



Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, CA 95354

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

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE REFERRAL

DATE: June 23, 2009

TO: Agricultural Commissioner - Denny Hoeh
County Counsel - Thomas E. Boze
Hazardous Materials - Jonathan Coley
Cooperative Extension - Ed Perry
Public Works - Angie Halverson
Chief Executive Office - Raul Mendez

Stanislaus Fire Prevention Bureau - Ken Slamon
Department of Environmental Res. - Bella Badal
Solid Waste Management - Vicki Jones
Sheriff Dept., Marcus Wirowek, Human Resources
Parks Department - Margarita Ramos

FROM: Department of Planning and Community Development - Joshua Mann

SUBJECT: ENVIRONMENTAL REFERRAL - USE PERMIT APPLICATION NO. 2008-21 - W-D SWINE
FARM RELOCATION

Stanislaus County has established an Environment Review Committee, which consists of representatives of the Departments of Public Works, Planning and Community Development, Environmental Resources, Fire Safety, County Counsel, and the Chief Executive Office. The ERC meets every other Wednesday at 9:30 AM in the Planning Department Conference Room at 1010 10th Street, Suite 3400, Modesto. The primary purpose of the ERC is to provide a unified County review and response to environmental issues associated with projects which are referred to the County. The Planning Department has been designated as the County Agency responsible for coordinating the review process. This referral may also be forwarded to you as part of the California Environmental Quality Act (CEQA) review process.

Each agency should review the projects from the point of view of impacts on its own areas of responsibility. Please be as specific as possible in the expected degree of impacts including costs of providing services and possible methods of mitigating the impacts to acceptable levels including mitigation fees. Please complete the attached response form or provide a written response within 2 weeks.

The California Environmental Quality Act establishes very tight time frames for review. For that reason it is very important that a prompt response be provided. It is our hope that all County responses can be sent to the referring agencies as a package. However, in some instances the time for review does not permit that to happen. Some responses will have to go directly to the agency, with a copy to County Planning, while others can come back to Planning. Please note below the date responses are needed and where to send them. Please send the original of any comments you may have directly to the agency listed below and a copy to the Stanislaus County Planning and Community Development Department. Please contact me if you have any questions.

PROJECT AGENCY
Stanislaus County Planning
and Community Development

RESPOND TO
Rachel Wyse
Assistant Planner

RESPONSE DATE
July 27, 2009

**STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE
REFERRAL RESPONSE FORM**

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

PROJECT: USE PERMIT APPLICATION NO. 2008-21 - W-D SWINE FARM RELOCATION

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

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

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

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

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

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

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

Response prepared by:

Name Title Date



CEQA Referral Re-circulation of Initial Study and Notice of Intent to Adopt a Negative Declaration

Date: June 23, 2009
To: Distribution List (See Attachment A)
From: Planning and Community Development
Subject: USE PERMIT APPLICATION NO. 2008-21 - W-D SWINE FARM RELOCATION
Comment Period: June 23, 2009 - July 27, 2009
Respond By: July 27, 2009
Public Hearing Date: **Not yet scheduled. A separate notice will be sent to you when a hearing is scheduled.**

You may have previously received an Early Consultation Notice regarding this project, and your comments, if provided, were incorporated into the Initial Study. Based on all comments received, Stanislaus County anticipates adopting a Negative Declaration for this project. This referral provides notice of a 30-day comment period during which Responsible and Trustee Agencies and other interested parties may provide comments to this Department regarding our proposal to adopt the Negative Declaration.

All applicable project documents are available for review at: Stanislaus County Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, CA 95354. Please provide any additional comments to the above address or call us at (209) 525-6330 if you have any questions. Thank you.

Applicant: Ryan Watje & Ken Watje
Project Location: 3931 W. Simmons Road, between S. Washington and S. Tegner Roads, in the Turlock area.
APN: 044-013-012
Williamson Act Contract: N/A
General Plan: Agriculture
Zoning: A-2-40 (General Agriculture)

Project Description: This is a re-circulation of the Initial Study due to changes in the waste management plan to meet requirements of the Regional Water Quality Control Board. **Modifications will be in bold typeface.** Request to establish a swine farm with an animal population of 106 mature hogs and 205 young hogs on a 9.71 acre parcel. The project includes moving on-site two prefabricated cold nursing buildings and two prefabricated portable farrowing buildings, construction of a growing barn, and a boar/sow barn. **Two (2) 4,500± gallon retention tanks are being proposed to store liquid swine manure to be hauled away by a licensed septic hauler. Composting and field application of swine waste is no longer being proposed. A 100' x 210'± bed pack storage area will be used for the storage and drying of bed pack materials for reuse. Excess bed pack will be hauled off-site with liquid swine manure.**

Full document with attachments available for viewing at:
<http://www.stancounty.com/planning/pl/act-projects.shtm>

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USE PERMIT APPLICATION NO. 2008-21 - W-D SWINE FARM RELOCATION

Attachment A

Distribution List

X	AGRICULTURE COMMISSIONER	X	NATURAL RESOURCES CONSERVATION
	AIRPORT LAND USE COMMISSION	X	PACIFIC GAS & ELECTRIC
	ALLIANCE	X	PARKS & FACILITIES
	ANIMAL SERVICES		POSTMASTER:
X	BUILDING PERMITS DIVISION - STEVE TREAT	X	PUBLIC WORKS - ANGIE HALVERSON JUDY LINDSAY - DRAINAGE BILL CARDOZA - MORGAN RD TRAFFIC
	CAL TRANS DISTRICT 10		PUBLIC WORKS - TRANSPORTATION
	CEMETERY DISTRICT	X	RAILROAD: UNION PACIFIC
	CENTRAL VALLEY FLOOD PROTECTION		REDEVELOPMENT
X	CHIEF EXECUTIVE OFFICE	X	REGIONAL WATER QUALITY CONTROL
X	CITY OF: TURLOCK		RISK MANAGEMENT
	COMMUNITY SERVICES AGENCY (CSA)	X	SAN JOAQUIN VALLEY APCD
	COMMUNITY SERVICES / SANITARY DIST	X	SCHOOL DIST 1: CHATOM UNION
X	COOPERATIVE EXTENSION	X	SCHOOL DIST 2: TURLOCK
X	CORPS OF ENGINEERS	X	SHERIFF
X	COUNTY COUNSEL		StanCOG
	COUNTY OF:	X	STAN CO ERC
	DEPARTMENT OF CONSERVATION Land Resources / Mine Reclamation	X	STAN CO FARM BUREAU
	DEPT OF FORESTRY	X	STANISLAUS FIRE PREVENTION BUREAU
X	ENVIRONMENTAL RESOURCES	X	STATE CLEARINGHOUSE
X	FIRE PROTECTION DIST: TURLOCK		STATE LANDS COMMISSION
X	FISH & GAME	X	SUPERVISOR DIST 2: CHIESA
X	HAZARDOUS MATERIALS		SURROUNDING LAND OWNERS (on file w/the Clerk to the Board of Supervisors)
	HOSPITAL DIST:		TELEPHONE COMPANY:
X	IRRIGATION DIST: TURLOCK		TRIBAL CONTACTS
	LAFCO		TUOLUMNE RIVER TRUST
X	MOSQUITO DIST: TURLOCK		UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)
	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	US FISH & WILDLIFE
	MUNICIPAL ADVISORY COUNCIL:		WATER DIST:

**STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM**

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

PROJECT: USE PERMIT APPLICATION NO. 2008-21 - W-D SWINE FARM RELOCATION

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

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

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

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

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

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

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

Response prepared by:

Name Title Date



Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, California 95354

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

CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, October 26, 1998

1. **Project title:** Use Permit Application No. 2008-21 - W-D Swine Farm Relocation
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Rachel Wyse, Assistant Planner
(209) 525-6330
4. **Project location:** 3931 W. Simmons Road, between S. Washington and S. Tegner Roads, in the Turlock area. APN: 044-013-012
5. **Project sponsor's name and address:** Ryan Watje & Ken Watje
2116 Shaddox Avenue
Modesto, CA 95358
6. **General plan designation:** Agriculture
7. **Zoning:** A-2-40 (General Agriculture)
8. **Description of project:**

This is a re-circulation of the Initial Study due to changes in the waste management plan to meet requirements of the Regional Water Quality Control Board. Modifications will be in bold typeface. Request to establish a swine farm with an animal population of 106 mature hogs and 205 young hogs on a 9.71 acre parcel. The project includes moving on-site two prefabricated cold nursing buildings and two prefabricated portable farrowing buildings, construction of a growing barn, and a boar/sow barn. **Two (2) 4,500± gallon retention tanks are being proposed to store liquid swine manure to be hauled away by a licensed septic hauler. Composting and field application of swine waste is no longer being proposed. A 100' x 210'± bed pack storage area will be used for the storage and drying of bed pack materials for reuse. Excess bed pack will be hauled off-site with liquid swine manure.**

9. **Surrounding land uses and setting:** Row crops, orchards, a vineyard, scattered single-family dwellings, and the City of Turlock to the north.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Public Works Department
Department of Environmental Resources
Stanislaus Fire Prevention Bureau
Regional Water Quality Control Board

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

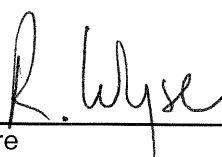
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



 Signature

June 22, 2009

 Date

Rachel Wyse, Assistant Planner

 Printed name

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

ISSUES

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
<p>Discussion: The site itself is not considered to be a scenic resource or a unique scenic vista. Community standards generally do not dictate the need or desire for architectural review of agricultural structures. This property is designated to be agricultural. The proposed four (4) portable buildings, two (2) barns, two (2) liquid manure storage tanks and bed pack drying area are consistent with agricultural structures found in the agricultural zone. A condition of approval will be added to insure that any lighting will be designed to provide adequate illumination without a glare effect and be aimed downward.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
II. AGRICULTURE 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. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
<p>Discussion: The project site is not enrolled in the Williamson Act. The project site's soils are classified as "Prime Farmland" by the Farmland Mapping and Monitoring Program and comprised entirely of Dinuba sandy loam, 0 to 1 percent slopes, which is a Grade 2 soil with an Index rating of 77. There is no indication this project will result in impacts to and/or removal of adjacent Williamson Act contracted land from agricultural use. The surrounding agricultural uses consist of row</p>				

crops, orchards, a vineyard, scattered single-family dwellings, and the City of Turlock to the north. The County has a Right to Farm Ordinance in place to protect agricultural operations from unjust nuisance complaints. The proposed project is considered a Tier III use in the A-2 (General Agriculture) zoning district **in compliance with §21.20.030(F) of the Zoning Ordinance.**

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

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

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. This project has been referred to the district, and although they did not respond to the Early Consultation to date, a letter exempting the project from District permitting requirements was provided to the applicant. **A referral response and email from SJVAPCD staff indicated that although the project was exempt from District rule 4750 the project may be subject to other District rules.**

Mitigation: None.

References: Email dated November 3, 2008 from Timothy Bush with the San Joaquin Valley Air Pollution Control District, referral response dated September 8, 2008 from the San Joaquin Valley Air Pollution Control District, letter to applicant dated August 5, 2008 from the San Joaquin Valley Air Pollution Control District, San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis, Stanislaus County General Plan and Support Documentation¹.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
<p>Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. Habitats for the Western Pond Turtle (<i>Clemmys Marmorata</i>) and Tricolored Blackbird (<i>Agelaius Tricolor</i>) exist 3.8 and 4.7 miles west of the project site. The project was referred to the Department of Fish and Game for comments but a response was not received.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹, California Department of Fish and Game California Natural Diversity Database.</p>				
V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

<p>d) Disturb any human remains, including those interred outside of formal cemeteries?</p>				<p>X</p>
<p>Discussion: It does not appear this project will result in significant impacts to any archaeological or cultural resources. A standard condition of approval will be added to this project to address any discovery of cultural resources during the construction phases.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				

<p>VI. GEOLOGY AND SOILS -- Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Included</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p>				
<p>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.</p>				<p>X</p>
<p>ii) Strong seismic ground shaking?</p>			<p>X</p>	
<p>iii) Seismic-related ground failure, including liquefaction?</p>			<p>X</p>	
<p>iv) Landslides?</p>				<p>X</p>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>			<p>X</p>	
<p>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?</p>				<p>X</p>
<p>d) Be located on expansive soil, as defined in Table 1804.2 of the California Building Code (2007), creating substantial risks to life or property?</p>			<p>X</p>	
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</p>				<p>X</p>

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, as per the 2007 California Building Code all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present special engineering of the structure will be required to compensate for the soil deficiency. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. Any earth moving is subject to Public Works Standards and Specifications which considers the potential for erosion and run-off prior to permit approval. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources through the building permit process, which also takes soil type into consideration within the specific design requirements.

Mitigation: None.				
References: California Building Code (2007), Stanislaus County General Plan and Support Documentation - Safety Element ¹ .				
VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
Discussion: No known hazardous materials are on site. Pesticide exposure is a risk in agricultural areas. Sources of exposure include contaminated groundwater which is consumed and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials in this area. The project was referred to DER, but no response has been received to date.				
Mitigation: None.				
References: Stanislaus County General Plan and Support Documentation ¹ .				

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: The project site is not located in an area subject to flooding as identified in accordance with the Federal Emergency Management Act and, as such, flooding is not an issue with respect to this project. The possibility of run-off associated with the construction of new structures will be reviewed as part of the overall building permit review process. No septic systems or additional wells are being proposed as a part of the project. The Regional Water Quality Control Board has determined that Waste Discharge Requirements will not be required at this time, provided the conditions outlined in their referral response, dated January 5, 2009, are met. These conditions include diverting water, precipitation or rainfall runoff away from any swine waste and verification thru soil sampling that vertical movement of waste constituents are avoided, thereby eliminating contamination of groundwater from this project.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response, dated January 5, 2009, from the Regional Water Quality Control Board, Stanislaus County General Plan and Support Documentation¹.</p>				

IX. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: The project site is designated Agriculture and zoned General Agriculture 40-acre minimum (A-2-40). The proposed four (4) portable buildings, two (2) barns, steel tank and composting area are permitted uses in the agricultural zone. However, the Regional Water Quality Control Board (RWQCB) has determined that the proposed project is subject to CEQA and therefore requires that the applicants obtain a Use Permit in accordance with §21.20.030(F) of the Stanislaus County Zoning Ordinance. An updated Swine Facility Design Study was submitted to the RWQCB on December 22, 2008. Based on the updated Study, Waste Discharge Requirements are no longer required as long as after a year of operation it is determined that waste constituents are not moving into the subsurface. In order to maintain compliance with RWQCB requirements, should Waste Discharge Requirements be required in the future, the Initial Study is being recirculated. This project will not conflict with any applicable habitat conservation plan or natural community conservation plan, and will not physically divide an established community.</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response, dated January 5, 2009, from the Regional Water Quality Control Board, determination letters dated March 20, 2008 and May 23, 2008 from the Regional Water Quality Control Board, Stanislaus County General Plan and Support Documentation¹.</p>				
X. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>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.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				

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

Discussion: The Stanislaus County General Plan identifies 75 Ldn as the normally acceptable level of noise for agricultural, industrial, manufacturing, and other similar land uses. Noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. There is no indication that approval of this project will result in either a temporary or permanent increase in ambient noise levels. The nearest sensitive noise receptors are homes on neighboring properties. The nearest home is within 800 feet of the proposed swine facility footprint.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XIII. PUBLIC SERVICES:

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

Discussion: The County has adopted 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. Conditions of approval will be added to this project to insure the proposed development complies with all applicable fire department standards with respect to access and water for fire protection. On-site water storage for fire protection will be further evaluated as part of the building permit process.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XIV. RECREATION:

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XV. ENVIRONMENTAL QUALITY:

XV. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<p>Discussion: The owners propose to operate the business as the only full-time employees. The actual number of vehicles that will access the facility will be off-haul of swine once every two (2) weeks, off-haul of liquid swine manure and excess bed pack every one and one-half (1 ½) weeks, feed delivery and customer traffic once per month, and swine bedding delivery once every two (2) months. The parcel will take access off County-maintained W. Simmons Road. W. Simmons Road is designated as a Collector with a 60-foot right-of-way. The project was referred to Stanislaus County Public Works and standard conditions of approval will be added to the project. The applicant is proposing to gravel four (4) parking spaces and pave one (1) handicapped space if required by Building Code. The project was referred to CalTrans who responded with "no comments."</p>				
<p>Mitigation: None.</p>				
<p>References: Referral response dated April 27, 2008 from Stanislaus County Public Works Department, referral response dated July 25, 2008 from CalTrans, email regarding vehicle trips dated August 3, 2008, application information, Stanislaus County General Plan and Support Documentation¹.</p>				
XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
<p>Discussion: Limitations on providing services have not been identified. Impacts to the existing utility and service systems are anticipated to be minimal as a result of this project. Less than significant impacts associated with public utility and irrigation easement(s) will be reflected in the project's conditions of approval. Staff has not received any referral responses indicating limitations on providing services.</p>				
<p>Mitigation: None.</p>				
<p>References: Stanislaus County General Plan and Support Documentation¹.</p>				
XVII. MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p>Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.</p>				

¹Stanislaus County General Plan and Support Documentation adopted in October 1994, as amended. Optional and updated elements of the General Plan and Support Documentation: **Agricultural Element** adopted on December 18, 2007; **Housing Element** adopted on December 12, 2003 and certified by the California Department of Housing and Community Development Department on March 26, 2004; **Circulation Element** and **Noise Element** adopted on April 18, 2006.

NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit Application No. 2008-21 - W-D Swine Farm Relocation

LOCATION OF PROJECT: 3931 W. Simmons Road, between S. Washington and S. Tegner Roads, in the Turlock area. APN: 044-013-012

PROJECT DEVELOPER: Ryan Watje & Ken Watje

DESCRIPTION OF PROJECT: **This is a re-circulation of the Initial Study due to changes in the waste management plan to meet requirements of the Regional Water Quality Control Board. Modifications will be in bold typeface.** Request to establish a swine farm with an animal population of 106 mature hogs and 205 young hogs on a 9.71 acre parcel. The project includes moving on-site two prefabricated cold nursing buildings and two prefabricated portable farrowing buildings, construction of a growing barn, and a boar/sow barn. **Two (2) 4,500± gallon retention tanks are being proposed to store liquid swine manure to be hauled away by a licensed septic hauler. Composting and field application of swine waste is no longer being proposed. A 100' x 210'± bed pack storage area will be used for the storage and drying of bed pack materials for reuse. Excess bed pack will be hauled off-site with liquid swine manure.**

Based upon the Initial Study, dated **June 22, 2009**, the Environmental Coordinator finds as follows:

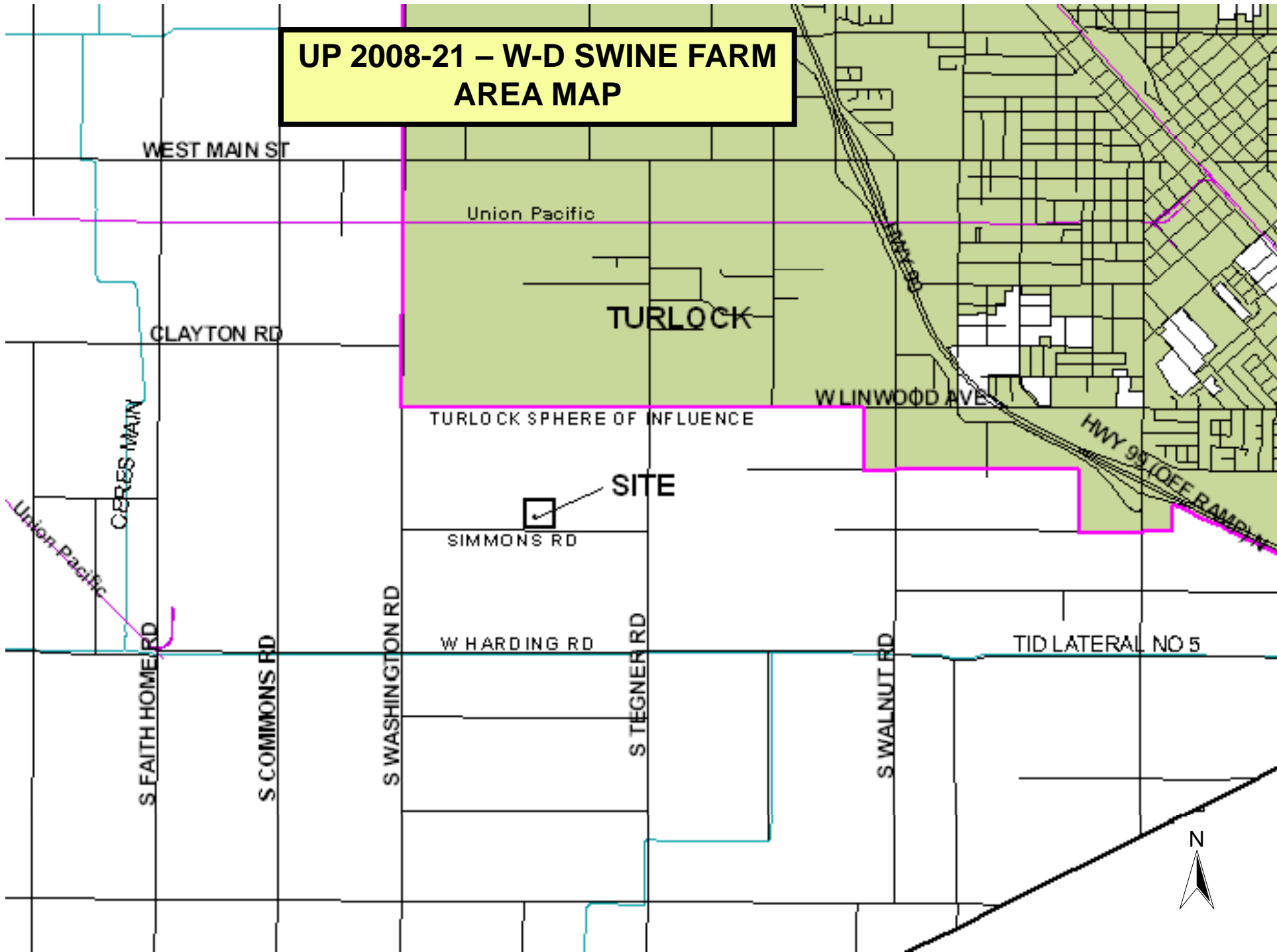
1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually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

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

Initial Study prepared by: Rachel Wyse, Assistant Planner

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

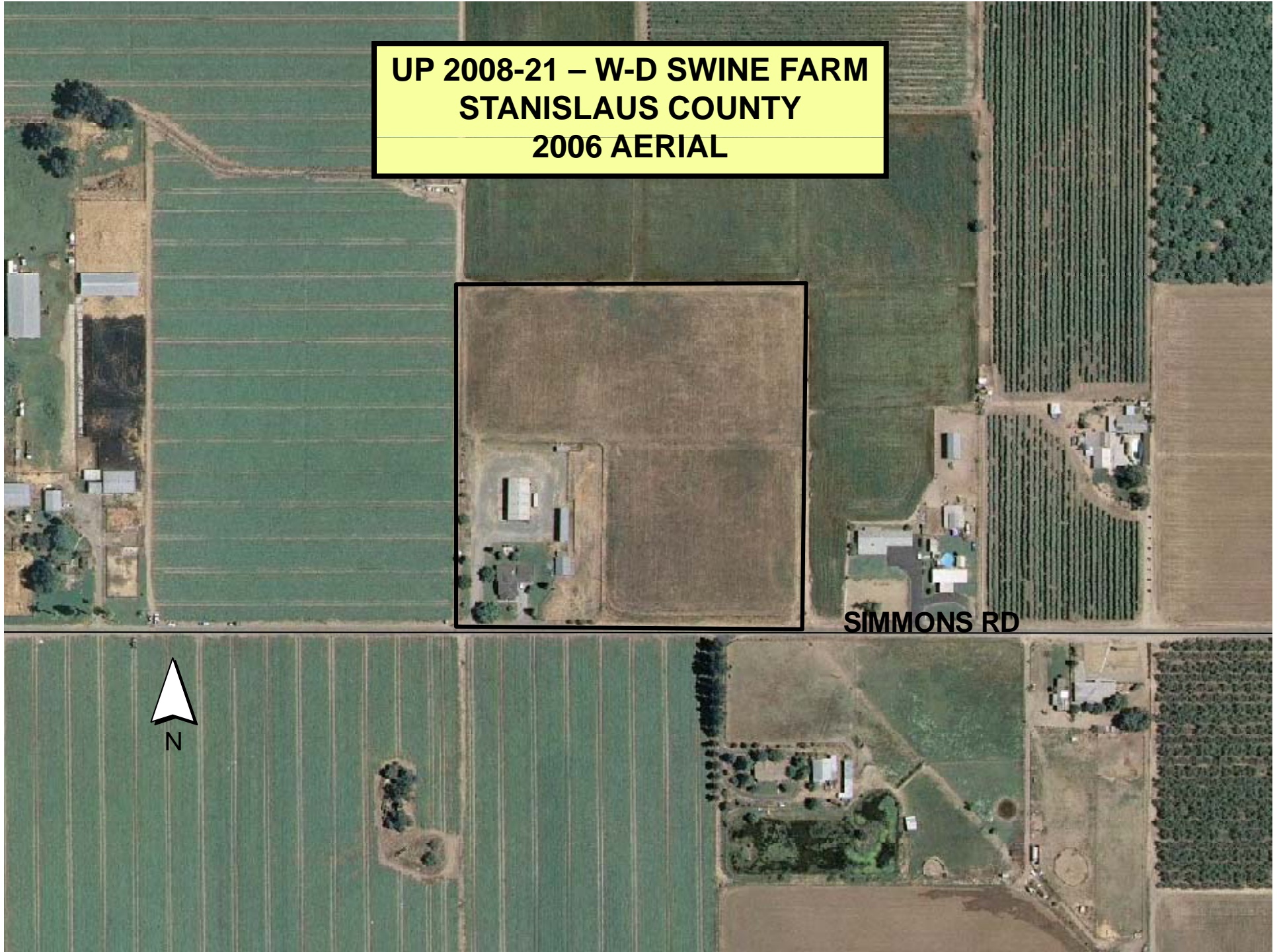
UP 2008-21 – W-D SWINE FARM AREA MAP



**UP 2008-21 – W-D SWINE FARM
STANISLAUS COUNTY
2006 AERIAL**



SIMMONS RD



**UP 2008-21 – W-D SWINE FARM
ACREAGE**

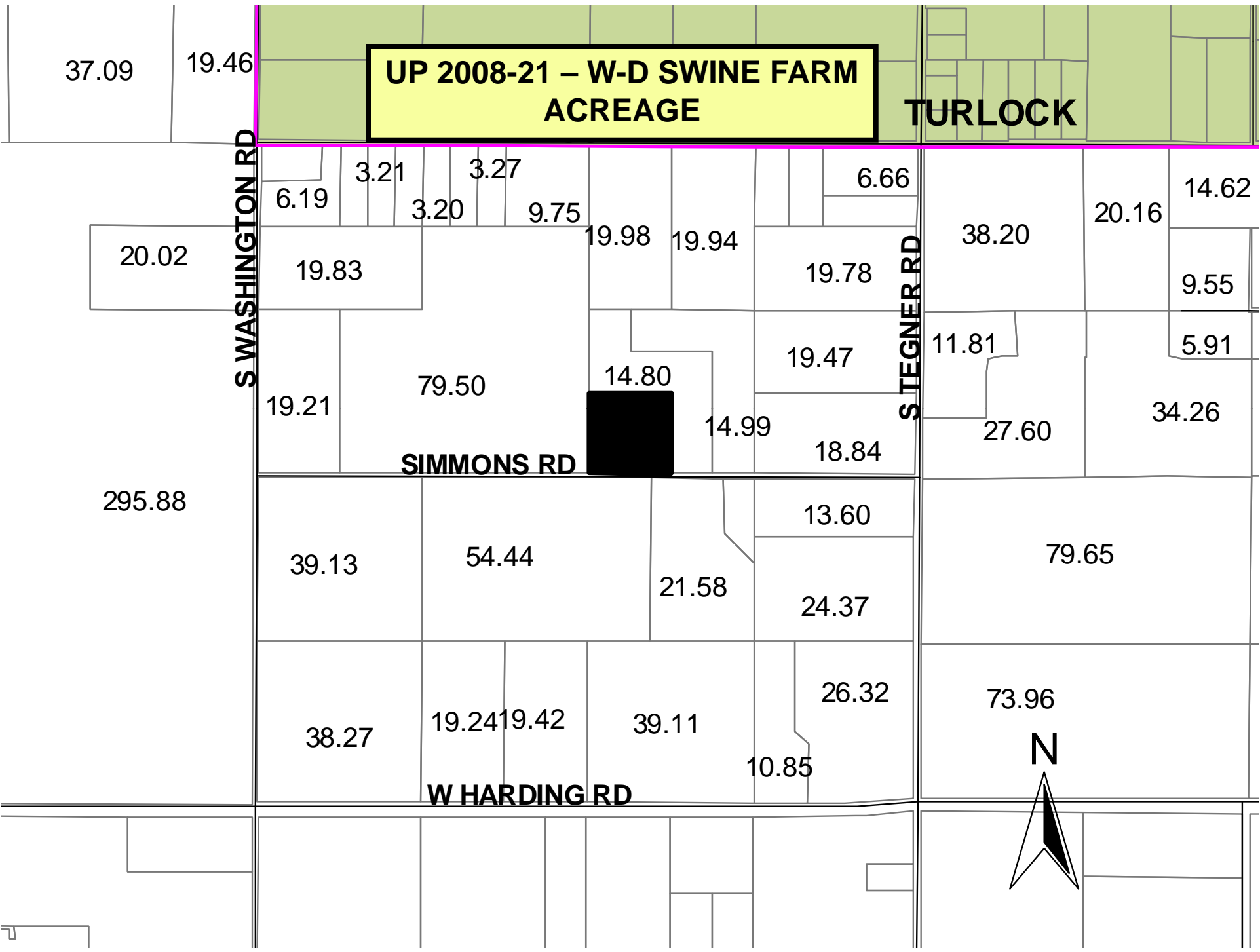
TURLOCK

S WASHINGTON RD

S STEGNER RD

SIMMONS RD

W HARDING RD



**UP 2008-21 – W-D SWINE FARM
GP & ZONING**

TURLOCK

S WASHINGTON RD

W LINWOOD AVE

**Agricultural
A-2-40**

S STEGNER RD

SIMMONS RD



**Agricultural
A-2-40**

**Agricultural
A-2-40**

W HARDING RD

