11:00 p.m.
15. Outside storage of materials and equipment shall be screened from view from the road by a sound screen fence of uniform construction as approved by the Planning Director. The property shall be kept in a clean, well maintained fashion at all times. The privacy chain link fence along the perimeter of the property will incorporate pre-inserted slats that have a larger chain link mesh than what is standard and provide approximately 97% privacy.

16. The final landscape plan shall be approved by the City of Ceres. The applicant, or subsequent property owner, shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety.

17. Doors to the exterior on the western elevation of the activity hall shall remain closed and used only as emergency exits during special events and activities – these doors shall not be propped open during special events and/or activities.

**Department of Public Works**

18. Roeding Road is classified as a 2-lane 60-foot Collector roadway. The required \( \frac{1}{2} \) width is 30 feet north of the roadway centerline on Roeding Road along the project’s frontage. If 30-feet of the road right-of-way north of the centerline does not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Offer of Dedication. The Irrevocable Offer of Dedication shall be submitted to Public Works prior to the issuance of any building permit or grading permit associated with this project.

19. The applicant shall obtain an encroachment permit prior to any work being done in the Stanislaus County road right-of-way. A traffic control plan shall be submitted and approved before the encroachment permit is issued.

20. Public Works shall approve the location and width of any new driveway approaches on any County maintained roadway.

21. 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 plans shall contain enough information to verify that all storm water runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.

   C. The grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements.

   D. An Engineer’s Estimate shall be submitted for the grading and drainage work.

   E. The grading, drainage, and associated work shall be inspected and accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by any 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 and inspection of the work. The Public Works Inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.

22. Prior to the final of any building or grading permit, the applicant shall make road frontage improvements along the entire parcel length on Roeding Road. These improvements shall include asphalt road widening, bringing the existing road up to 12’ wide paved vehicle lane, and a 4’ wide asphalt shoulder north of the centerline of Roeding Road. Improvement Plans will be submitted to Stanislaus County Public Works for approval. The structural section and cross slopes shall meet Stanislaus County Public Works Standards and Specifications.

23. 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.

24. An Engineer’s Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.

25. No parking, loading, or unloading of vehicles shall be permitted within the right-of-way of Roeding Road. The developer will be required to install or pay for the installation of any signs or markings, if warranted.

26. All driveways and parking areas shall be paved or concreted and striped per County standards.

Department of Environmental Resources

27. The Water System may now be or may become a public water system as defined by California Health and Safety Code [(HSC) Section 116275] and (Title 22 California Code of Regulations Sections 64400.10, 64400.80, 64401.85). Prior to issuance of building permits or licenses to conduct business identified in Use Permit No. 2012-07, 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 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).

28. On-site wastewater disposal system (OSWDS) shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.

29. Applicant must submit 3 sets of construction plans and specifications for the proposed food facility to the Department for review and approval for compliance with the California Retail Food Code Section 114380. The submitted food facility construction plans are to be complete, easily readable and drawn to scale and specification as approved by the Department.
Building Permits Division

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

Modesto Regional Fire Authority

31. Proposed change of use from a single-family dwelling to assembly and possibly a congregate residence accommodating more than ten persons, shall comply with current fire code requirements and City of Ceres requirements.

32. Approved fire apparatus access roads shall be provided. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches (2001 California Fire Code).

33. Water for fire protection shall be provided. The actual fire flow required and approval of existing and/or proposed fire hydrant locations will be determined and reviewed once actual plans that include a Building Code Analysis have been submitted to the Stanislaus County Building Department for review and approval.

34. Prior to the occupancy of any building or operation of the approved use, the applicant shall meet all the requirements of the Department of Fire Safety for on-site water storage.

City of Ceres

35. The property owner shall provide full street right-of-way width dedication and enter into a street improvement agreement to defer the curb, gutter, and sidewalk improvements to a time to be determined by the City of Ceres.

Central Valley Regional Water Quality Control Board

36. Construction Storm Water Permit – Discharges whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common Plan of a development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009 DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

San Joaquin Valley Air Pollution Control District

37. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District.

38. The proposed project is subject to District Rule 9510 (Indirect Source Review). District Rule 9510 is intended to mitigate a project’s impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later
than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit.

39. Project to comply with the following rules as listed in the letter from the SJVAPCD dated April 22, 2014:
   
   • Regulation VIII (Fugitive PM10 Prohibitions)
   • 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)

**Turlock Irrigation District**

40. A cast-in-place concrete irrigation pipeline is located along the north boundary of the proposed project. District rules and standards require that this pipeline be replaced with Reinforced Concrete Pipe (RCP) along with dedication of a 25 foot irrigation easement centered on the pipeline, or portion thereof. It will be necessary for the developer to submit plans detailing the existing irrigation facilities, relative to the proposed site improvements, in order for the district to determine specific impacts and requirements.

41. The subject parcel is a member of Improvement District (ID) 1345, the Smyrna Park Pump and 1504, the Smyrna Park Pipeline. District Standards require that properties that will no longer irrigate or have direct access to water must apply for abandonment of the parcel(s) from the improvement district(s). Developed property adjoining irrigated ground must be graded so that finished grade elevations are at least 6 inches higher than irrigated ground. A protective berm must be installed to prevent irrigation from reaching non-irrigated properties.

42. The District shall review and approve all maps and plans of 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 will need to provide irrigation improvement plans and enter into an Irrigation Improvement Agreement for the required irrigation facility modifications, subject to a District Board approved time and material fee associated with this review.

43. Work on irrigation facilities can only be performed during the non-irrigation season, which typically runs from November 1 through March 1, but can vary.

44. The District’s electric utility maps show existing overhead facilities in front or within the proposed project addition. If any of the facilities need relocation, the owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer’s expense.
MITIGATION MEASURES

(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following:

1) Hold a public hearing to consider the project; and

2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)

45. The Activity Hall Building design shall incorporate the use of entry/exit vestibules, in the activity areas, in order to minimize the direct sound transmission from interior spaces to the exterior. Doors shall be solid core wood or insulated hollow metal construction. Doors are to remain closed and shall not be propped open during events and the use of amplified music or voice. All activities on site shall cease between 11:00 p.m. and 6:00 a.m.

46. The Activity Hall Building wall construction design shall provide a minimum STC (Sound Transmission Class) rating of 50.

47. Property owner/operator shall be responsible for monitoring all on-site activities, including patron activity within the parking lot, to ensure no unnecessary or unusual noise which could disturb the peace and quiet of the surrounding neighborhood or cause any discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

48. In the event that documented noise complaints are received for base vibration, microphones/public address systems, etc., the applicant/operator shall be responsible for preparing and implementing a noise study and implementing any resulting mitigation measures required to reduce the noise to acceptable levels. A scope of work will have to be submitted within 30 days, an analysis will have to be completed within 60 days, and the mitigation measures will have to begin within 90 days. The cost of the noise study/assessment will be borne by the applicant. If the noise is not mitigated within 180 days, the project and the conditions of approval will return to the Stanislaus County Planning Commission for revocation. A noise study will not be required if the Sheriff’s department finds that the event is not exceeding noise levels and/or violating noise limitations as set forth in County Code Chapter 10.46 - Regulation of Nuisance Noise.

********

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.
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<tr>
<td>1.</td>
<td>Project title: Use Permit Application No. 2012-07 - Cambodian Buddhist Association of Ceres</td>
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</table>
| 2. | Lead agency name and address: Stanislaus County  
1010 10th Street, Suite 3400  
Modesto, CA 95354 |
| 3. | Contact person and phone number: Brian Guerrero, Assistant Planner  
(209) 525-6330 |
| 4. | Project location: 3761 Roeding Road, west of Faith Home Road and east of Moore Road, in the Ceres area.  
APN: 069-020-017 |
| 5. | Project sponsor’s name and address: Ted Brandvold  
Commercial Architecture, Inc.  
616 14th Street  
Modesto, CA 95354 |
| 6. | General Plan designation: UT (Urban Transition) |
| 7. | Zoning: A-2-10 (General Agriculture) |
| 8. | Description of project: This is a request to expand an existing Cambodian Buddhist facility (UP 2006-24) on a 2.9 acre parcel. The proposed project includes a 1,150 square foot addition to the existing temple, a 10,000 square foot activity hall, a 1,225 square foot ashery, a 1,575 square foot multi-purpose room (includes multi-purpose space, kitchen, restrooms, and storage space), and 122 additional parking spaces for a total of 142 parking spaces. |
| 9. | Surrounding land uses and setting: Ranchette parcels to the north, south, east, and west; the City of Ceres to the north and west; larger agricultural parcels to the east and west; and the parcel directly east of this site was approved for a law office ([P-D] 259). |
| 10. | Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): Department of Public Works  
Building Permits Division  
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.

Brian Guerrero, Assistant Planner  
Prepared By                           February 11, 2014  
Date
EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

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

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significant criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significant.
### ISSUES

#### I. AESTHETICS -- Would the project:

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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. This project is proposing the construction of additional buildings on site; however, the County does not have design guidelines. The architecture of the proposed buildings is designed to blend in with the surrounding area. Standard conditions of approval will be added to this project to address glare from any previously installed, or proposed supplemental, on-site lighting. Additionally, the applicant is proposing to install a six foot high chain link privacy fence which will help minimize lighting from cars parking on site during evening/night time functions.

**Mitigation:** None.

**References:** Application information and the Stanislaus County General Plan and Support Documentation.

#### 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:

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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 entire project site consists of soils classified as Hanford Sandy Loam, 0 to 1 percent slopes, Storie Index of 93, Grade 1. The project site is classified as Prime Farmland “Rural Residential” on the Farmland Mapping and Monitoring Program 2010. The project site has not been used for farming since at least 2006 when the project applicant was approved for the current use. The project site is currently improved with a 495 square foot temple, a 3,094 square foot monk residence, a 660 square foot barn, a 340 square foot storage shed, and 20 parking spaces.

Within the A-2 (General Agriculture) zoning district, the County has determined that certain uses related to agricultural production are “necessary for a healthy agricultural economy.” The County allows three tiers of related uses within the A-2 zone when it is found that the proposed use “will not be substantially detrimental to or in conflict with the agricultural use of other property in the vicinity.” The proposed use falls under the Tier Three category for the A-2 zoning district. Tier Three uses are not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area. Some of these uses can be people-intensive and, as a result, have the potential to adversely impact agriculture. These people-intensive uses are generally required to be located within LAFCO-approved spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities. This proposed project is located within the sphere-of-influence of the City of Ceres.

Since the proposed use is considered to be a “Tier Three” use within the County’s A-2 (General Agriculture) zoning district, and the use is considered to be people-intensive in nature, it is subject to the County’s agricultural buffer requirement; however, the applicant has provided a statement that notes the proposed buildings are required in order to house activities that are currently conducted outdoors. The proposed buildings will satisfy the intent of the buffer and setback guidelines by sheltering people that otherwise could be affected by farming activity. The statement also notes that the uses to the east, south, and west are unfarmed ranchette developments. It also states that adjacent property use to the north includes an unfarmed ranchette use for approximately 160 feet of the 200 foot north property line. The remaining 40 feet is farmed. The project also proposes a six foot high chain-link privacy fence. In an e-mail dated May 28, 2013, the Agricultural Commissioner states that the project appears to meet the buffer and setback requirements of the Agricultural Element in that no proposed occupied structure is within 150 feet of an existing agricultural operation. There is a structure that is proposed to be built in the northwest corner of the property adjacent to an agricultural operation; however, it will not be occupied and will be used to store human ashes. It will be up to the Planning Commission to take into consideration the applicant’s statement and the Agricultural Commissioner’s response to decide if the proposed project is compliant with the Agricultural Element.

**Mitigation:** None.

**References:** Revisions to the agricultural buffers section of the Agricultural Element approved by the Board of Supervisors on December 20, 2011, (Board of Supervisors Resolution No. 2011-790); Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2010; applicant’s statement dated June 12, 2012; and the 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:

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<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
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<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
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<td>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)?</td>
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<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
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<td>X</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

**Discussion:** The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD’s most recent air quality plans are the 2007 PM-10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as “extreme non-attainment” for ozone, “attainment” for respirable particulate matter (PM-10), and “non-attainment” for PM 2.5, as defined by the Federal Clean Air Act.

Potential impacts on local and regional air quality due to the project’s proposed actions are anticipated to be less than significant, falling below SJVAPCD thresholds as a result of the nature and small scale of the proposed project and the project’s operation after construction. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for long-term operational emissions, as discussed below. Because operation of the project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

For these reasons, the proposed project would be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact. Primary sources of PM-10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. The project does propose construction of buildings and grading, but no referral response was received by the San Joaquin Valley Air Pollution Control District noting concerns with the proposed project.

**Mitigation:** None.

**References:** San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; [www.valleyair.org](http://www.valleyair.org); and the Stanislaus County General Plan and Support Documentation.1
IV. BIOLOGICAL RESOURCES -- Would the project:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>X</td>
<td></td>
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<tr>
<td>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?</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>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?</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>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?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>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?</td>
<td>X</td>
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</tr>
</tbody>
</table>

**Discussion:** It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. A CEQA Early Consultation referral was mailed to responsible agencies regarding this application. This property is improved with buildings and parking, so any biological impacts should not be a concern regarding this proposed expansion. The project is also not within any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. This project was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no comments have been received to date.

**Mitigation:** None.

**References:** Application information; the California Natural Diversity Database (CNDDB); and the Stanislaus County General Plan and Support Documentation¹.

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V. CULTURAL RESOURCES -- Would the project:

<table>
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<tr>
<th>Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Discussion:
It does not appear this project will result in significant impacts to any archaeological or cultural resources. The project was referred to the Native American Heritage Commission (NAHC) via the State Clearinghouse; however, to date, no response has been received stating concerns with any potential cultural resources on the project site. Although no information has been provided stating specific cultural resources may be present on site, 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:** CEQA Early Consultation Referral and the Stanislaus County General Plan and Support Documentation\(^1\).

### VI. GEOLOGY AND SOILS -- Would the project:

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

**Discussion:** 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, per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required as part of a building permit application. Results from the soils test are generally used to determine if unstable or expansive soils are present. If such soils are present, special engineering of proposed structures will be required to compensate for the soil deficiency. Any earth moving is subject to Public Works Standards and Specifications which consider the potential for erosion and run-off prior to permit approval. Per the referral response from the Department of Public Works, a grading and drainage plan will have to be approved prior to any building permit being issued on site. 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. A referral response from DER requires any on-site wastewater disposal system to be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works dated February 5, 2014; referral response from the Stanislaus County Building Permits Division dated November 20, 2012; referral response from the Stanislaus County Department of Environmental Resources dated June 19, 2013; and the Stanislaus County General Plan and Support Documentation - Safety Element¹.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>X</td>
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</table>

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 dependance 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.

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).

As of the date of this document, staff has not received any response from the SJVAPCD regarding this project and any concern with greenhouses gases.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District [www.valleyair.org] and the Stanislaus County General Plan and Support Documentation¹.
### VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**Discussion:** DER is responsible for overseeing hazardous materials. Pesticide exposure is a risk in areas located in the vicinity of agricultural uses. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Staff did not receive a referral response from DER (Hazardous Materials) noting they had any concerns regarding any potential environmental impacts as a result of this project. The groundwater is not known to be contaminated in this area. The area is not a wildland nor is it in the vicinity of any active airport.

**Mitigation:** None.

**References:** Stanislaus County General Plan and Support Documentation³.
IX. HYDROLOGY AND WATER QUALITY -- Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td></td>
<td>X</td>
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<tr>
<td>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)?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>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?</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>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?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td></td>
<td>X</td>
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</tbody>
</table>

Discussion: Run-off is not considered an issue because of several factors which limit the potential impact. These factors include a relative flat terrain of the subject site and relatively low rainfall intensities. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is not located within a recognized flood zone and, as such, flooding is not an issue with respect to this project. There is the possibility of run-off associated with the proposed expansion since new structures and additional parking are being proposed. The Stanislaus County Department of Public Works, in their referral response, is requiring a grading and drainage plan be submitted and approved prior to any building permit being issued. DER is responsible for reviewing and permitting septic systems in Stanislaus County and in their referral response the department noted that any on-site wastewater disposal system will be operated under the conditions and guidelines established by Measure X. The Central Valley Regional Water Quality Control Board (RWQCB) provided a response that indicated various permitting and regulatory requirements to which new construction or site development may be subject. Comments from these agencies will be incorporated into the project’s conditions of approval.
Mitigation: None.

References: Referral response from the Department of Environmental Resources dated June 19, 2013; referral response from the Central Valley Regional Water Quality Control Board dated October 17, 2012; referral response from the Stanislaus County Department of Public Works dated February 05, 2014; and the Stanislaus County General Plan and Support Documentation.

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X. LAND USE AND PLANNING -- Would the project:

Potentially Significant Impact | Less Than Significant Impact 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: As discussed above within Section II. Agriculture and Forest Resources, any use of the property must be compatible with the County’s General Agriculture (A-2) zoning district. A use permit is required in the A-2 zoning district and the use is considered a Tier Three use in that zoning district. No established community will be physically divided nor will any existing habitat conservation plan or natural community conservation plan be impacted.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation.

---

XI. MINERAL RESOURCES -- Would the project:

Potentially Significant Impact | Less Than Significant Impact 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.
### XII. NOISE -- Would the project result in:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>X</td>
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<td></td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>X</td>
<td></td>
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<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>X</td>
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<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>X</td>
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</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
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<td>X</td>
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</table>

**Discussion:** The construction phase of this project will temporarily increase ambient noise levels in and around the area. The general operations proposed are: daily (Monday through Sunday) between the hours of 6:00 a.m. and 8:00 p.m. which includes prayer, meditation, teaching, small group meetings (up to approximately 30 participants), facility maintenance activities, and site maintenance activities. Holidays, celebrations, and ceremonies will be held daily (Monday through Sunday on dates of occurrence) between the hours of 8:00 a.m. and 11:00 p.m. for cultural celebrations, cultural ceremonies, cultural holidays, and conventional national holidays. (These may include musical instruments, vocals, and bands.) Birthday and wedding celebrations will be held Friday through Sunday between the hours of 8:00 a.m. and 11:00 p.m. (Weddings, wedding receptions, and birthday parties may include musical instruments, vocals, and bands.) The activities noted are proposed to be held within the proposed facilities.

In the past, there have been complaints regarding loud noise/music associated with existing permitted outdoor activities on the project site. Once complete, this project proposes to relocate all existing outdoor activities indoors within the proposed new assembly building. In addition to relocating all outdoor activities within the new building, the applicants have proposed noise Mitigation Measures No. 1 and 2 as a means to address the noise concern. The proposed measures are consistent with design measures incorporated into similar projects based on completed noise studies/analysis and, as such, an independent noise study/analysis for this project has not been requested. In order to ensure that on-site noise will be maintained within acceptable noise levels, as outlined in the Stanislaus County General Plan (60 db CNEL for new uses) and permitted within the County’s Noise Ordinance, Mitigation Measures No. 3 and 4 have been identified. Mitigation Measure No. 4 establishes a standard for preparation of a noise study/analysis and trigger for revocation of the permit if compliance with applicable noise standards is not maintained. This project will be conditioned to limit all on-site activities to church related functions and restrict rental of the facility for private non-church related events. While construction activities will temporary increase ambient noise levels in the area, such activities are subject to compliance with County Noise Ordinance standards for hours of construction. With mitigation measures in place, this project is anticipated to have a less than significant noise impact. This project is not in the vicinity of an active airport.
Mitigation:

1. The Activity Hall Building design shall incorporate the use of entry/exit vestibules, in the activity areas, in order to minimize the direct sound transmission from interior spaces to the exterior. Doors shall be solid core wood or insulated hollow metal construction. Doors are to remain closed and shall not be propped open during events and the use of amplified music or voice. All activities on site shall cease between 11:00 p.m. and 6:00 a.m.

2. The Activity Hall Building wall construction design shall provide a minimum STC (Sound Transmission Class) rating of 50.

3. Property owner/operator shall be responsible for monitoring all on-site activities, including patron activity within the parking lot, to ensure no unnecessary or unusual noise which could disturb the peace and quiet of the surrounding neighborhood or cause any discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

4. In the event that documented noise complaints are received for base vibration, microphones/public address systems, etc., the applicant/operator shall be responsible for preparing and implementing a noise study and implementing any resulting mitigation measures required to reduce the noise to acceptable levels. A scope of work will have to be submitted within 30 days, an analysis will have to be completed within 60 days, and the mitigation measures will have to begin within 90 days. The cost of the noise study/assessment will be borne by the applicant. If the noise is not mitigated within 180 days, the project and the conditions of approval will return to the Stanislaus County Planning Commission for revocation. A noise study will not be required if the Sheriff’s department finds that the event is not exceeding noise levels and/or violating noise limitations as set forth in County Code Chapter 10.46 - Regulation of Nuisance Noise.

References: Application information; referral response from the Stanislaus County Environmental Review Committee dated October 24, 2012; referral response from the City of Ceres dated October 29, 2012; County Code Chapter 10.46 (Noise Control); Stanislaus County General Plan Noise Element1; and the Stanislaus County General Plan Support Documentation1.

XIII. POPULATION AND HOUSING -- Would the project:

<table>
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<tr>
<th>Potential Impact</th>
<th>Less Than Significant Impact With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)?</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

Discussion: This project does not propose any type of growth inducing features; therefore, adverse affects created by population growth should not occur.

Mitigation: None.

References: Application information and the Stanislaus County General Plan and Support Documentation1.
<table>
<thead>
<tr>
<th>XIV. PUBLIC SERVICES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Fire protection?</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Police protection?</td>
<td>x</td>
<td></td>
<td></td>
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<tr>
<td>Schools?</td>
<td>x</td>
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<tr>
<td>Parks?</td>
<td>x</td>
<td></td>
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<tr>
<td>Other public facilities?</td>
<td>x</td>
<td></td>
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</tbody>
</table>

**Discussion:** The County has adopted Public Facilities Fees, as well as one for the Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. A referral response dated October 10, 2012, from Kenneth Slamon, Deputy Fire Marshal, Modesto Regional Fire Authority, noted on behalf of the Ceres Fire Protection District that the project poses a less than significant impact. In addition, sewer and water services are planned to be provided on site to serve the facility.

**Mitigation:** None.

**References:** Referral response from Kenneth Slamon, Deputy Fire Marshal, Modesto Regional Fire Authority, dated October 10, 2012, and the Stanislaus County General Plan and Support Documentation1.

<table>
<thead>
<tr>
<th>XV. RECREATION --</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
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</tbody>
</table>

**Discussion:** Due to the type of project, impacts to any existing recreational facilities is not anticipated.

**Mitigation:** None.

**References:** Stanislaus County General Plan and Support Documentation1.
XVI. TRANSPORTATION/TRAFFIC -- Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Included</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td>X</td>
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<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>X</td>
<td></td>
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<tr>
<td>e) Result in inadequate emergency access?</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

Discussion: Even though the project proposes additional buildings and parking on site, the Stanislaus County Department of Public Works has not identified any issues with the additional traffic this project may cause on site. This referral was also sent to Caltrans and the City of Ceres. The City of Ceres was sent a referral because this project is within their LAFCO adopted sphere-of-influence. Neither agency noted concerns with traffic and this project.

Mitigation: None.


XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

<table>
<thead>
<tr>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
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?  

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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  

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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?  

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</table>

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?  

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<thead>
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<th>Potentially Significant Impact</th>
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</table>

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

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<tr>
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<td>X</td>
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</table>

**Discussion:** No responses have been received noting any limitations on providing services and no issues have arisen as a result of the current and proposed facility. On-site runoff will be retained on site, per the Stanislaus County Department of Public Works referral response which requires a grading and drainage plan prior to any building permit. Any water needs will be met via on-site well(s). The site will be served by private sewer and septic systems.

**Mitigation:** None.

**References:** Referral response from the Stanislaus County Department of Public Works dated February 5, 2014; referral response from the Department of Environmental Resources dated June 19, 2013; and the Stanislaus County General Plan and Support Documentation¹.

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**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
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<th>Less Than Significant Impact</th>
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<td>X</td>
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</table>

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?  

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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)?  

<table>
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<td></td>
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<td>X</td>
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</tr>
<tr>
<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>X</td>
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</tbody>
</table>

**Discussion:** Review of this project has found that noise might significantly impact the environmental quality of the site and/or the surrounding area. Potential impacts regarding noise from this project have been mitigated to a level of less than significant.

---

Central Valley Regional Water Quality Control Board

15 July 2014

Stanislaus County
Department of Planning and Community Development
1010 Tenth Street, Suite 3400
Modesto, CA 95354

CERTIFIED MAIL
7013 1710 0002 3644 9451

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION, USE PERMIT APPLICATION NO. 2012-07 – CAMBODIAN BUDDHIST ASSOCIATION OF CERES PROJECT, STANISLAUS COUNTY

Pursuant to the Stanislaus County Department of Planning and Community Development’s 30 June 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Notice of Public Hearing and Notice of Intent to Adopt a Mitigated Declaration for the Use Permit Application No. 2012-07 – Cambodian Association of Ceres Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit
Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

---

1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
Clean Water Act Section 401 Permit – Water Quality Certification
If an USACE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements
If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Low or Limited Threat General NPDES Permit
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf
If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.

Trevor Cleak
Environmental Scientist
Patricia M. Cousins  
Co-owner/tenant in common  
3865, 3841, 3831 Roeding Road  
Ceres, CA 95307  
209-538-2875; 209-402-9033  
APN 069-020-019-000

Stanislaus County Dept. of Planning & Community Development  
1010 10th St, Suite 3400  
Modesto, CA 95354  
Fax 525-5911

July 2, 2014

Re: Notice of Public Hearing and Notice of Intent to Adopt a Mitigated  
Negative Declaration [dated in error July 30, 2014]

(Prior document: 3761 expansion/maintenance etc. March 24, 2014  
Notice Use Permit Application No. 2012-07) Cambodian Buddhist  
Association of Ceres

Dear Concerned Persons:

The purpose of this communication is to join my many neighbors in  
their opposition to the grandiose proposal by Applicant Ted  
Brandvold, Commercial Architecture, Inc. to add 13,950 square feet  
of excessive buildings and services to the already multiple uses of  
3761 Roeding, Ceres, CA, site of the Cambodian Buddhist Temple.

Judy Hogan, property owner proximate to the west of 3761, is the  
neighbor most negatively and immediately impacted by these  
astonishing requests. Please play closest attention to her objections.  
As Mrs. Hogan stated in her letter addressed to Carole Maben of  
April 21, 2013. On Document UP2012-07pdf the applicants wrote:  
""The strict application of the zoning provisions of the property would  
deprive the Cambodian Buddhist Association of practical use of their  
property. Additional alleviation of disturbances to the adjacent [sic?]  
as well as the applicant will not be possible."

The property where I live and co-own is on the north and east side of  
3761. Fortunately, my home is not as close to the noise and other
commotion as that of Mrs. Hogan. Nevertheless, my property values no doubt are similarly compromised.

Enough is enough. The 1,575 square foot multi-purpose room OR the 1,150 square foot addition to the original house might be reasonable. The gargantuan proposal is not.

142 parking spaces? Hundreds of visitors/celebrants? In this day of drought and dropping water tables, I fear for area residential wells, including mine. The size of adequate septic services? Where?

"Landscaping" at 3761 continues to remove soil supporting my fences. They are falling over, no doubt assisted by uninvited visitors from 3761? My quarter-acre pond, extant since 1947, is compromised by earth moving/removing. To where?

A ten foot sound/security block wall should be built by the Temple at its expense, with or without any more expansion. The Temple should pay for surveying of its boundaries. Where are they exactly?

On February 1, 2007, at a prior hearing on 3761, I articulated my initial opposition to no avail (sent herewith by facsimile only). On August 28, 2011 a prior petition for expansion of 3761 was distributed. On September 21, 2011, concerned neighbors met residents and friends of 3761 in their parking area. Objections to litter, noise, trespassing, traffic and dust were invariably met with surprise and denial. What? You don’t like...

Please deny this application or reduce it to reason.

Sincerely,

Patricia Melugin Cousins
My objections and unanswered questions since summer 2007 remain. The 9/9/11 questions follow with the current version following the earlier one:

Questions 9/9/11 concerning the Cambodian Buddhist Temple at 3761 Roeding, Ceres, proposed building projects per August 2011 letter to Neighbors

1. What is an Ashery? What is its purpose? How would it be constructed?

2. Will Titus Construction build these proposed structures? Is Titus Construction owned wholly or in part by Ron West and/or his other companies?

3. What is the relationship, if any, of the Temple at 3761 Roeding to the Temple on Service? To the one near/on Grimes Road/California in Modesto?

4. What steps have been taken to remedy the problems that caused the fatal fire in the converted garage about two years ago?

5. After celebrations, litter covers nearby road shoulders, extending east to Faith Home and west likewise. Beer bottles abound on nearby properties. Might the Temple clean up garbage on the roadsides left by its visitors? Might the trash not be thrown over fences nearby?

6. What are the hours that loud noise can be broadcast through speakers? (Please turn down the volume of outside broadcasts (including last night 9/8/11).

7. Can professional security be required during celebrations? (Including to be sure Temple visitors stay on Temple property. In April during New Year’s celebration this year several/many apparently went over the fences to north and east. This should not occur.) Neighbors would like phone numbers for security.

8. What is current use of previous barn?

9. How many people stay overnight each night at 3761 Roeding?
Questions 4/2/14 concerning the Cambodian Buddhist Temple at 3761 Roeding, Ceres, proposed building projects per March 24, 2014
Notice of Intent

1. What is an Ashery? What is its purpose? How would it be constructed?

2. Will Titus Construction build these proposed structures? Is Titus Construction owned wholly or in part by Ron West and/or his other companies? Has Ted Brandvold replaced Ron West in this project?

3. What is the relationship, if any, of the Temple at 3761 Roeding to the Temple on Service? To the one near/on Grimes Road/California in Modesto?

4. What steps have been taken to remedy the problems that caused the fatal fire in the converted garage four or five years ago?

5. After celebrations, litter covers nearby road shoulders, extending east to Faith Home and west likewise. Beer bottles abound on nearby properties. Might the Temple clean up garbage on the roadsides left by its visitors? Might the trash not be thrown over my fences nearby?

6. What are the hours that loud noise can be broadcast through speakers? (Please turn down the volume of outside broadcasts).

7. Can professional security be required during celebrations? (Including to be sure Temple visitors stay on Temple property. In April 2011 during New Year’s celebration this year several/many apparently went over the fences to north and east. This should not occur.) Neighbors would like phone numbers for security.

8. What is current use of previous barn? How many people stay there? Were permits obtained for is conversion?

9. How many people stay overnight each night at 3761 Roeding? How many will be living there if the 13,950 square feet are added?

10. What septic service serves 3761?

11. What pump service serves 3761?
Miguel Galvez - Fwd: Re: CEQA Referral - Initial Study (Use Permit No. 2012-07, Cambodian Buddhist Church Expansion)

From: "James Michaels" <James.Michaels@ci.ceres.ca.us>
To: "Miguel Galvez" <galvezm@stancounty.com>
Date: 5/27/2014 4:26 PM
Subject: Fwd: Re: CEQA Referral - Initial Study (Use Permit No. 2012-07, Cambodian Buddhist Church Expansion)
CC: "Tom Westbrook" <Tom.Westbrook@ci.ceres.ca.us>

Miguel,

Please see the City of Ceres Planning Division’s responses (in green) to the comments you made (red italic print) on May 9, 2014.

County
The property abuts agriculturally zoned property that allows a single family dwelling on parcels less than 20 acres in size. The primary land use is agricultural which allow for a single family dwelling. If the adjacent property was developed as a single family subdivision, then a perimeter wall is definitely required. If the area is designated as LDR in the Ceres GP, please confirm whether a block wall would be required under these circumstances. In addition, is it possible to incorporate a deferred improvement to have a block wall installed once the surrounding area is developed as residential?

City of Ceres
We have determined that the proposed perimeter landscaping and 6-foot tall chain link fence is acceptable. A deferred improvement agreement is not required.

County
County staff reviewed the floor plan of the multi-purpose rooms and desegregated building square footage area dedicated to the kitchen, scullery, kitchen serving area, cooler, dry storage, office, restrooms, storage and vestibules - County staff calculated 5,565 sq ft in the proposed activity hall and 1,575 sq ft in the proposed multi-purpose room dedicated for assembly area for a total of 7,140 sq. ft. @ 50 sq ft. per parking space = 142 required parking spaces. Please let me know if the City calculates a different requirement for the assembly area that should be used to calculate the needed parking spaces. 

City of Ceres
We have determined that the proposed parking layout of 142 parking spaces is acceptable as the County has calculated.

County
A noise study based on a conceptual construction and design plan may be appropriate, but the results may not be accurate at this time as the activity center building has yet to be built and occupied. The building is designed to include vestibules to address noise and the project will include mitigation for enhanced construction and to manage on site noise in the parking lot. I understand that most of the activities will be conducted within the activity center - once in operation, if activities are out of compliance with the Noise Ordinance, than a noise study may be warranted at that time. Please confirm the City’s position on requiring a noise study.

City of Ceres
We have determined that a noise study is not required at this time, but that the Initial Study prepared for this project has identified a mitigation measure that states the church will be responsible for preparing a noise study (and implementing any resulting mitigation measures required to reduce the noise to acceptable levels) if the Stanislaus County Planning staff receives complaints. However, Ceres Planning Division staff also recommends that a condition of approval be imposed on the project to require that doors remain closed.
during events/activities (the doors shall not be propped open during events/activities).

County
See attached revised site plan, floor plan and elevations. Please let me know if the City has any comments on the aesthetics.

City of Ceres
We have determined that the building elevations for the project are acceptable. We have no additional comments.

County
As the project site is with the Ceres SOI, we’ll add the City’s comment as a condition of approval. Can you please relay the City’s design specifications for the full right-of-way with dedication at this location.

FYI, County Public Works commented that Roeding Road is classified as a 2-lane 60-foot collector roadway. The required 1/2 width is 30 feet north of the roadway centerline on Roeding Road along the project’s frontage. If the 30-feet of the road right-of-way north of the roadway centerline does not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Officer of Dedication (IOD). The IOD shall be submitted to the Public Works prior to the issuance of any building or grading permit associated with this project.

City of Ceres
The City does not have design specifications for the full right-of-way with dedication at this location. However, we would like the project to be conditioned to require the applicant to provide full right-of-way width dedication and enter into a street improvement agreement to defer the curb, gutter, and sidewalk improvements to a time to be determined by the City of Ceres.

Please let me know if you have any more questions on this matter. Thanks.

Sincerely,

James Michaels, Associate Planner
City of Ceres
Planning and Building Division
2220 Magnolia Street
Ceres, CA  95307
Phone: 209.538.5789 Fax: 209.538.5759
www.ci.ceres.ca.us

>>> "Miguel Galvez" <galvezm@stancounty.com> 5/9/2014 4:21 PM >>>
Sorry, I do not have colored renderings. I can drop off a hard copy.

Miguel A. Galvez
Senior Planner/Manager III
Stanislaus County Planning
and Community Development
1010 10th St., Suite 3400
Modesto, CA 95354
(209) 525-5979
Galvezm@Stancounty.com

>>> "James Michaels" <James.Michaels@ci.ceres.ca.us> 5/9/2014 3:46 PM >>>
Hi Miguel,
Do you by chance have colored renderings of the building elevations you could forward me. If you do, that would be great. Just let me know. Thanks.

James Michaels, Associate Planner
City of Ceres
Planning and Building Division
2220 Magnolia Street
Ceres, CA 95307
Phone: 209.538.5789 Fax: 209.538.5759
www.ci.ceres.ca.us

>>> "Miguel Galvez" <galvezm@stancounty.com> 5/9/2014 2:23 PM >>>
Hi James,

For the record, Assistant Planner Brian Guerrero is no longer with the Stanislaus County Planning and I am taking this application over.

The applicant has reduced the building square footage of the proposed activity hall from 10,000 square feet to 9,500 square feet and has included some minor revisions (added a trash enclosure, a well house and proposes to develop the rear of the parking area with road base instead of asphalt to help with storm water percolation).

Please see my responses in red italic print to your comments below...

Miguel A. Galvez
Senior Planner/Manager III
Stanislaus County Planning
and Community Development
1010 10th St., Suite 3400
Modesto, CA 95354
(209) 525-5979
Galvezm@Stancounty.com

>>> "James Michaels" <James.Michaels@ci.ceres.ca.us> 5/9/2014 11:09 AM >>>

>>> James Michaels 4/21/2014 10:20 AM >>>
Good Morning Brian,

Please see below the City of Ceres Planning Division's comments in regards to Initial Study for the project:

City of Ceres
* The project proposes a 6-foot tall perimeter chain link fence for the property. If the project was within the City's jurisdiction, the City would impose a condition to require the applicant to install a 6-foot tall block wall along the perimeter of the property that abuts any residential property. Thus, if the project does abut residential property, the applicant should be required to provide such block wall along the west, north, and east ends of the subject property in lieu of a chain link fence.

County  The property abuts agriculturally zoned property that allows a single family dwelling on parcels less than 20 acres
in size. The primary land use is agricultural which allow for a single family dwelling. If the adjacent property was developed as a single family subdivision, then a perimeter wall is definitely required. If the area is designated as LDR in the Ceres GP, please confirm whether a block wall would be required under these circumstances. In addition, is it possible to incorporate a deferred improvement to have a block wall installed once the surrounding area is developed as residential?

City of Ceres
* Comments regarding Section XII. Noise (of the Initial Study prepared for this project):
  - With respect to parking: the brief description of the operation indicates that the applicant would operate church activities held daily Monday through Sunday from 6 am - 8 pm and include celebrations and ceremonies held daily Monday through Sunday on dates of occurrence from 8 am - 11 pm. Based on this description, the City's view of required parking for the project would be based on the parking ratio for an Assembly type use which is 1 parking space per 5 fixed seats or per 50 square feet of building area if seating areas are not fixed. Since the new project involves a large activity hall, it is would be assumed that there are no fixed seats for the use. If that is the case and if the project were proposed in the City's jurisdiction, the project would require 190 parking spaces instead of 142 spaces.

County
County staff reviewed the floor plan of the multi-purpose rooms and desegregated building square footage area dedicated to the kitchen, scullery, kitchen serving area, cooler, dry storage, office, restrooms, storage and vestibules - County staff calculated 5,565 sq ft in the proposed activity hall and 1,575 sq ft in the proposed multi-purpose room dedicated for assembly area for a total of 7,140 sq. ft @ 50 sq ft. per parking space = 142 required parking spaces. Please let me know if the City calculates a different requirement for the assembly area that should be used to calculate the needed parking spaces.

City of Ceres
  - Additionally, the Initial Study also identifies a mitigation measure that states in the event that documented noise complaints are received by the County in regards to the various sound systems utilized by the church, that the church would be responsible for preparing a noise study and implementing any resulting mitigation measures required to reduce the noise to acceptable levels. Since the County has already received complaints about the noise from the existing operation and that it may be assumed that noise complaints would be received once the project is complete and operating as the applicant proposes, the City recommends that the County require the applicant to provide a noise study now (prior to proceeding with any hearings associated with the project) and include the results of the noise study (i.e. all the data and related information with any recommended measures for mitigation) with the Initial Study prepared for this project.

  - Furthermore, although Initial Study identifies that the County may conduct revocation proceedings of the use (if necessary), once the 10,000 square foot activity hall building associated with this project is constructed and if the County exercises its power to conduct revocation proceedings of the use, what will happen to the building if the applicant can no longer use it the way is it intended? Hence, the City recommends a noise study for the entire use be completed first to identify those anticipated impacts.

County
A noise study based on a conceptual construction and design plan may be appropriate, but the results may not be accurate at this time as the activity center building has yet to be built and occupied. The building is designed to include vestibules to address noise and the project will include mitigation for enhanced construction and to manage on site noise in the parking lot. I understand that most of the activities will be conducted within the activity center - once in operation, if activities are out of compliance with the Noise Ordinance, than a noise study may be warranted at that time. Please confirm the City's position on requiring a noise study.

City of Ceres
* There were no building elevations included with the Initial Study. Under Section I, Aesthetics of the Initial Study, it indicates that the County does not have design guidelines. Thus, City staff would like to review the appearance of the proposed buildings and see what Conditions of Approval the County staff is proposing to enhance the appearance of the buildings.
County
See attached revised site plan, floor plan and elevations. Please let me know if the City has any comments on the aesthetics.

City of Ceres
* Is the proposed Ashery also intended to be a Crematorium as defined by the State of California Cemetery and Funeral Bureau? Whether it is or not, the project should include a condition of approval that requires the applicant to obtain any necessary approvals from the State of California and/or County Department of Environmental Resources prior to allowing the applicant to utilize the proposed structure as an Ashery.

County
It is my understanding that the ashery will not include a crematorium and will only be used to temporarily house ashes in urns/containers.

City of Ceres
* Since the applicant has been conducting these activities (celebrations, ceremonies) outdoors, will the applicant still be allowed to hold these activities while the project is under construction or is the County not allowing the current activities to take place until the project has been completed (i.e. occupancy has been granted)? This should be addressed with the project conditions of approval.

County
The site previously received approval of a use permit (UP 2006-24) for a Buddhist temple and meeting facility. The church is allowed to operate in compliance with the approved conditions of approval associated with this use permit. Activities beyond the approval may be subject to code enforcement. If there are nuisance activities that need to be address at this time, we could apply additional conditions of approval for the period of time prior to the construction and occupancy of the church.

City of Ceres
* The project needs to be conditioned to require the applicant to provide full right-of-way width dedication and provide curb, gutter, and sidewalk improvements along the entire project frontage area.

County
As the project site is with the Ceres SOI, we’ll add the City’s comment as a condition of approval. Can you please relay the City’s design specifications for the full right-of-way with dedication at this location.

FYI, County Public Works commented that Roeding Road is classified as a 2-lane 60-foot collector roadway. The required 1/2 width is 30 feet north of the roadway centerline on Roeding Road along the project’s frontage. If the 30-feet of the road right-of-way north of the roadway centerline does not exist, then the remainder 30-feet shall be dedicated with an Irrevocable Officer of Dedication (IOD). The IOD shall be submitted to the Public Works prior to the issuance of any building or grading permit associated with this project.

Again, Please relay any street design standards and requirement that the City would the County to apply to the project.

Thank you for the opportunity for staff to comment on the project. Let me know if you have any questions.

Sincerely,

James Michaels, Associate Planner
City of Ceres
Planning and Building Division
2220 Magnolia Street
Ceres, CA  95307
Phone: 209.538.5789  Fax: 209.538.5759
www.ci.ceres.ca.us

file://C:/Users/galvezm/AppData/Local/Temp/XPgrpwise/5384BCA5STANCO_1sbtp01... 7/31/2014
>>> Tom Westbrook 4/17/2014 2:17 PM >>>
Thanks for the note. We'll get comments to you soon.

TW

>>> "Brian Guerrero" <guerrrob@stancounty.com> 4/17/2014 2:14 PM >>>
Hey Tom,

I relayed your concerns regarding the IS to Miguel Galvez and he discussed it with Angela and she has given me direction to proceed with the IS without making any revisions. I’m not sure what her rationale was, but it appears each jurisdiction does the checklist both ways, either checking the boxes or leaving it blank. I look forward to your comments on the IS. Have a great day.

Regards,

Brian

Brian Guerrero
Assistant Planner
Stanislaus County Planning
and Community Development
1010 10th St., Suite 3400
Modesto, CA 95354
guerrrob@stancounty.com
April 4, 2014

Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, Ca 95354

SUBJECT: USE PERMIT APPLICATION #2012-07 – CAMBODIAN BUDDHIST ASSOCIATION OF CERES

We are neighbors to the Cambodian Buddhist Temple that is located at 3761 Roeding Rd. Our residence and walnut ranch is at 3848 Roeding Rd. and we farm walnuts on 3 parcels that is across the street and to the immediate East of the Temple.

We have been tolerant and good neighbors to the temple since it moved into our small quiet country road that consists of a few businesses, ranchette’s and 2 other churches within a ½ mile. We wish to voice our utmost concern for the current expansion project as stated in said permit application. The neighbors’ properties within a ½ mile distance along Roeding Rd. have been impacted during festivals by large # of cars parking along the street, litter and loud music and their daily/weekly religious practices & activities.

Of immediate and urgent concern to us as business owners, farmers and property owners is as follows:

1. Adherence to City of Ceres Landscaping as spelled out in original permit.
2. Adequate space for paved parking and required drainage as required by law.
3. Adherence to Fire Code.
4. Inadequate acreage for stated parking, drainage, buildings combined.
5. Previous and ongoing violation of Stanislaus County Noise Ordinance.

It has come to our attention that the neighbor directly to the West of the Temple’s property has been unable to enjoy reasonable peace and quiet on her own property. The temple’s continual “gonging” and chanting that is heard over a loudspeaker has rendered her property basically uninhabitable and severely devalued her property. Surely this is not legal and should not rewarded with further growth and acceptance of their lack of concern for their responsibility to their neighborhood and surrounding community, not to mention violation of current ordinances.

We ask that this expansion project not be granted or at the minimum, scaled back to fit the size of the property and to minimize the impact to the neighborhood. as there is inadequate buffer space surrounding the area, and lack of a “sound screening fence” as required in original permit.

Sincerely,

Michael E. Keys
Risse M. Keys
April 13, 2014

Stanislaus County Planning & Community Development
1010 10th St. Suite 3400
Modesto, CA 95354

Attn: Brian Guerrero, Assistant Planner
RE: Permit Application No. 2012-07 Cambodian Buddhist Association of Ceres
APN: 069-020-017

I am a co-owner of the property located at 3831, 3841, and 3865 Roeding Road, Ceres, CA 95307. In late March 2014, I had occasion to spend a few days at that location. I was unaware that the Cambodian Buddhist Association had reactivated its efforts to build a substantial expansion of its facilities and to install an additional 122 parking spots until a co-owner informed me of that. Prior to learning this, I had occasion to walk one of our adjoining property lines (north for 3761) and was struck by a seeming lack of care being given to the property under the current development scheme. I notice that there continues to be a removal of soil from the property; a concrete block wall that has edged a pond on our property since about 1947 appears to be at risk due to soil removal. The idea that this organization would be allowed to expand in the proposed way without the concerns already expressed being addressed, is dismaying.

Upon return to Oregon, I researched the pending request cited on your department’s website and reviewed my earlier notes that were sent to Ron West & Associates on September 27, 2011 and copied to your department as well as the Board of Supervisors, and the Ceres Planning Commission. While Mr. West responded to my queries, the responses are largely misrepresentations of the real situation that exists at this location. While I am not there to experience the frequent disruption of the neighborhood peace, I do not doubt the problems that exist and the loudness with which current activities operate. I see nothing in the current plan that allies my concerns. The only one that seems to recognize there may be a problem is one that threatens revocation of permit to operate if sound levels are not contained. Surely you realize how difficult it is for a sparsely staffed sheriff’s office to monitor nuisance complaints of this sort. Further, when a celebration is in full swing, the majority wins every time!

I was horrified to learn of the incredibly negative impact that the Temple has had on the most immediate neighbor at 3743 Roeding whose small dog and older horse suffer, along with the property owner from an assault of sound on a daily basis. Regardless of the disposition of the current request, this organization should be required to install a 10 ft block sound barrier wall along the east and west boundary lines and a 8 ft security fence at the north side of the property. Prior to construction of the wall, the Temple needs to pay to have the property lines surveyed and marked to ensure they do not encroach on the adjacent property.

How can the county even consider permitting the expansion requested? The Temple has not been a good neighbor to date so why do we believe that this will reduce the disruptions? Allowing them a
variance would impact all of the residents in the area. Setting aside the noise issues, here are additional concerns that need addressing:

1. How many people are residing at this location? What number of unrelated individuals can legally reside within this property? What codes guide that aspect of “temple” use? Churches are clearly allowable in areas such as this, however, normally there is no residency coinciding with that use. The expansion suggests there could be additional residents.

2. What is the situation with the water use and sanitation disposal? Does the county monitor the latter in a way that will ensure there is no pollution of local wells from inappropriate disposal of waste? This would be an increased concern due to the large number of visitors that would come with the increased facility size.

3. It appears that it will be necessary to utilize all “open” ground for parking; what is the nature of the parking area, pave or gravel? Paving the entirety in asphalt is environmentally unsound and will create run-off and pollution for the surrounding area. At a minimum, if paved parking is required, I believe that appropriate bioswales to trap run-off, trees and landscaping should be added to help compensate for the additional paving.

4. I specifically object to the specific addition of an Ashery; if holding remains is important to this group, they can contain them within the temple, the existing barn or find an off-site more appropriate location.

In general, given the history of the operation of this property to date, I strenuously object to further expansion as proposed due to the current nuisance factor for surrounding properties.

Please mail or e-mail any additional information issued by your department in regards to this property and proposal to me at:
Stella Melugin Coakley
3839 NW Jackson
Corvallis, OR 97330
Coakley.sm@hotmail.com

Thank you for your assistance in this matter.

Stella Melugin Coakley
Patricia M. Cousins
Co-owner/tenant in common
3865, 3841, 3831 Roeding Road
Ceres, CA 95307
209-538-2875; 209-402-9033
APN 069-020-019-000

Stanislaus County Dept. of Planning & Community Development
1010 10th St, Suite 3400
Modesto, CA 95354
Fax 525-5911
April 2, 2014

Re: 3761 expansion/maintenance etc. March 24, 2014 Notice
Use Permit Application No. 2012-07

Dear Concerned Persons:

The purpose of this communication is to join my many neighbors in their opposition to the grandiose proposal by Applicant Ted Brandvold, Commercial Architecture, Inc. to add 13,950 square feet of excessive buildings and services to the already multiple uses of 3761 Roeding, Ceres, CA, site of the Cambodian Buddhist Temple.

Judy Hogan, property owner proximate to the west of 3761, is the neighbor most negatively and immediately impacted by these astonishing requests. Please play closest attention to her objections. As Mrs. Hogan stated in her letter addressed to Carole Maben of April 21, 2013. On Document UP2012-07pdf the applicants wrote: "The strict application of the zoning provisions of the property would deprive the Cambodian Buddhist Association of practical use of their property. Additional alleviation of disturbances to the adjacent [sic?] as well as the applicant will not be possible."

The property where I live and co-own is on the north and east side of 3761. Fortunately, my home is not as close to the noise and other commotion as that of Mrs. Hogan. Nevertheless, my property values no doubt are similarly compromised.
My objections and unanswered questions since summer 2007 remain. The 9/9/11 questions follow with the current version following the earlier one:

Questions 9/9/11 concerning the Cambodian Buddhist Temple at 3761 Roeding, Ceres, proposed building projects per August 2011 letter to Neighbors

1. What is an Ashery? What is its purpose? How would it be constructed?

2. Will Titus Construction build these proposed structures? Is Titus Construction owned wholly or in part by Ron West and/or his other companies?

3. What is the relationship, if any, of the Temple at 3761 Roeding to the Temple on Service? To the one near/on Grimes Road/California in Modesto?

4. What steps have been taken to remedy the problems that caused the fatal fire in the converted garage about two years ago?

5. After celebrations, litter covers nearby road shoulders, extending east to Faith Home and west likewise. Beer bottles abound on nearby properties. Might the Temple clean up garbage on the roadsides left by its visitors? Might the trash not be thrown over fences nearby?

6. What are the hours that loud noise can be broadcast through speakers? (Please turn down the volume of outside broadcasts (including last night 9/8/11).

7. Can professional security be required during celebrations? (Including to be sure Temple visitors stay on Temple property. In April during New Year’s celebration this year several/many apparently went over the fences to north and east. This should not occur.) Neighbors would like phone numbers for security.

8. What is current use of previous barn?

9. How many people stay overnight each night at 3761 Roeding?
Questions 4/2/14 concerning the Cambodian Buddhist Temple at 3761 Roeding, Ceres, proposed building projects per March 24, 2014 Notice of Intent

1. What is an Ashery? What is its purpose? How would it be constructed?

2. Will Titus Construction build these proposed structures? Is Titus Construction owned wholly or in part by Ron West and/or his other companies? Has Ted Brandvold replaced Ron West in this project?

3. What is the relationship, if any, of the Temple at 3761 Roeding to the Temple on Service? To the one near/on Grimes Road/California in Modesto?

4. What steps have been taken to remedy the problems that caused the fatal fire in the converted garage four or five years ago?

5. After celebrations, litter covers nearby road shoulders, extending east to Faith Home and west likewise. Beer bottles abound on nearby properties. Might the Temple clean up garbage on the roadsides left by its visitors? Might the trash not be thrown over my fences nearby?

6. What are the hours that loud noise can be broadcast through speakers? (Please turn down the volume of outside broadcasts).

7. Can professional security be required during celebrations? (Including to be sure Temple visitors stay on Temple property. In April 2011 during New Year’s celebration this year several/many apparently went over the fences to north and east. This should not occur.) Neighbors would like phone numbers for security.

8. What is current use of previous barn? How many people stay there? Were permits obtained for its conversion?

9. How many people stay overnight each night at 3761 Roeding? How many will be living there if the 13,950 square feet are added?

10. What septic service serves 3761?

11. What pump service serves 3761?

12. What if any alcohol licenses does 3761 possess? Has it obtained appropriate alcohol licenses for the next celebration, set for April 11, 12, 13, 2014
2/1/07

Public Hearing—Use Permit App. No. 2006-24 Cambodian Buddhist Association

Thank you for considering my viewpoint and that of other neighbors of 3761 Roeding Rd. Ceres. I oppose the proposed uses of that property. Remodeling has already begun, apparently without necessary permission.

I first heard about this proposed use in late July 2006. I expressed my opposition immediately to Ron West, the consultant in charge of the sale. His response included that the Conditional Use Permit was a guarantor of good neighbors, promising in letter of July 24, 2006 "Your new neighbors intend to maintain the premises of 3761 Roeding Rd. in good condition and the CUP conditions will insure that, to a much higher level, than if the property were sold simply as a residence."

Hollow promises. Promises immediately broken. Instead, without benefit of Use Permit or Building Permit, the garage door was removed and a wall built for the temple. According to Judy Henderson and Sarah Lytle, that work was red-tagged on January 16, 2007. However, the work seems to be continuing, as recently as yesterday.

Consistent with the requirements of the Notice of Public Hearing concerning the Use Permit Application of the Cambodian Buddhist Association.

I present no new material tonight. I have copies only of the photograph of the temple remodeling well under way emailed to you by me on January 7, 2007, and this statement. Thank you for considering my opposition.

Patricia M. Cousins
3865 Roeding Rd.
Ceres, CA 95307
209-538-2875
Sarah: 1-7-07 took this photograph showing Cambodian Buddhist Association, apparently without necessary permit(s), already has removed garage door and replaced it with house/temple door and window. Tar paper surrounds these changes. Sidewalk seems roughed out on ground. Please keep me informed of status. Thanks. P. Cousins, next door neighbor. Please add this email and pix to my Opposition.

Check Out the new free AIM(R) Mail -- 2 GB of storage and industry-leading spam and email virus protection.

1 Attached Images
Re: Cambodian Temple
March 31, 2014

Dear Planning Commission,
We are writing to object to the proposed expansion of the Cambodian Temple just down and across the street from us. The proposal sounds very ambitious for a relatively quiet neighborhood.
When they have celebrations there is non-stop noise and cars up and down the street. I feel the homes here are too close together for the temple to be enlarged without becoming more of a nuisance.
We own a church building on Roeding Road, next door to our home. They are not allowed to have loud music at all, as we respect our neighbors.
I do hope the planning commission takes all this into consideration and denies the expansion plan.

Thank you,
Douglas W. Schipper
Marcia Schipper
Property owners, 3712 Roeding Road
Ceres, California
March 29, 2014

Re: Cambodian Temple

Dear Planning Commission,

The reason for this letter is to object to the expansion of the Cambodian Temple directly east of me. In fact we share the fence line for our entire property. Their activities are just a carport away from my livingroom. On Jan. 3, 2007 they were asking permission to buy the property to house their Monks and Nuns. It was approved. Since being given permission they have turned it into a huge party one after the other. Sometimes their gatherings attract 200 or more people at a time with traffic coming and going all day. Their loud speakers and P. A. system are the same a football game uses. Their idea of beauty is having orange and pink fences with ugly lions placed around the property. Their backyard has a Buddha that stands 60 foot in the air painted red, yellow and green. Their idea of landscaping is to mow the hip high weeds once every couple of months. The place is an eye sore. (please see attached pictures taken from my property) All of this has been done without permission from the commission. I can only imagine and fear what they could do WITH permission. They have gatherings at least four to five times a week. I realize there are other churches on Roeding however, they keep regular church hours and are thoughtful of the residences around them. They are well maintained Myself and my neighbors have paid good money to move out to the country for peace and quiet. They move in and there hasn’t been any quiet since. This is NOT fair. They should look for a larger piece of property further out so that they are not bothering their neighbors with their sight and sound. Our property value has dropped to practically zero. Their people would not even want to live next to it.

I have some very MAJOR concerns with their new building application.
With their entire land being covered by either building or pavement, where will the excess water run? As it is now, my carport and backyard are flooded. I know for sure this is against ordinance. The area they have planned for parking is not up to scale unless they are going to be driving cars two foot wide.

Another concern is for them to have an ashery in their backyard. That is the last thing I want to see when I am out enjoying my horses. My horses are as uneasy about all the commotion as I. In fact, my 24 year old Arab mare that I have owned since she was two, is afraid to come up to eat. I have to take her hay back to the far end of the pasture for her to eat.

I know that it is the right of every American citizen to honor their own religion BUT not at the price of destroying someone else's life. Some week-ends it is much like the Ceres Flea Market: noise, traffic, arguing, dust from cars coming and going.

I asked them two years ago when they wanted to expand for them to replace the cedar fence my husband and I put up 26 years ago with a cement block fence that would block the sight and sound. Their response was that it would attract graffetti. If so, it would only be on their side from their 'guests'. Every week-end that they celebrate I have to collect their bottles and trash thrown over my fence before my horses or dogs injure themselves. They want to put up a cyclone fence. If they have the money to do all they are asking, then they should have to follow standards of other churches and fence their property with a block fence so as not to insult and annoy their neighbors.

In the report online there are several places where it states that it will be aesthetic looking. Nothing could be further from the truth. How many neighbors does the normal home owner have who have pink and orange fences, and a large Disneyland looking object in the
backyard that can be seen for miles? The application states that the height of their remodel will be of normal height for remodels. Two stories? Really? That’s all I need is for them to be two stories in the air with their half dressed men and women practicing their religion with as much noise as possible. I don’t know about their God, but mine has great hearing.

It is in no way fair that they be given permission to expand. They knew the size of the property when they bought it. Property values for a square mile around them will fall drastically.

If they are given permission, I am demanding a cement block wall the length of our shared fence line. In doing this I will no longer have to view their shanty dressed Monks which is repulsive to me, or listen to their chanting or the beating of their bass drums, or Cambodian music daily.

I surely hope you are giving my requests serious consideration.

I have worked hard my entire life and used my money to pay off my property so that I can enjoy my retirement years. Please help me, a tax paying law abiding citizen the American dream I have worked so hard to earn.

Thank you in advance for helping me with my requests.

Judy Hogan
Property owner of parcel number 069-020-018-000

Judy Hogan
Mitigation Monitoring Plan
Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998
February 11, 2014

1. Project title and location: Use Permit Application No. 2012-07 - Cambodian Buddhist Association of Ceres
   3761 Roeding Road, west of Faith Home Road and east of Moore Road, in the Ceres area.
   APN: 069-020-017

2. Project Applicant name and address: Cambodian Buddhist Association
   3761 Roeding Road
   Ceres, CA 95307

3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Cambodian Buddhist Association

4. Contact person at County: Brian Guerrero, Assistant Planner, (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

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

XII. NOISE

No. 1 Mitigation Measure: The Activity Hall Building design shall incorporate the use of entry/exit vestibules, in the activity areas, in order to minimize the direct sound transmission from interior spaces to the exterior. Doors shall be solid core wood or insulated hollow metal construction. Doors are to remain closed and shall not be propped open during events and the use of amplified music or voice. All activities on site shall cease between 11:00 p.m. and 6:00 a.m.

Who Implements the Measure: Applicant.
When should the measure be implemented: Upon occupancy.
When should it be completed: On-going.
Who verifies compliance: Stanislaus County Planning and Building Permits Division.
Other Responsible Agencies: Code Enforcement.

No. 2 Mitigation Measure: The Activity Hall Building wall construction design shall provide a minimum STC (Sound Transmission Class) rating of 50.

Who Implements the Measure: Applicant.
When should the measure be implemented: During building permit review.
When should it be completed: Prior to occupancy of building.
Stanislaus County Mitigation Monitoring Plan

USE PERMIT APPLICATION NO. 2012-07 - CAMBODIAN BUDDHIST ASSOCIATION OF CERES

February 11, 2014

Who verifies compliance: Stanislaus County Building Permits Division.

Other Responsible Agencies: None.

No. 3 Mitigation Measure: Property owner/operator shall be responsible for monitoring all on-site activities, including patron activity within the parking lot, to ensure no unnecessary or unusual noise which could disturb the peace and quiet of the surrounding neighborhood or cause any discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

Who Implements the Measure: Applicant.

When should the measure be implemented: Upon occupancy.

When should it be completed: On-going.

Who verifies compliance: Stanislaus County Sheriff’s Department.

Other Responsible Agencies: Stanislaus County Code Enforcement and Stanislaus County Planning.

No. 4 Mitigation Measure: In the event that documented noise complaints are received for base vibration, microphones/public address systems, etc., the applicant/operator shall be responsible for preparing and implementing a noise study and implementing any resulting mitigation measures required to reduce the noise to acceptable levels. A scope of work will have to be submitted within 30 days, an analysis will have to be completed within 60 days, and the mitigation measures will have to begin within 90 days. The cost of the noise study/assessment will be borne by the applicant. If the noise is not mitigated within 180 days, the project and the conditions of approval will return to the Stanislaus County Planning Commission for revocation. A noise study will not be required if the Sheriff’s department finds that the event is not exceeding noise levels and/or violating noise limitations as set forth in County Code Chapter 10.46 - Regulation of Nuisance Noise.

Who Implements the Measure: Applicant.

When should the measure be implemented: Upon occupancy.

When should it be completed: On-going.

Who verifies compliance: Stanislaus County Sheriff’s Department.

Other Responsible Agencies: Stanislaus County Code Enforcement and Stanislaus County Planning.

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

Signature on file. March 21, 2014
Person Responsible for Implementing Mitigation Program Date
MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit Application No. 2012-07 - Cambodian Buddhist Association of Ceres

LOCATION OF PROJECT: 3761 Roeding Road, west of Faith Home Road and east of Moore Road, in the Ceres area. APN: 069-020-017

PROJECT DEVELOPER: Ted Brandvold
Commercial Architecture, Inc.
616 14th Street
Modesto, CA 95354

DESCRIPTION OF PROJECT: This is a request to expand an existing Cambodian Buddhist facility (UP 2006-24) on a 2.9 acre parcel. The proposed project includes a 1,150 square foot addition to the existing temple, a 10,000 square foot activity hall, a 1,225 square foot ashery, a 1,575 square foot multi-purpose room (includes multi-purpose space, kitchen, restrooms, and storage space), and 122 additional parking spaces for a total of 142 parking spaces.

Based upon the Initial Study, dated February 11, 2014, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.

2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.

3. This project will not have impacts which are individually limited but cumulatively considerable.

4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

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

1. The Activity Hall Building design shall incorporate the use of entry/exit vestibules, in the activity areas, in order to minimize the direct sound transmission from interior spaces to the exterior. Doors shall be solid core wood or insulated hollow metal construction. Doors are to remain closed and shall not be propped open during events and the use of amplified music or voice. All activities on site shall cease between 11:00 p.m. and 6:00 a.m.

2. The Activity Hall Building wall construction design shall provide a minimum STC (Sound Transmission Class) rating of 50.

3. Property owner/operator shall be responsible for monitoring all on-site activities, including patron activity within the parking lot, to ensure no unnecessary or unusual noise which could disturb the peace and quiet of the surrounding neighborhood or cause any discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.
4. In the event that documented noise complaints are received for base vibration, microphones/public address systems, etc., the applicant/operator shall be responsible for preparing and implementing a noise study and implementing any resulting mitigation measures required to reduce the noise to acceptable levels. A scope of work will have to be submitted within 30 days, an analysis will have to be completed within 60 days, and the mitigation measures will have to begin within 90 days. The cost of the noise study/assessment will be borne by the applicant. If the noise is not mitigated within 180 days, the project and the conditions of approval will return to the Stanislaus County Planning Commission for revocation. A noise study will not be required if the Sheriff's department finds that the event is not exceeding noise levels and/or violating noise limitations as set forth in County Code Chapter 10.46 - Regulation of Nuisance Noise.

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: Brian Guerrero, Assistant Planner

Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California   95354
### SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

#### PROJECT: USE PERMIT APPLICATION NO. 2012-07 - CAMBODIAN BUDDHIST ASSOCIATION OF CERES

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