



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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July 7, 2022

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

**SUBJECT: USE PERMIT APPLICATION NO. PLN2021-0078 – SANGHERA INVESTMENTS, INC.**

This item was originally scheduled to be heard at the June 16, 2022 Planning Commission meeting; however, the meeting was cancelled due to lack of a quorum. The June 16, 2022 Planning Commission Staff Report is provided as Attachment A of this memo.

**RECOMMENDATION**

Staff recommends the Planning Commission approve the subject application as outlined in Attachment A – *June 16, 2022 Planning Commission Staff Report*.

Attachments:

Attachment A - June 16, 2022 Planning Commission Staff Report

# STANISLAUS COUNTY PLANNING COMMISSION

June 16, 2022

## STAFF REPORT

USE PERMIT APPLICATION NO. PLN2021-0078  
SANGHERA INVESTMENTS, INC.

**REQUEST: REQUEST TO CONSTRUCT A TRUCK TERMINAL THAT FACILITATES FUELING, PARKING, LOADING, AND UNLOADING FOR COMPANY OWNED TRUCKS AND ITS DRIVERS ON A 5.23-ACRE PARCEL IN THE PLANNED DEVELOPMENT (P-D) (332) ZONING DISTRICT.**

### APPLICATION INFORMATION

Applicant:	Haren Sanghera, Sanghera Investments, Inc.
Property owner:	L & T Howard Land Management Co., LLC (Lee E. Howard and Tiffany M. Howard)
Agent:	N/A
Location:	North Golden State Boulevard, between Nunes and East Keyes Roads, east of State Highway 99, in the Community of Keyes.
Section, Township, Range:	31-4-10
Supervisory District:	District Five (Supervisor C. Condit)
Assessor's Parcel:	045-074-004
Referrals:	See Exhibit H Environmental Review Referrals
Area of Parcel(s):	5.23± Acres
Water Supply:	Keyes Community Service District
Sewage Disposal:	Keyes Community Service District
General Plan Designation:	Planned Development
Community Plan Designation:	Highway Commercial
Existing Zoning:	Planned Development (P-D) (332)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Vacant
Surrounding Land Use:	Vacant and agricultural property to the east, west, and south; State Route (SR) 99 to the south and west; the Community of Keyes to the north; and light industrial development to the south.

## **RECOMMENDATION**

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

## **PROJECT DESCRIPTION AND BACKGROUND**

This is a request to construct a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks and its drivers on a 5.23± acre parcel in the Planned Development (P-D) (332) zoning district. P-D (332) was established by Rezone No. PLN2015-0032 – Belcorp Ag, approved by the Board of Supervisors on November 3, 2015, to allow for the development of a variety of Highway Commercial uses on five parcels. P-D (332) includes truck terminals as a permitted use provided a use permit is obtained prior to development. The project proposes the construction of four buildings, consisting of:

- A one story 4,414 square-foot shop to be utilized for light truck maintenance, and for driver rest, shower, and laundry facilities;
- A two story 6,500 square-foot office building, to be utilized as offices, for truck dispatching, reception, security office, conference room, and as an employee restroom and breakroom;
- A 3,900 square-foot truck dock building; and
- A 94 square-foot security guard kiosk.

The project also proposes development of 60 truck and trailer parking spaces, a truck washing station, and gas fueling station on the site. The trucks are utilized to transfer goods to and from various agriculture producers and grocery stores throughout Arizona, California, Nevada, and Texas. An employee parking lot with 67 parking spaces is also proposed to be developed, with 51 spaces for drivers and 16 spaces for office employees. Both the truck and employee parking lots will be paved. The project proposed landscaping, made up of a mixture of drought-resistant trees, shrubs, and groundcover, be installed along the site's road frontage and throughout the employee parking lot, as well as shrubs along the northern property line. The project also proposed the use of chain link to fence the entire site. Additionally, the project proposes two signs, an 18-foot by 24-foot wall sign and a five-foot-tall and eight-foot-wide monument sign, to be located at the North Golden State frontage. A site plan and landscape plans are provided as Exhibit B – Maps, Site Plan, Elevations, and Landscaping Plans.

The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product. Any on-site transfer of product will occur within the truck dock building with product being stored on-site only on a temporary basis. Approximately five to seven drivers will be on-site on any given day. Although 60 trucks can park at the site, the majority of the company's trucks will be off-site on delivery most of the time; it is estimated that there will be a maximum of 10 trucks and 10 trailers parked at the facility during any given time. The days and hours of operation for the office and shop will be Monday through Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. In any case, trucks will have access to the facility 24 hours, seven days a week.

The project will be served by the Keyes Community Services District (CSD) for public water and sewer services and will annex into the Keyes County Service Area (CSA) #26 for the maintenance

of curb, gutter, sidewalk, manholes, storm drain, and street sweeping and into the Golden State Lighting District for lighting and landscaping.

The proposed project is located in an area with several other trucking related projects pending Planning Commission consideration and with some trucking related projects currently under development. P-D (332) is made up of three legal parcels, 5.23, 11.5, and .63 acres in size. Construction of a 39,750 square-foot semi-truck sale and service facility (Keyes Truck Center) is currently under way on the 11.5-acre site to the north of the project site. The 11.5-acre site is identified as 3.57, 5.28, and 2.65 acres in Exhibit B-5 – Maps, Site Plan, Elevations, and Landscaping Plans. The proposed project will take access from County-maintained North Golden State Boulevard via a shared driveway located on the adjacent 11.5-acre parcel. No development has been proposed on the .63-acre portion of P-D (332) located on the east side of North Golden State Boulevard.

The 5.15 acre adjoining parcel to the southeast, Assessor's Parcel No. (APN) 045-050-007, is the subject of a pending rezone request (Rezone Application No. PLN2018-0057 - Kamir Incorporated) to allow for development of various commercial uses that serve the traveling public. Specifically, the request includes a 4,800 square-foot convenience store, two 3,000 square-foot and one 2,000 square-foot shell building for future fast food restaurants, six fueling stations for automobiles, six fueling stations for diesel engine vehicles, a truck scale, and 30 parking spaces for overnight parking of truck-trailer combinations. As currently proposed there is no required access between the Sanghera and Kamir Incorporated project sites, since Sanghera is a private facility; however, staff is recommending conditions of approval/development standards for both projects to require direct mutual vehicular access between the project sites should the Sanghera project site ever convert to a use which is open to the public (see Exhibit B-7 – *Maps, Site Plan, Elevations, and Landscaping Plans*).

Other proposed projects in the area include: Rezone Application No. PLN2018-0022 - Nunes Road Travel Plaza (APN: 045-050-010), which proposes development of a travel plaza to serve the traveling public on a 8.6 acre parcel northeast of the project site; Rezone Application No. PLN2018-0078 - ITC Enterprises (APN: 045-050-008), which proposes to develop a semi-truck lease, rental and service facility and a 5,000 square-foot office on a 6.8 acre parcel southeast of the project site; and Rezone Application No. PLN2021-0112 - Top Shelf Mega Storage (APN: 045-052-031), which proposes to develop a recreational vehicle (RV) storage facility on a 10 acre parcel also southeast of the project site (see Exhibit B-7 – *Maps, Site Plan, Elevations, and Landscaping Plans*).

## **SITE DESCRIPTION**

The 5.23± acre project site is located on the west side of North Golden State Boulevard, between Nunes and East Keyes Roads, east of State Highway 99, in the Community of Keyes. At present, the site is vacant/unimproved and surrounded by vacant and agricultural property to the east, west, and south; SR 99 to the south and west; the Community of Keyes to the north; and light industrial development to the south (see Exhibit B – *Maps, Site Plan, Elevations, and Landscaping Plans*).

## **ISSUES**

In response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, the San Joaquin Valley Air Pollution Control District (SJVAPCD) requested a Health Risk Assessment (HRA) be completed and for truck routes to be evaluated. An HRA is a tool used to

establish the adverse health effects caused by exposure to environmental pollutants in a variety of media such as air, water, and soil. The SJVAPCD had originally identified the need for an HRA in response to the projects Early Consultation referral, but retracted the request when they learned that the project site had already been rezoned, to P-D (332), which allows for development of the site. As such, an HRA was not prepared for incorporation into the Initial Study. Following release of the Initial Study, the SJVAPCD stated that they had misunderstood the project request and that an HRA would be required.

Based on the results of recent HRA's for projects within the County, the project site's proximity to sensitive land uses, and the results of an HRA analysis completed for Rezone Application No. PLN2018-0057 - Kamir Incorporated on the adjoining parcel, a project with more intensive uses being proposed, the subject project is not anticipated to exceed the SJVAPCD's thresholds of significance for HRA/toxic air contaminants. The project is subject to all applicable permits that must be obtained from the SJVAPCD and issuance of those permits may require the applicant to prepare an HRA and undergo further environmental analysis of the project. As for truck routes, the project will access SR 99 via North Golden State Boulevard and East Keyes Road. This information has been provided to the SJVAPCD and the Initial Study circulated for the project has also been amended to clarify the SJVAPC's HRA requirement and the truck routes (see Exhibit D – *Amended Initial Study, with Attachments*). However, the applicant will be required to contact and coordinate with the SJVAPCD to obtain any required permits and to conduct any studies required by the District prior to operation.

Staff's recommendation of approval for this project is based on some conditions of approval which alter the applicant's request as they relate to paving, fencing, and landscaping. The applicant has proposed paving only the driveways, drive aisles, and the employee parking lot; leaving the areas proposed for truck parking as gravel. Given the projects location in an urban area adjacent to major transportation routes and other truck oriented uses with full pavement, staff is recommending the project site be fully paved. The applicant has expressed an interest in phasing the paving of the truck parking lot area and conditions of approval include a provision allowing for paving to be phased provided the unpaved area is not utilized until paved.

With respect to fencing, the applicant has proposed to fence the entire site with chain link fencing. Staff's recommendations require that the fencing visible to the traveling public, from a public right-of-way, be of a more decorative material, such as wrought iron, and be integrated with the landscaping. Staff has spent time working with the applicants for both this project, and other projects in the surrounding area, to provide for enhanced landscaping along North Golden State Boulevard and East Keyes Road. The applicant is proposing a mixture of decorative low-growing shrubs and groundcover be installed along the project's northern property line, a combination of shade and street trees, groundcover, and shrubs are proposed to be installed along the perimeter of the employee parking lot and along the North Golden State Boulevard road frontage. Staff is recommending that in addition to the applicant's proposed landscaping, that the project also incorporate screen landscaping along the property line visible from the SR 99 on-ramp. This recommendation is consistent with P-D (332) requirement that development include landscaping with gateway treatments along SR 99 and major roadways and to blend storm water facilities into the site.

As discussed in the project description, a condition of approval has been added to the project requiring direct mutual vehicle access between the project site and the adjoining parcel be provided if the use of the project site is opened to the public. In order for the use of the project site to go public, additional land use entitlements may be required, depending on the use, as outlined in the permitted uses for the P-D (332) zoning district. The project site is currently

dependent on a shared driveway which is located on an adjoining 11.5-acre parcel to the north and expanded use of that driveway to the public may not be an option.

The City of Turlock has requested that the County apply various City standards to this project. While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City's General Plan area and the City's Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project. Staff does, however, see value in the City's comments regarding the need for enhanced landscaping and for the site to be fully paved. The City's April 14, 2022 comment referral letter is provided as Exhibit G – City of Turlock Referral Response of this report.

All other conditions of approval added to the project are standard for this type of project.

### **GENERAL PLAN CONSISTENCY**

The project site is currently designated Planned Development in the Land Use Element and Highway Commercial in the Keyes Community Plan of the Stanislaus County General Plan. The County General Plan identifies the intent of the Planned Development (P-D) zoning designation as being for lands which, because of demonstrably unique characteristic, may be suitable for a variety of uses without detrimental effect on other property. The General Plan further identifies freeway interchange and frontage roads adjacent to major highways and freeways as appropriate locations for planned developments. A P-D zoning designation allows for the flexibility to provide a variety of uses and development standards, while retaining consistency with the County General Plan as a whole. The Highway Commercial land use designation adjacent to the SR 99/East Keyes Road Interchange is intended to provide for and promote concentration of commercial uses serving the needs of the traveling public. Traditional Highway Commercial uses include truck stops, restaurants, motels, service stations, overnight RV camping, fruit stands and accessory uses such as towing services, minor emergency automobile repairs, convenience markets, and wine tasting; however, the Keyes Community Plan includes the flexibility to allow uses determined by the County to be supportive of the overall goals and policies of the Community Plan.

Goal Four, Policy One of the Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, states that the County shall encourage the location of businesses and services (e.g., restaurants, service stations, lodging) in the SR 99 corridor to serve the traveling public and local residents. The Keyes Community Plan also identifies sites along the SR 99 corridor as a Gateway area to Keyes, which should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along SR 99/East Keyes Road Interchange; and the development of "Gateway" treatments and positive, high quality landscaped edges along SR 99 and major roads. Final signage and landscaping plans must be submitted to County Planning for review and approval prior to issuance of a building permit.

As required by the Stanislaus County General Plan's Land Use Element Sphere of Influence Policy, all discretionary projects within the sphere of influence (SOI) of a sanitary sewer district, domestic water district, or community services district, shall be forwarded to the district board for comment regarding the ability of the district to provide services. If the district serves an unincorporated community with a Municipal Advisory Council (MAC), the proposal shall also be referred to the MAC for comment. The project site is served with public water and sewer by the

Keyes Community Service District (CSD). The project was referred to the Keyes CSD and no response was received; however, a will-serve letter was provided by the Keyes CSD which outlines conditions that must be met prior to hooking up to water and sewer services. These requirements have been incorporated into the project's conditions of approval. The proposed project is located within the Keyes MAC boundaries and, accordingly, was referred to the Keyes MAC and no response has been received to date.

The County's Agricultural Element's Agricultural Buffer Guidelines states that new or expanding uses approved by a discretionary permit in the A-2 zoning district, or on a parcel adjoining the A-2 zoning district, should incorporate a minimum 150-foot-wide agricultural buffer setback, or 300-foot-wide buffer setback for people-intensive uses, to physically avoid conflicts between agricultural and non-agricultural uses. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people-intensive uses are permitted uses within the buffer setback area. There is an agriculturally zoned parcel adjacent to the project site to the east; however, the nearest building being proposed on the project site is located 150 feet from the property boundary. Additionally, conflicts between agricultural and non-agricultural uses are not anticipated as the adjacent parcel is not currently farmed and is in the process of obtaining land use entitlements to allow for highway commercial uses.

Staff believes that the proposed project is consistent with the General Plan policies discussed above. The area south of the interchange has developed with businesses such as Chevron, Peterbilt, and Fresh Point (formerly Piranha Produce). Several parcels with an A-2-10 zoning designation to the east of the project site have submitted rezone applications proposing highway commercial development on the parcels. Approval of this project would result in a development consistent with the surrounding area, with the current Planned Development Land Use designation, and the Highway Commercial Keyes Community Plan designation and, as such, staff believes this use can be determined by the County to be consistent with the Stanislaus County General Plan.

### **ZONING ORDINANCE CONSISTENCY**

The site is zoned Planned Development (P-D) (332), which allows the property to be developed with a variety of Highway Commercial uses; truck terminals are included as a permitted use provided a use permit is obtained prior to development. This project proposes to develop a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks which is consistent with the approved uses under P-D (332), provided a use permit is obtained.

In order to approve a use permit, the Planning Commission shall make a finding that the establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

If this request is approved, development standards for P-D (332) will remain in effect on the current project; however, proposed development will be subject to compliance with the Conditions of Approval of this Use Permit (see Exhibit F – *Planned Development (332) Development Standards and Development Schedule*). If a conflict arises between the Development Standards and the Conditions of Approval, the Conditions of this Use Permit shall prevail. Staff believes that the proposed project is consistent with the Stanislaus County Zoning Ordinance.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to interested parties and responsible agencies for review and comment and no significant issues were raised (see Exhibit H – *Environmental Review Referrals*). An initial study was circulated from April 27, 2022 to May 31, 2022 (see Exhibit D – *Amended Initial Study, with Attachments*). As the project is located within the Keyes Community Plan, applicable mitigation measures from the Mitigation Monitoring and Reporting Program (MMRP) for the Keyes Community Plan Environmental Impact Report, certified April 18, 2000, were incorporated into the project to address potentially significant impacts to aesthetics, biological resources, and transportation. Accordingly, a Mitigated Negative Declaration has been prepared for approval, prior to action on the use permit. The project is considered to have a less than significant impact with mitigation measures included (see Exhibit E – *Mitigated Negative Declaration*). Conditions of approval reflecting referral responses have also been placed on the project (see Exhibit C – *Conditions of Approval*).

As discussed in the Issues section of this report, in response to comments received from the San Joaquin Valley Air Pollution Control District (SJVAPCD), the Air Resources Section of the Initial Study has been amended to provide additional information regarding the requirements for a Health Risk Assessment (HRA) and to clearly identify the truck routes to be utilized by the project (see Exhibit D – *Amended Initial Study, with Attachments*). In response to the Initial Study circulated for this project, Turlock Irrigation District (TID) provided a response requesting the submission of plans detailing the proposed site improvement, 10-foot public utility easements along all street frontages, the removal of an irrigation pipeline and box per district guidelines, and to have the TID electrical department determine the electrical design and preferred source for the new service. The Stanislaus County Department of Public Works also provided a few additional comments regarding roadway dedication, annexation into the Keyes County Service Area (CSA) #26 for the maintenance of curbs, gutters, sidewalks, manholes, storm drains and street sweeping, and the need for submission of a "Plan Check/Inspection Agreement" and deposit. The Agricultural Resources, Air Quality, Energy, Hydrology and Water Quality, Public Services, Transportation, and Utilities and Service Systems Sections of the Initial Study have been amended to incorporate these additional project details. Updated details on the project's proposed landscaping and paving and clarification about the project site not being located within the City of Turlock's General Plan have also been added into the Initial Study. Amended text throughout the Initial Study is shown in bold and deleted text shown as stricken.

As permitted by CEQA Guidelines Section 15073.5(c), revisions to a Mitigated Negative Declaration may be approved by the Planning Commission without a new period of environmental review if the project revisions are added in response to written or verbal comments on the project's effects identified in the proposed mitigated negative declaration which are not new avoidable significant effects, or if the new information merely clarifies, amplifies, or makes insignificant modifications to the mitigated negative declaration. This additional language is considered to be informational in nature and to have no new significant effects. Planning staff believes that the modification meets this statute and that re-circulation of the environmental assessment document is not required.

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Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay \$2,605.00 for the California Department of Fish and

Wildlife (formerly the Department of Fish and Game) and the Clerk-Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Avleen K. Aujla, Assistant Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Site Plan, Elevations, and Landscaping Plans
- Exhibit C - Conditions of Approval
- Exhibit D - Amended Initial Study, with Attachments
- Exhibit E - Mitigated Negative Declaration
- Exhibit F - Planned Development (332) Development Standards and Development Schedule
- Exhibit G - City of Turlock Referral Response, dated April 14, 2022
- Exhibit H - Environmental Review Referrals

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## **Findings and Actions Required for Project Approval**

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
  - a. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
  - b. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring improvements.
4. Approve Use Permit Application No. PLN2021-0078 – Sanghera Investments, Inc., subject to the attached Conditions of Approval.

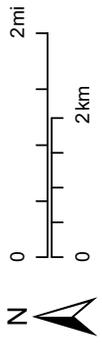
# SANGHERA INVESTMENTS INC

## UP PLN2021-0078

### AREA MAP

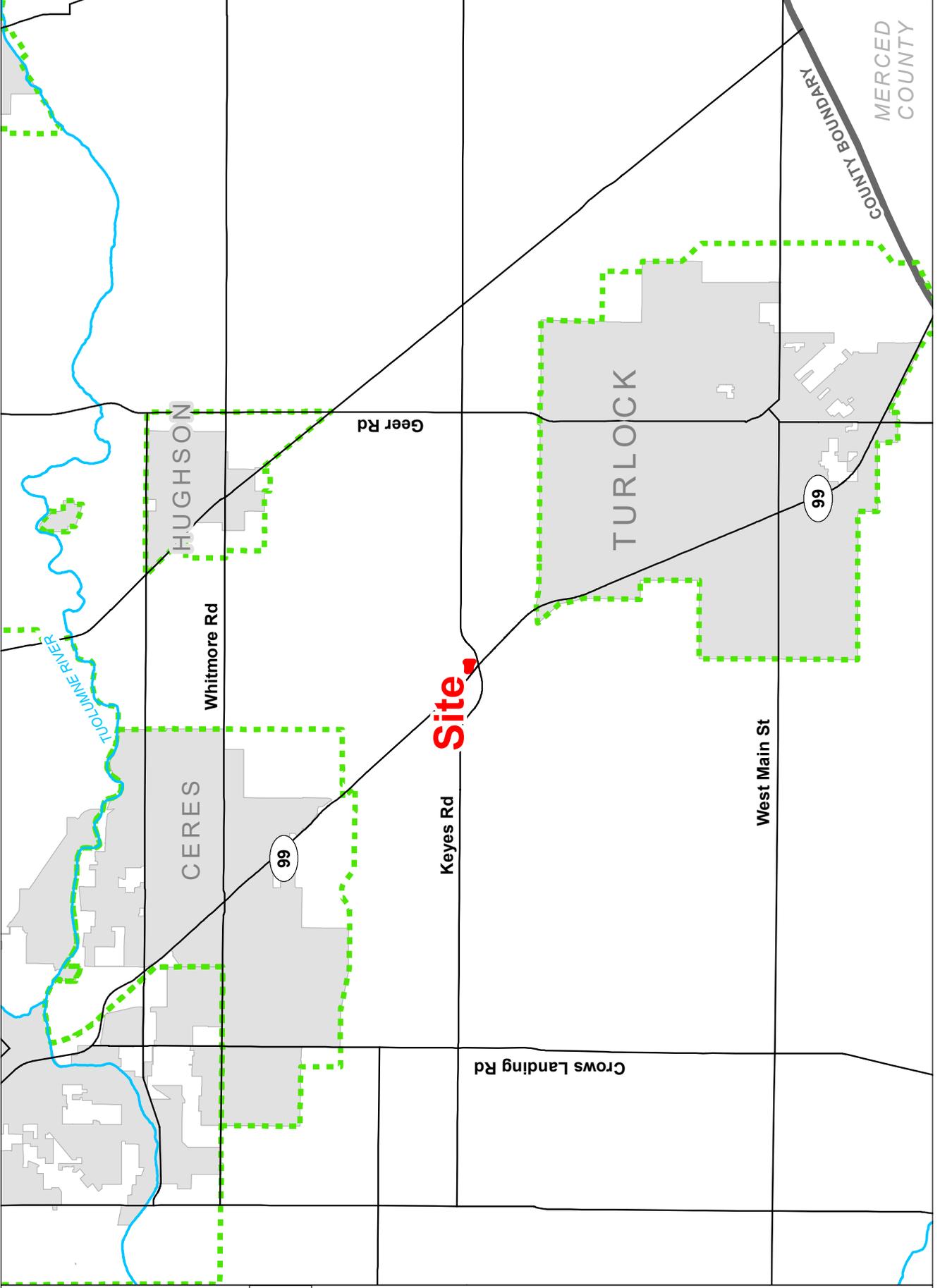
#### LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River



Date: 10/15/2021

Source: Planning Department GIS



**SANGHERA INVESTMENTS INC**

**UP  
PLN2021-0078**

**GENERAL PLAN MAP**

**LEGEND**

 Project Site

 Parcel

 Road

**General Plan**

 Agriculture

 Planned Development

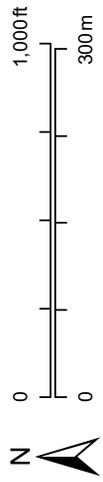
 Commercial

 IND

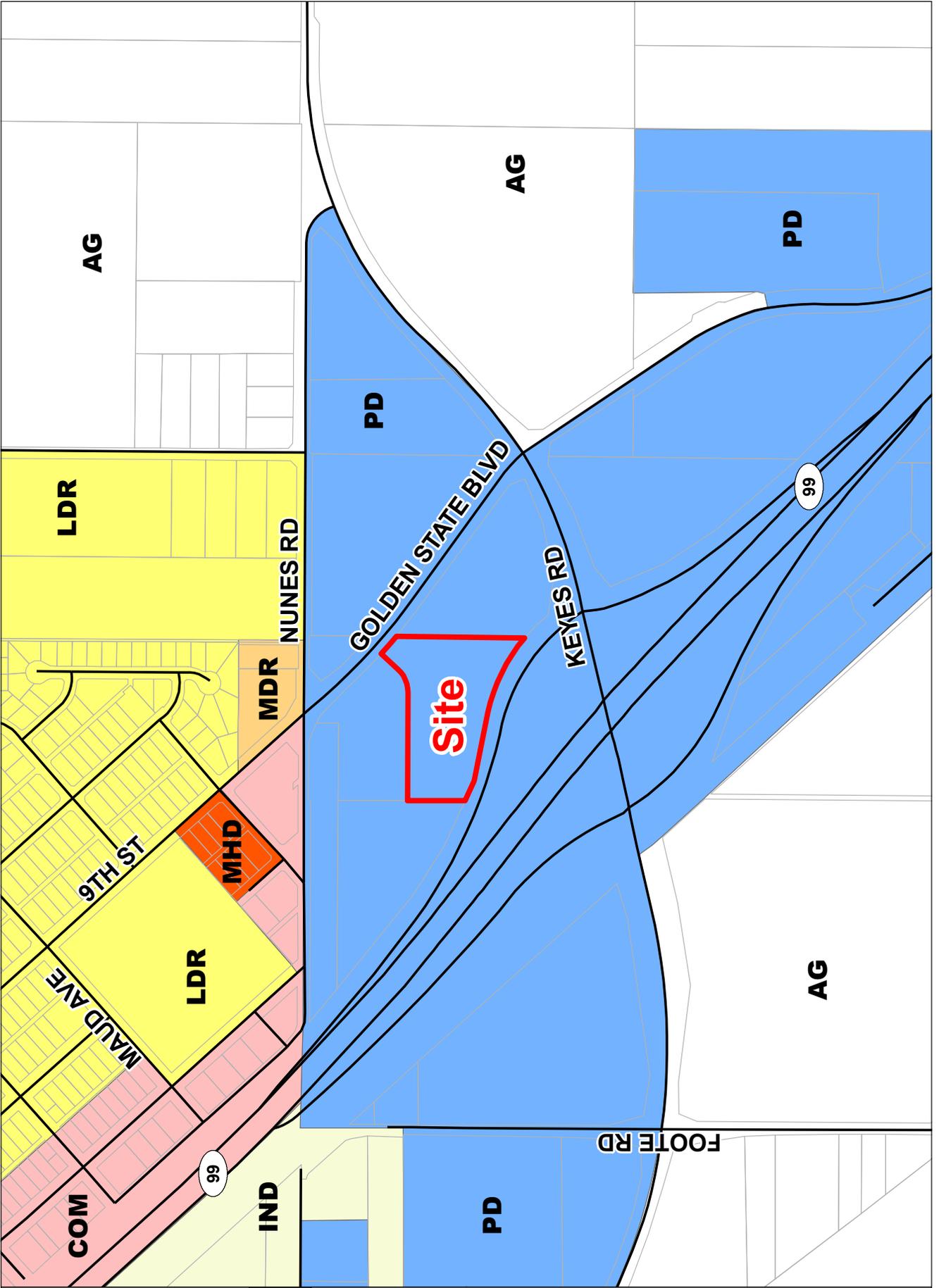
 Low Density Residential

 MDR

 MHD



Source: Planning Department GIS Date: 10/15/2021



# SANGHERA INVESTMENTS INC

**UP  
PLN2021-0078**

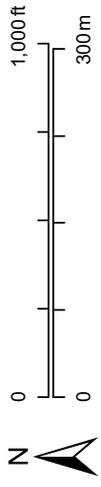
## ZONING MAP

### LEGEND

-  Project Site
-  Parcel
-  Road

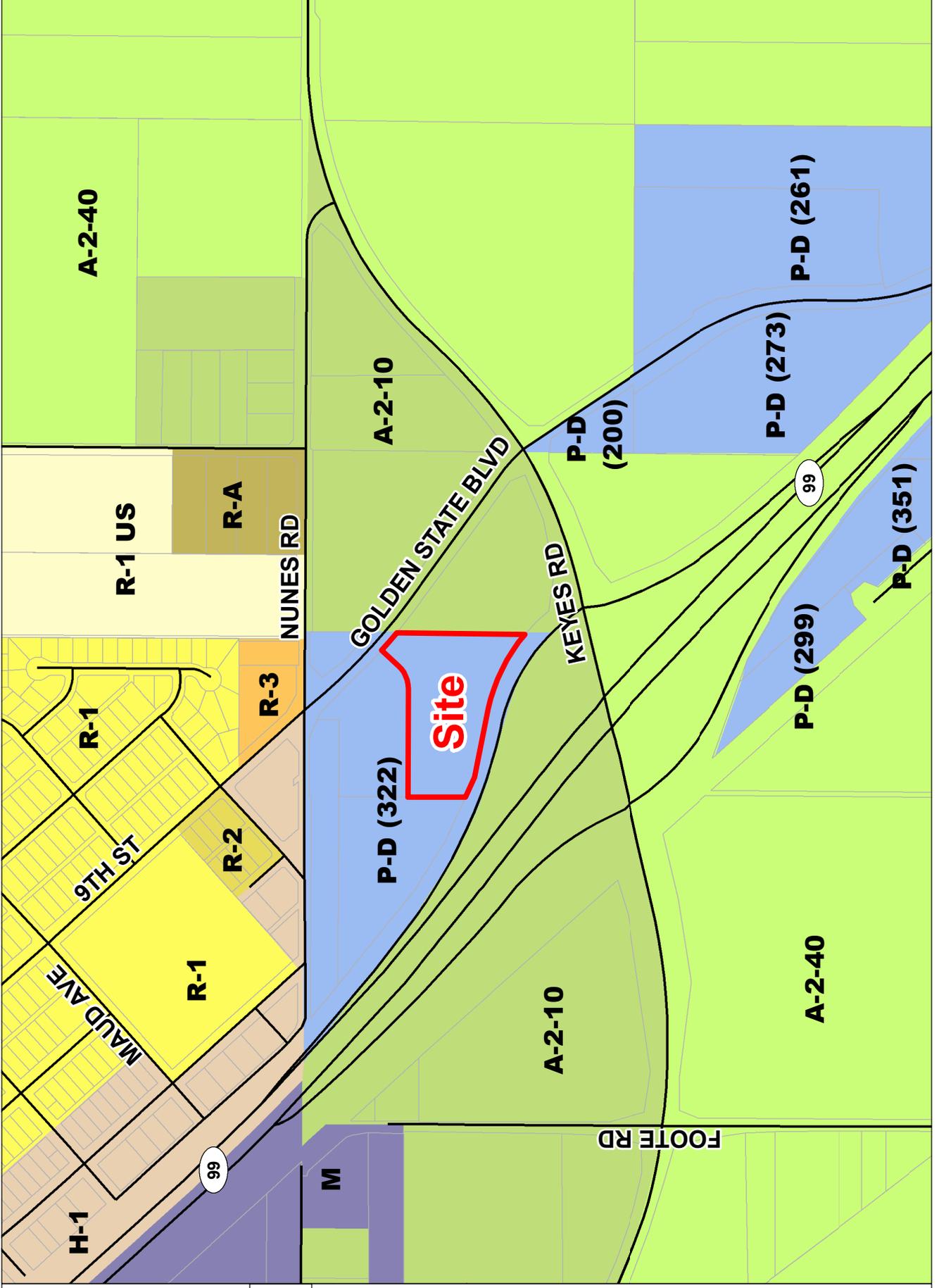
### Zoning Designation

-  General Agriculture 10 Acre
-  General Agriculture 40 Acre
-  Planned Development
-  Single Family Residential
-  Medium Density Residential
-  Multiple Family
-  Rural Residential
-  Single Family Residential
-  Industrial
-  Highway Frontage



Source: Planning Department GIS

Date: 10/15/2021



# SANGHERA INVESTMENTS INC

**UP  
PLN2021-0078**

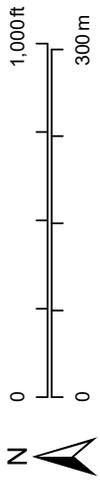
## COMMUNITY PLAN MAP

### LEGEND

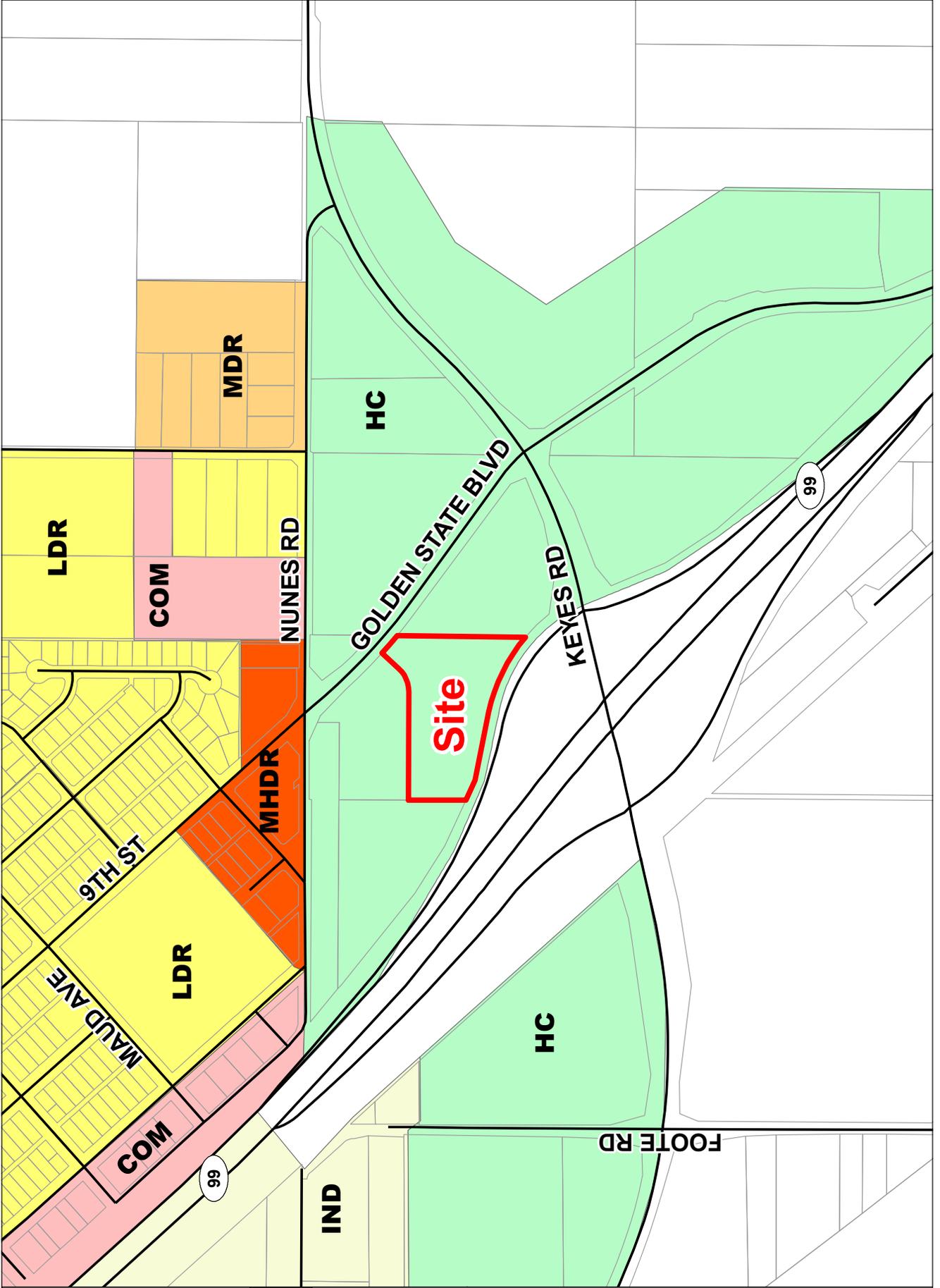
-  Project Site
-  Sphere of Influence
-  Parcel
-  Road

### Community Plan

-  Industrial
-  Commercial
-  Commercial - Highway
-  Residential - Medium-High
-  Residential - Low



Source: Planning Department GIS Date: 12/20/2021



**SANGHERA  
INVESTMENTS INC**

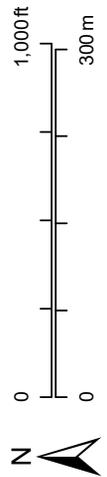
**UP  
PLN2021-0078**

**2021 AERIAL AREA MAP**

**LEGEND**

 Project Site

 Road



Source: Planning Department GIS Date: 10/15/2021



**SANGHERA  
INVESTMENTS INC**

**UP**

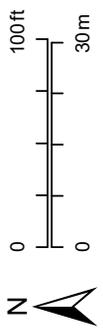
**PLN2021-0078**

**2021 AERIAL SITE MAP**

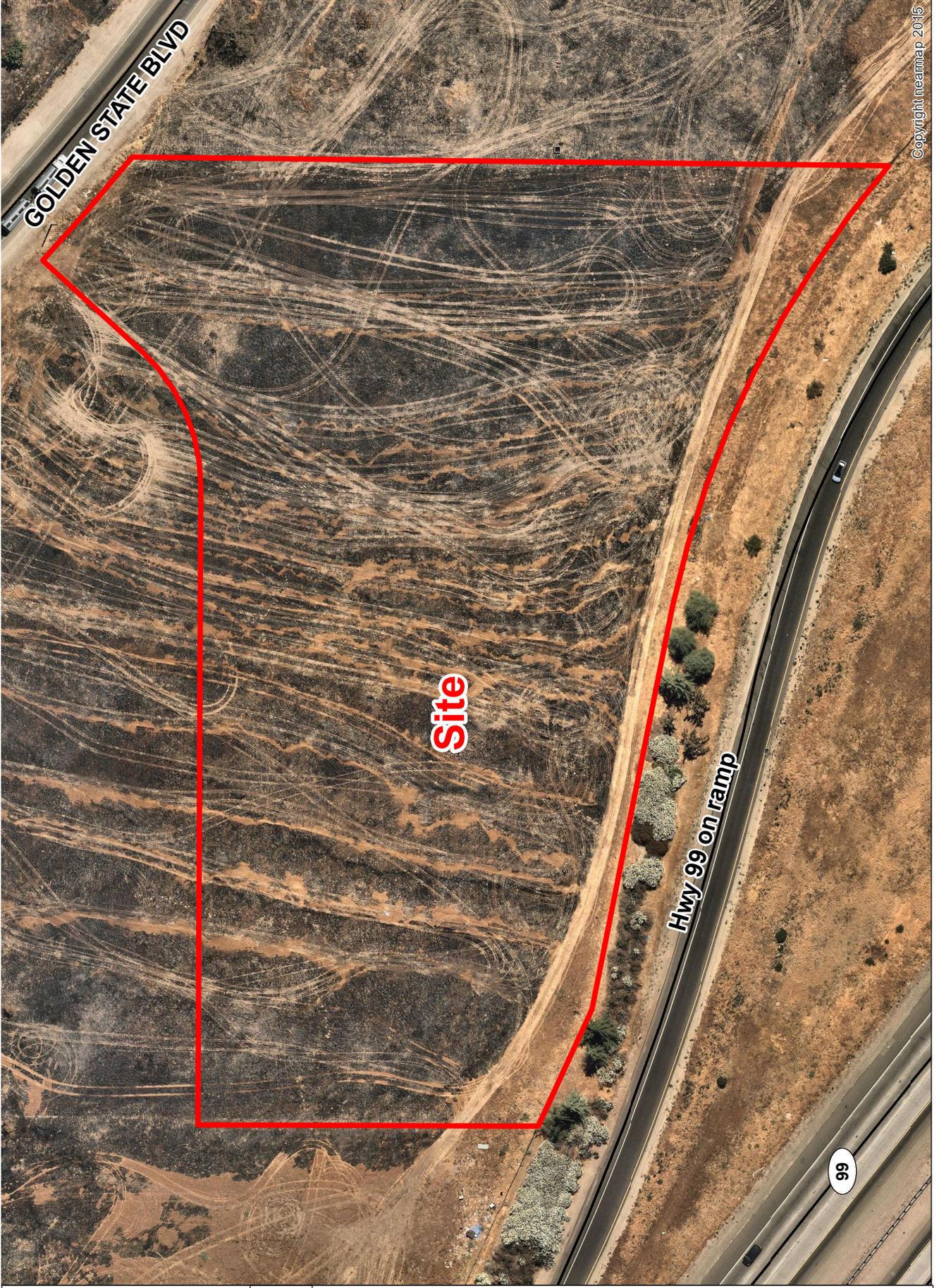
**LEGEND**

 Project Site

 Road

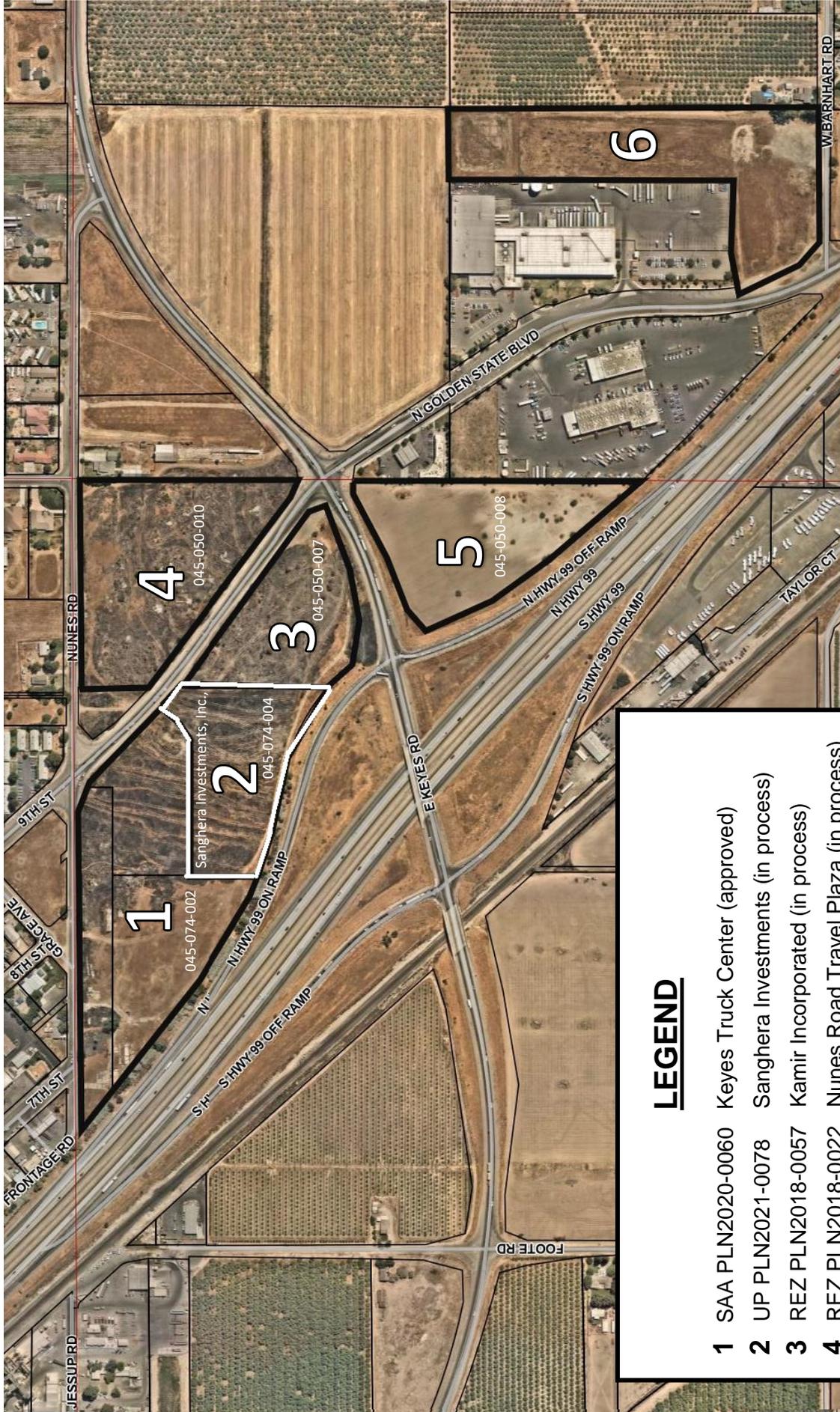


Source: Planning Department GIS Date: 10/15/2021





# KEYES COMMUNITY PLAN PROJECTS



**LEGEND**

<b>1</b>	SAA PLN2020-0060	Keyes Truck Center (approved)
<b>2</b>	UP PLN2021-0078	Sanghera Investments (in process)
<b>3</b>	REZ PLN2018-0057	Kamir Incorporated (in process)
<b>4</b>	REZ PLN2018-0022	Nunes Road Travel Plaza (in process)
<b>5</b>	REZ PLN2018-0078	ITC Enterprises (in process)
<b>6</b>	REZ PLN2021-0112	Top Shelf Mega Storage (in process)

SAA – Staff Approval Permit  
 UP – Use Permit Application (req. PC approval)  
 REZ – Rezone Application (req. BOS approval)

# KEYES - TRY-US TRANSPORTATION

LOT AT THE SOUTHWEST CORNER OF NUNES ROAD AND N. GOLDEN STATE BLVD., KEYES, CA



PLANNING DEPARTMENT SUBMITTAL

## KEYES - TRY-US TRANSPORTATION

LOT AT THE SOUTHWEST CORNER OF NUNES ROAD AND N. GOLDEN STATE BLVD., KEYES, CA

OWNER

CONTRACTOR

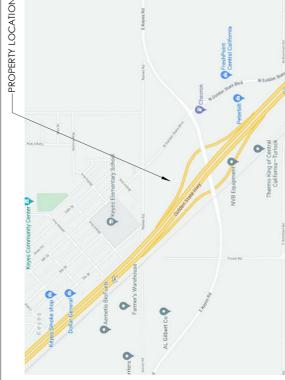
This drawing is not filed or to be used for construction until it is signed by the architect and the owner

### PROJECT DESCRIPTION

NEW CONSTRUCTION OF FOUR (4) BUILDINGS AND SITE IMPROVEMENTS LOCATED ON A 5.22 ACRES

- SITE INCLUDING:
- 2-STORY OFFICE BUILDING (6,500 SF)
  - 2-STORY OFFICE BUILDING (3,900 SF)
  - 1-STORY DOCK BUILDING (3,900 SF)
  - 1-STORY SECURITY GUARD KIOSK (74 SF)
  - 1-STORY WASH AREA INCLUDING FUEL TANK
  - WASH AREA
  - DRIVER PARKING
  - EMPLOYEE PARKING
  - LANDSCAPING ALONG NORTH AND EAST PROPERTY LINE, OFFICE BUILDING AND PARKING LOTS

### VICINITY MAP



### SHEET INDEX

PLANNING	COVER SHEET
A0	SITE PLAN
A1	FLOOR PLANS
A2	OFFICE BUILDING & SECURITY GUARD KIOSK - EXTERIOR ELEVATIONS
A3	SHOPS & DOCK BUILDINGS - EXTERIOR ELEVATIONS
A4	MATERIAL BOARD
A5	PRELIMINARY LANDSCAPE PLAN
L0	

NOT FOR CONSTRUCTION

**PLANNING DEPARTMENT RESUBMITTAL**  
**11/03/2021**

### PROJECT TEAM

**OWNER** TRY-US TRANSPORTATION  
3818 MOFFETT ROAD  
CERES, CA 95307  
(209) 595-1631

**ARCHITECT** DVB architecture  
5221 DEER VALLEY ROAD, #150  
TURLOCK, CA 95382  
(916) 316-6759

**LANDSCAPE** LINDA FISH LANDSCAPE ARCHITECT  
4073 PATCHWORK COURT  
TURLOCK, CA 95382  
(209) 656-7177

COVER SHEET

Project Number  
20033  
Drawn By  
DVB  
Checked By  
DVB

**A0**

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

**ZONING:**

APN:	045-050-012
GENERAL PLAN:	PD - PLANNED DEVELOPMENT
COMMUNITY PLAN:	HC - HIGHWAY COMMERCIAL
CURRENT ZONING:	P.D.332 (H-I - HIGHWAY FRONTAGE)
FRONT BUILDING SETBACK:	75' MIN FROM CL OF STREET
SIDE BUILDING SETBACK:	0' MIN
REAR BUILDING SETBACK:	0' MIN
MAX BUILDING HEIGHT ALLOWED:	35'
PROPOSED BUILDING HEIGHT:	31.3' = OK
MAX NUMBER OF STORES ALLOWED:	N/A
PROPOSED NUMBER OF STORES:	2

**PARKING COUNT:**

REGULAR STALLS:	63
COMPACT STALLS (06' MAX):	0
MOTORCYCLE STALLS (1:10):	6
ACCESSIBLE STALLS:	4 (3 REQ'D = OK)
TOTAL PARKING:	73
GARAGE / REPAIR SHOPS (1:300 GSF):	20 REQ'D
OFFICES, PROFESSIONAL (1:300 GSF):	23 REQ'D
WAREHOUSE (1:300 GSF):	13 REQ'D
TOTAL REQUIRED:	56 < 73 = OK

**OWNER:**

**CONTRACTOR:**  
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**PLANNING DEPARTMENT SUBMITTAL**  
**KEYES - TRY-US TRANSPORTATION**  
 LOT AT THE SOUTHWEST CORNER OF NUNES ROAD AND N. GOLDEN STATE BLVD., KEYES, CA

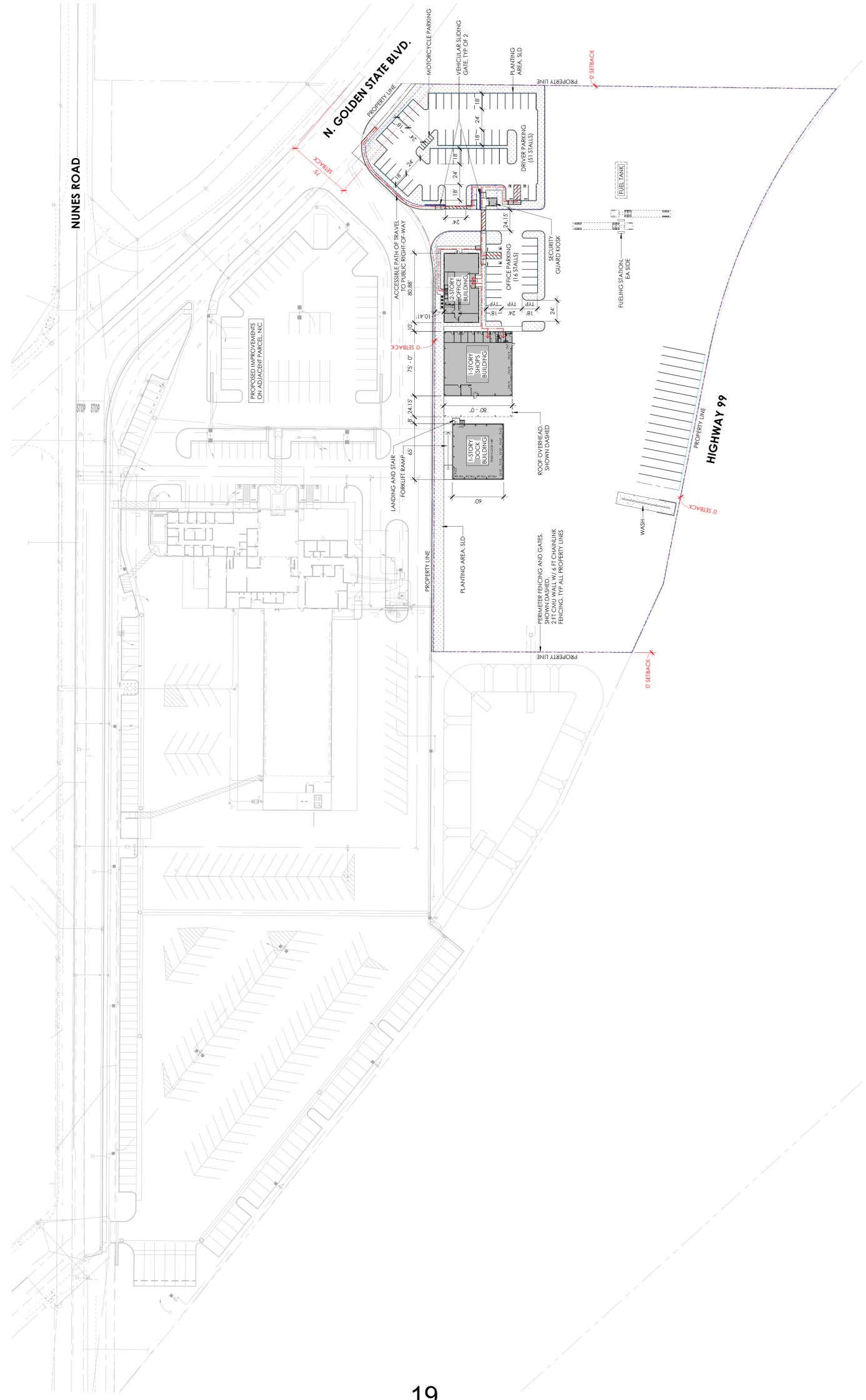
**NOT FOR CONSTRUCTION**

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

**SITE PLAN**  
 Project Number: 20033  
 Drawn By: DV6  
 Checked By: DV6

**A1**

**SITE PLAN LEGEND:**  
 ACCESSIBLE PATH OF TRAVEL





OWNER \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_  
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 it is signed by the architect and the owner

PLANNING DEPARTMENT SUBMITTAL  
**KEYES - TRY-US TRANSPORTATION**  
 LOT AT THE SOUTHWEST CORNER OF NUNES ROAD AND N. GOLDEN  
 STATE BLVD., KEYES, CA

**NOT FOR CONSTRUCTION**

110321 PLANNING DEPARTMENT RESUBMITTAL  
**OFFICE BUILDING & SECURITY GUARD KIOSK - EXTERIOR ELEVATIONS**  
 Project Number: 20233  
 Drawn By: DVB  
 Checked By: DVB

**A3**



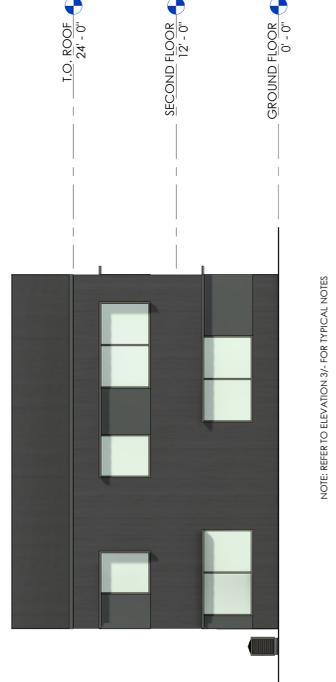
**1**  
 OFFICE BUILDING - NORTH ELEVATION  
 1/8" = 1'-0"



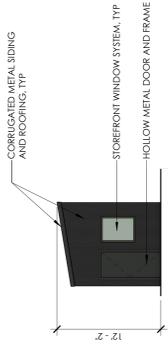
**2**  
 OFFICE BUILDING - EAST ELEVATION  
 1/8" = 1'-0"



**3**  
 OFFICE BUILDING - SOUTH ELEVATION  
 1/8" = 1'-0"



**4**  
 OFFICE BUILDING - WEST ELEVATION  
 1/8" = 1'-0"



**5**  
 SECURITY GUARD KIOSK - NORTH ELEVATION  
 1/8" = 1'-0"



**6**  
 SECURITY GUARD KIOSK - EAST ELEVATION  
 1/8" = 1'-0"



**7**  
 SECURITY GUARD KIOSK - SOUTH ELEVATION  
 1/8" = 1'-0"



**8**  
 SECURITY GUARD KIOSK - WEST ELEVATION  
 1/8" = 1'-0"

OWNER \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_  
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 it is signed by the architect and the owner

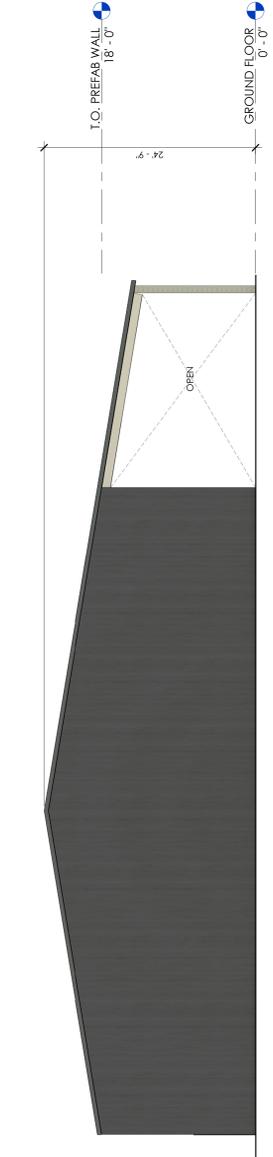
PLANNING DEPARTMENT SUBMITTAL  
**KEYES - TRY-US TRANSPORTATION**  
 LOT AT THE SOUTHWEST CORNER OF NUNES ROAD AND N. GOLDEN  
 STATE BLVD., KEYES, CA

**NOT FOR CONSTRUCTION**

11.03.21 PLANNING DEPARTMENT RESUBMITTAL  
**SHOPS & DOCK BUILDINGS - EXTERIOR ELEVATIONS**  
 Project Number: 20233  
 Drawn By: DV6  
 Checked By: DV6

**A4**

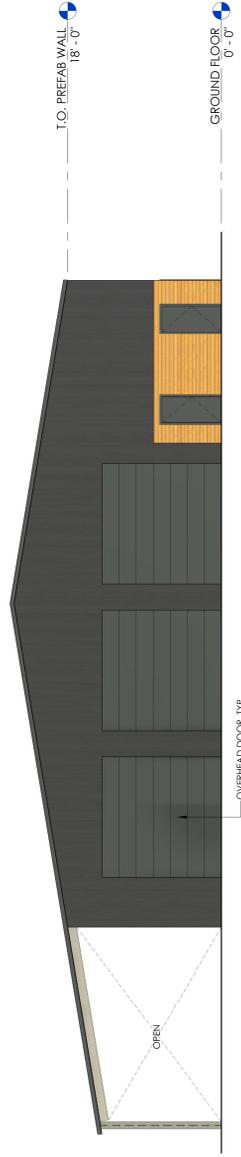
11/3/2021 10:44:57 AM  
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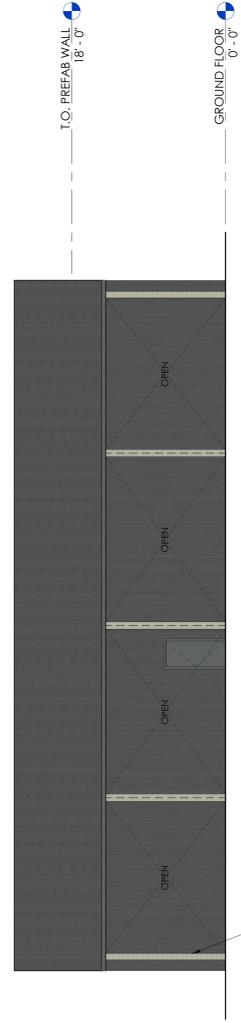
**1**  
 SHOPS BUILDING - NORTH ELEVATION  
 1/8" = 1'-0"



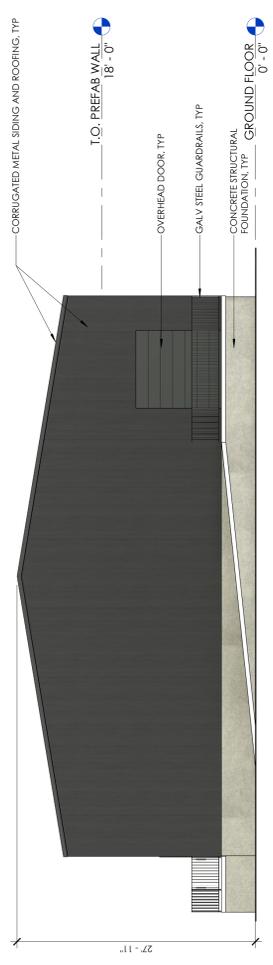
**2**  
 SHOPS BUILDING - EAST ELEVATION  
 1/8" = 1'-0"



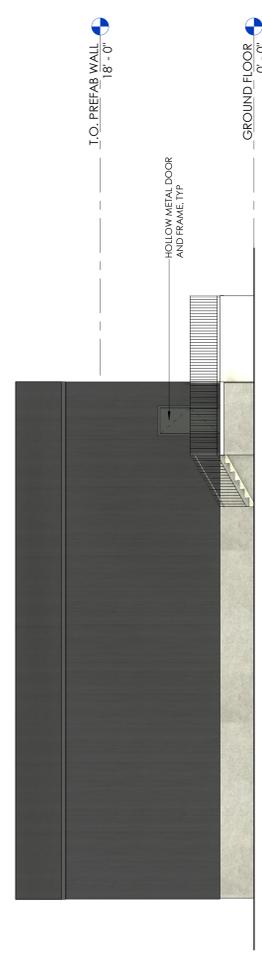
**3**  
 SHOPS BUILDING - SOUTH ELEVATION  
 1/8" = 1'-0"



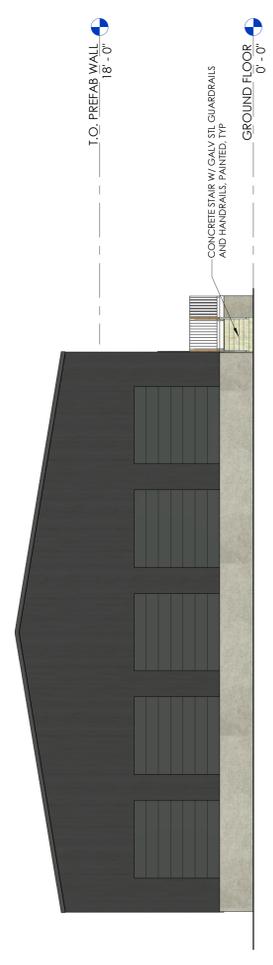
**4**  
 SHOPS BUILDING - WEST ELEVATION  
 1/8" = 1'-0"



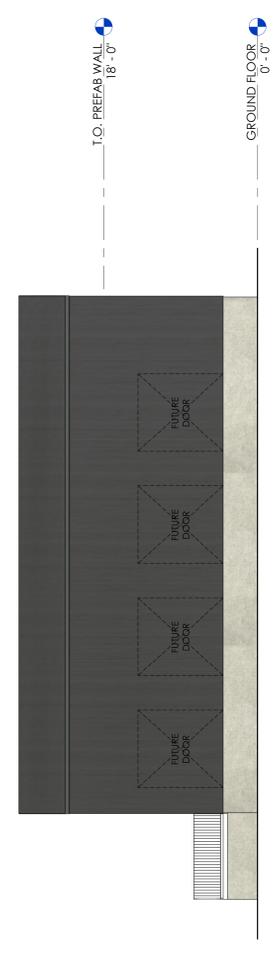
**5**  
 DOCK BUILDING - NORTH ELEVATION  
 1/8" = 1'-0"



**6**  
 DOCK BUILDING - EAST ELEVATION  
 1/8" = 1'-0"



**7**  
 DOCK BUILDING - SOUTH ELEVATION  
 1/8" = 1'-0"



**8**  
 DOCK BUILDING - WEST ELEVATION  
 1/8" = 1'-0"

OWNER \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_  
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 it is signed by the architect and the owner

PLANNING DEPARTMENT SUBMITTAL  
**KEYES - TRY-US TRANSPORTATION**  
 LOT AT THE SOUTHWEST CORNER OF NUNES ROAD AND N. GOLDEN  
 STATE BLVD., KEYES, CA

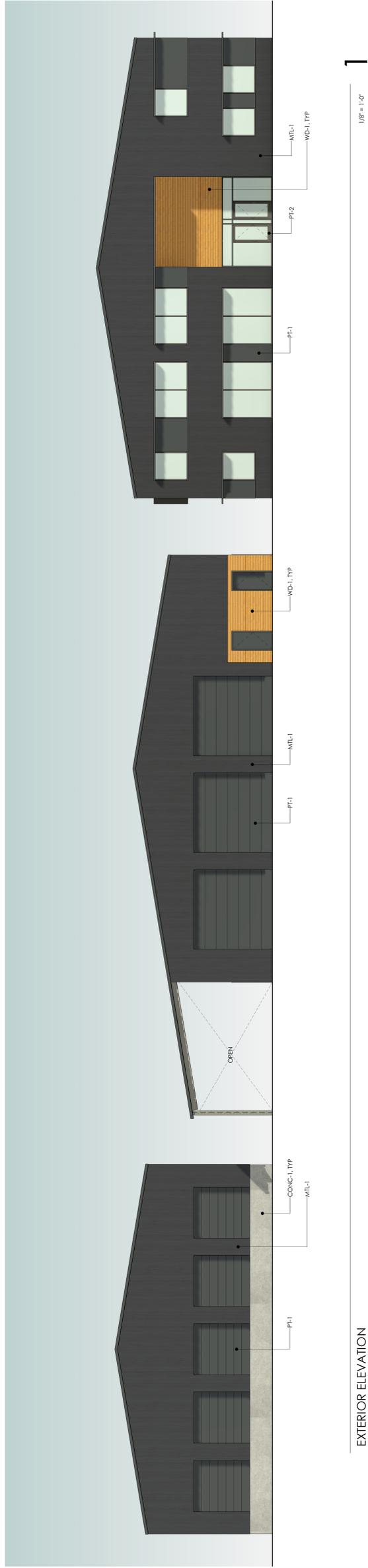
NOT FOR CONSTRUCTION

110321 PLANNING DEPARTMENT RESUBMITTAL

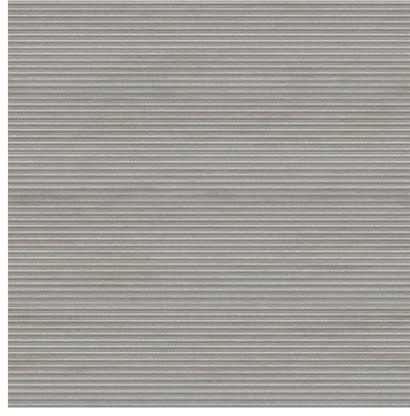
**MATERIAL BOARD**

Project Number: 20233  
 Drawn By: DVB  
 DVB  
 Checked By: DVB  
 DVB

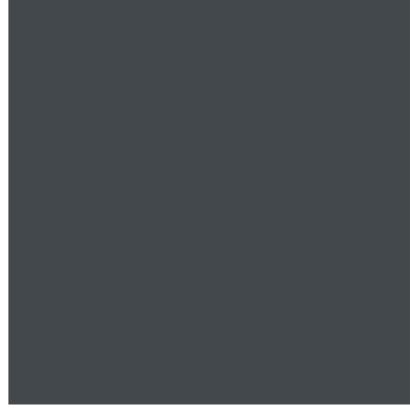
**A5**



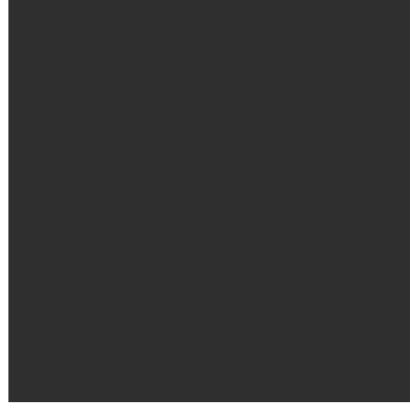
EXTERIOR ELEVATION



**METAL WALL PANELING (MET-1)**  
 MANUFACTURER: TBD  
 FINISH: PT-1



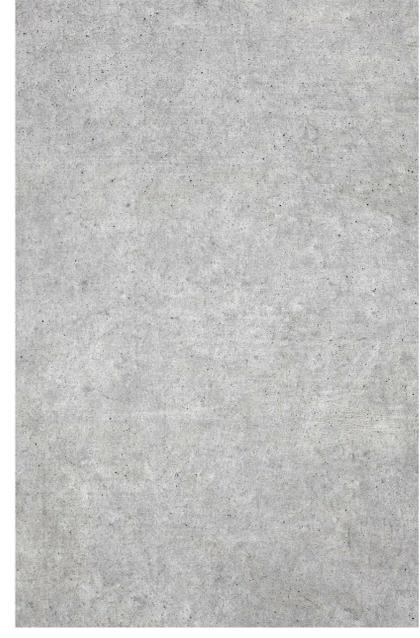
**METAL FINISH (PF-1)**  
 MANUFACTURER: TBD  
 FINISH: CHARCOAL



**METAL FINISH (PF-2)**  
 MANUFACTURER: TBD  
 FINISH: BLACK



**FIBER CEMENT PANELING (WD-1)**  
 MANUFACTURER: NICHHA  
 FINISH: VINTAGE WOOD - SPRUCE



**CONCRETE (CONC-1)**  
 MANUFACTURER: N/A  
 FINISH: CLEAR STAIN SEALER



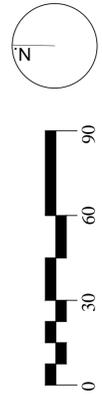

**Linda Fish**  
Landscape Architect  
fishlandscape@sbcglobal.net  
(209) 656-7177  
P.L.A.#4346

Preliminary Landscape Plan

Keyes Try-Us Transportation  
Golden State Blvd.  
Keyes, CA

Scale: 1"=30'-0"  
Date: 11-9-21  
Drawn: LF  
Sheet Number:

**L0**



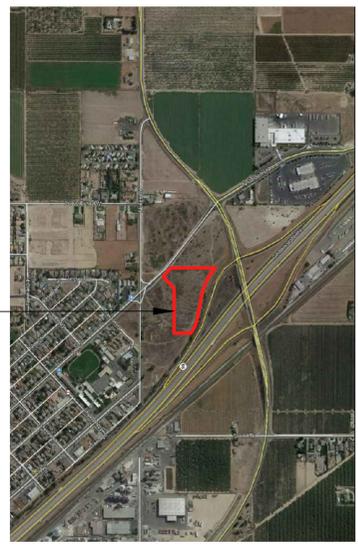
**Landscape Concept Statement**

This landscape has been designed to provide an attractive frontage to a highly visible space on Golden State Blvd. in Keyes.

Perimeter planting areas on three sides allow for impactful shrub and groundcover planting, with varied colors and textures. Accent planting will highlight corners and entries. Parking areas will be shaded with ample tree coverage.

Turf will not be used in this project, and plants are chosen to be drought tolerant and appropriate for Keyes' planting zone.

Project Location



Vicinity Map

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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)

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## **CONDITIONS OF APPROVAL**

### **USE PERMIT APPLICATION NO. PLN2021-0078 SANGHERA INVESTMENTS, INC.**

#### **Department of Planning and Community Development**

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances. All development standards adopted for the Planned Development (P-D) (332) zoning districts shall remain in effect. If a conflict arises between the P-D (332) Development Standards and these Conditions of Approval, the Conditions of this Use Permit shall prevail.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2020), 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 **\$2,605.00**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.  
  
Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. The Department of Planning and Community Development shall record a Notice of Determination and a Notice of Administrative Conditions and Restrictions (NOAC&R) with the County Recorder's Office within 30 days of project approval. The NOAC&R includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
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. 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.

6. 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.
7. The applicant/business owner shall obtain a valid Stanislaus County Business License prior to final of any tenant improvement and/or Certificate of Occupancies. A valid Business License shall be maintained by the occupants at all times.
8. The applicant will be required to contact and coordinate with the SJVAPCD to obtain any required permits and to conduct any studies required by the District prior to operation.
9. Noise levels associated with all on-site activities shall not exceed the maximum allowable noise levels as set forth in the Stanislaus County Code or the Stanislaus County General Plan. In the event of a verified noise complaint, being received by Stanislaus County, the property owner/operator shall be responsible for hiring a certified noise consultant, approved by the Stanislaus County Planning Director, to evaluate noise impacts and to identify appropriate mitigation for any identified noise impacts. The property owner/operator may arrange to pay for the County's actual costs of hiring a certified noise consultant. The property owner/operator shall implement any resulting mitigation measures required to reduce noise to allowable levels within the time frame specified by the County. The certified noise consultant's evaluation shall be completed and submitted to Stanislaus County Planning Department within 60-days of written notice being delivered to the property owner/operator. If determined necessary by the Planning Department, the property owner/operator shall pay for the County's costs to hire a third party to review the noise assessment.
10. Should the site ever convert in the future to a use which is open to the public, additional land use entitlements, as may be required by the P-D (332) zoning district, shall be obtained and direct mutual vehicular access between the project parcel and parcel to the southeast (APN: 045-050-007) shall be provided to facilitate travel between the two parcels by the general public. If no further entitlements are required, direct mutual vehicular access shall still be provided upon notice by the County.
11. No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.
14. All driveways, drive aisles, including truck drive aisles, truck parking areas, and customer and employee vehicle parking areas shall be paved. Pavement and parking spaces shall be installed in accordance with all applicable Stanislaus County standards. Paving of the site may be phased with approval of a phasing plan by the Planning Director provided any areas of the site that are not paved shall be fenced or otherwise blocked from use until paved.
15. Chain link fencing shall not be permitted when visible to the traveling public from a public right-of-way unless integrated into and screened by landscaping. Fencing which is visible from the traveling public shall consist of wrought iron fencing or another fencing material of similar design found be acceptable by the Planning Director. A fencing plan shall be

submitted to the Planning Department for review and approval prior to the installation of any fencing visible to the traveling public.

16. A landscaping plan in accordance with Development Standard No. 10 of P-D (332), shall be submitted for review and approval prior to issuance of any building permit. The landscaping plan shall be designed in conformance with Development Standard No. 11 of P-D (332) to require "Gateway" treatments and positive, high quality landscape edges along SR 99 and North Golden State Boulevard, consistent with the Keyes Community Plan.

### **Department of Public Works**

17. No parking, loading, or unloading of vehicles will be permitted within the Stanislaus County road right-of-way.
18. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
19. An Encroachment Permit shall be obtained for any work being done in the Stanislaus County road right-of-way.
20. All driveway locations and widths shall be approved by Department of Public Works. Any driveway approaches to be installed shall be done to Stanislaus County standards.
21. The applicant shall pay all PFF-RTIF and Keyes Community Plan traffic mitigation fees for the proposed use.
22. Prior to the final of any building or grading permit, whichever comes first, a drainage easement shall be recorded if the storm drainage system/basin crosses parcels (APN: 045-074-004 & 045-074-002). The easement shall be an appurtenant easement and shall be drawn up by either a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
23. Prior to the final of any building or grading permit, whichever comes first, a cross access easement shall be recorded for parcels (APN: 045-074-004 & 045-074-002). The easement shall be an appurtenant easement and shall be drawn up by either a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
24. A grading and drainage plan for the project site shall be submitted for any building permit that will create a larger or smaller building footprint. The grading and drainage plan shall include the following information:
  - A. The plan shall contain drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and in the Stanislaus County road right-of-way. Public Works will review and approve the drainage calculations.
  - B. For projects greater than one acre in size, 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. A Waste Discharge Identification Number (WDID) and a copy of the Notice

of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.

- C. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
  - D. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
25. Prior to the issuance of any building or grading permit for the property, the North Golden State Boulevard frontage shall be offered to Stanislaus County as an Irrevocable Offer of Dedication. North Golden State Boulevard is classified as a 110-foot Minor Arterial roadway. The required ½ width of North Golden State Boulevard is 55-feet east of the centerline of the roadway. The existing right-of-way is 40-feet east of the centerline of the roadway. The remaining 15-feet east of the centerline shall be dedicated as an Irrevocable Offer of Dedication.
26. Prior to the final of any building or grading permit, whichever comes first, the property shall annex into the Keyes County Service Area (CSA) #26 for the maintenance of curb, gutter, sidewalk, manholes, storm drain, street sweeping and parks. The developer shall provide all necessary documents and pay all fees associated for the annexation into the CSA. The annexation process takes approximately six to eight months.
27. Prior to the Department of Public Works doing any plan review or inspections associated with the development, the applicant shall sign a "Plan Check/Inspection Agreement" and post a \$5,000 deposit with Public Works.

**Department of Environmental Resources (DER)**

28. Prior to the issuance of any building permit, a fully executed "Will-Serve Letter" from the Keyes CSD for water and sewer services to the parcel shall be provided.
29. If for some reason the development is unable to hook-up to the Keyes CSD for water and sewer services, the project would be subject to SB1263, and would be required to be permitted as a public water system, and would be required to meet Measure X and Local Agency Management Program (LAMP) standards for on-site private waste systems.
30. The applicant should contact the Department of Environmental Resources (DER) regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify DER relative to the following (Calif. H&S, Division 20):
- A. Permit for the underground storage of hazardous materials at facility.
  - B. Notify DER for storing hazardous materials on aboveground tanks.
  - C. Requirements for registering as a handler of hazardous materials in the County and submittal of a Hazardous Materials Business Plan (HMBP) into the California Environmental Reporting System (CERS) by handlers of materials in excess of 55

gallons, 500 pounds of a hazardous material, or of 200 cubic feet of compressed gas.

- D. Generators of hazardous waste must notify DER relative to the: (1) quantities of waste generated; and (2) proposed waste disposal practices. Generators of hazardous waste must also use the CERS data base to submit chemical and facility information to the DER.
  - E. Requirement to obtain and maintain an active EPA ID number with the California Environmental Protection Agency Department of Toxic Substances Control (DTSC) using Permanent State ID Number Application DTSC Form 1358 (<https://dtsc.ca.gov/permanent-state-epa-id-numbers/>).
31. Protective measures shall be incorporated into the on-site the storm drains, or to the site itself, to prevent hazardous materials and hazardous waste contamination from entering the storm drain system. Such protective measures shall be reviewed and approved by the Department of Environmental Resources.
32. If the project involves the installation of monitoring wells and/or borings, the applicant must submit a current permit application for groundwater monitoring wells and exploratory borings to the Hazardous Materials Division (HMD) within DER. Please contact the DER to obtain guidance on this process. If the work will be conducted within the City of Modesto, then they are the lead agency for wells and/or borings and must be contacted for their requirements.

### **Building Permits Division**

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

### **Turlock Irrigation District**

34. Prior to issuance of a building permit, the developer shall submit plans detailing the proposed site improvements, in order to ensure District standards are met.
35. A 10-foot Public Utility Easement shall be dedicated along all street frontages.
36. There is an abandoned irrigation pipeline located along the east property line of the proposed project as evidenced by the concrete control structure about 300' south of North Golden State Boulevard. There is a pipe that branches off to the east at the box. The pipeline and box shall be removed and remaining pipe to the east sealed with concrete per District standards.
37. The District does not currently have any electric facilities on the property. There is an overhead 12kV distribution line on the east side of North Golden State Boulevard. Furthermore, there is a conduit stub from the development to the north which may also be an option for serving the project. The District's electrical engineering department will determine the electrical design and preferred source for the new service.

**Keyes Community Services District (KCSD)**

38. All water service lines, and sewer connections must be installed to KCSD standards and according to plans approved by the KCSD, at the expense of the owner.
39. All applicable KCSD connections, facilities, and inspection fees must be paid upon application for connections.
40. The owner must comply with all District rules and regulations.

**Caltrans**

41. If the proposed development anticipates Surface Transportation Assistance Act (STAA) truck access, a terminal access application would need to be submitted to Caltrans to evaluate the route for STAA Truck use.

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

42. Project shall obtain all applicable permits in accordance with the National Pollutant Discharge Elimination System (NPDES) and land discharge Waste Discharge Requirements (WDRs). All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan.
43. Prior to ground disturbance or issuance of a building permit, the Central Valley Regional Quality Control Board shall be consulted to obtain any necessary permits and to implement any necessary measures, including but not limited to Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit (Water Quality Certification), Waste Discharge Requirements, Dewatering Permit, Low or Limited Threat General NPDES Permit, NPDES Permit or any other applicable Regional Water Quality Control Board permit.

**San Joaquin Valley Air Pollution Control District (SJVAPCD)**

44. The proposed project shall comply with District Rule 9510 (Indirect Source Review). Prior to building permit issuance, the applicant shall submit an Air Impact Assessment (AIA) application and pay any applicable off-site mitigation fees.
45. The proposed project may be subject to District Rules and Regulations, including Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance office. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm).

## **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.)***

1. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low-intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.
3. Pre-construction surveys for nesting Swainson’s hawks within 0.25 miles of the project site are recommended if grading or construction commences between March 1 and September 1. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination shall utilize criteria set forth by the California Department of Fish and Wildlife (CDFW) (CDFG, 1994).
4. Pre-construction surveys for burrowing owls in the site should be conducted if grading or construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
5. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.
6. The applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Highway Commercial per the Keyes Community Plan adopted on April 18, 2000. The fees were calculated in 2003 at \$751.47 per 1,000 square feet of floor space. With the fees adjusted for inflation using the Engineering News-Record index, the April 2022 fees are \$1,422.30 per 1,000 square feet. These fees shall be paid prior to building permit issuance.

\*\*\*\*\*

*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~~.*



## AMENDED CEQA INITIAL STUDY

Amendments are shown in bold for new text and ~~strikeout~~ for deleted text.

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

1. **Project title:** Use Permit Application No. PLN2021-0078 - Sanghera Investments, Inc.
2. **Lead agency name and address:** Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354
3. **Contact person and phone number:** Avleen K. Aujla, Assistant Planner  
(209) 525-6330
4. **Project location:** North Golden State Blvd, between Nunes and East Keyes Roads, east of State Highway 99, in the Community of Keyes. APN: 045-074-004.
5. **Project sponsor’s name and address:** L & T Howard Land Management Co. LLC,  
Haren Sanghera
6. **General Plan designation:** Planned Development
7. **Zoning:** Planned Development (P-D) (332)
8. **Description of project:**

Request to construct a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks and its drivers on a 5.23 acre parcel in the Planned Development (P-D) (332) zoning district. P-D (332) was established by Rezone No. PLN2015-0032 – Belkorp Ag, approved by the Board of Supervisors on November 3, 2015, to allow for the development of a variety of Highway Commercial uses on five parcels. P-D (332) includes truck terminals as a permitted use provided a Use Permit is obtained prior to development. The project proposes the construction of four buildings, consisting of:

- A 4,414 square-foot shop to be utilized for light truck maintenance, and for driver rest, shower, and laundry facilities;
- A 6,500 square-foot administrative building, to be utilized as offices, for truck dispatching, reception, security office, conference room, and as an employee restroom and breakroom;
- A 3,900 square-foot truck dock building; and
- A 94 square-foot security guard kiosk.

The project also proposes development of 60 ~~gravel~~ truck and trailer parking spaces, a truck washing station, and gas fueling station on the site. The trucks are utilized to transfer goods to and from various agriculture producers and grocery stores throughout Arizona, California, Nevada, and Texas. A paved employee parking lot with 67 parking spaces is also proposed to be developed, 51 for drivers and 16 for office employees. Landscaping, made up of a mixture of drought-resistant trees, shrubs, and groundcover, will be installed along the site’s road frontage, ~~and throughout the employee parking lot,~~ **along the site’s northern property line, and along the property boundaries visible from SR99.** ~~On all sides of the project, solid fencing or another more decorative fencing will be installed.~~ **The project will include perimeter fencing which will be required to be decorative where visible from public view. Additionally, the project proposes two signs, an 18 foot by 24 foot wall sign and a five foot tall and eight foot wide monument sign, to be located at the North Golden State frontage.** The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product. However, no product will be stored on-site. Approximately 5-7 drivers will be on-site on any given day. It is estimated that there will be a maximum of 10 trucks and 10 trailers parked at the facility

during any given time; however, the site will accommodate the parking of up to 60 trucks, which will be off-site on delivery the majority of the time. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7.

- 9. Surrounding land uses and setting:** Turlock
- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Department of Public Works  
Stanislaus County Department of Environmental Resources  
Stanislaus Fire Prevention Bureau  
LAFCO  
Keyes Community Services District  
San Joaquin Valley Air Pollution Control District  
CA Department of Fish and Wildlife
- 11. Attachments:**
1. Mitigation Monitoring and Reporting Program (MMRP) for the Keyes Community Plan, adopted April 18, 2000 (MMRP Keyes)
  2. Biological Survey dated June 26, 2015, conducted by Moore Biological Consultants
  3. Archaeological Inventory Survey, dated April 30, 2015, prepared by the Genesis Society
  4. MMRP for UP PLN2021-0078 – Sanghera Investments

**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 checked="" type="checkbox"/> Aesthetics           | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology / Soils                 | <input type="checkbox"/> Greenhouse Gas Emissions         | <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 checked="" type="checkbox"/> Transportation        | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems     | <input type="checkbox"/> Wildfire                         | <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 on File  
Prepared by Avleen Aujla, Assistant Planner

April 13, 2022 (Amended June 9, 2022)  
Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

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

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

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

**ISSUES**

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			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 unique scenic vista. The site is currently bordered by State Route (SR) 99, Nunes Road, and North Golden State Boulevard, in the unincorporated community of Keyes, just north of the Keyes Road Overpass and the northbound SR 99 on and off ramps. The project site is within the Keyes Community Plan boundaries. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from SR 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along SR 99/Keyes Road Interchange; and the development of “Gateway” treatments and positive, high quality landscaped edges along SR 99 and major roads.

~~Though the project is located outside the City of Turlock’s Sphere of Influence (SOI), it is located within one mile of the City’s SOI and within the City’s General Plan area which requires referral to the city in accordance with Policy Twenty Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock identifies Golden State Boulevard as an expressway and requires it to have a minimum 20-foot wide landscaped area to be installed along its road frontage, as well as a minimum 10-foot wide landscaped area to be installed along the property boundary facing State Route 99. The City of Turlock’s response also indicated that the landscaped areas should include a mix of trees, shrubs, and drought tolerant plants to provide screening of the truck parking areas. The site is located outside of the City’s General Plan area and the City’s Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI); as such, the County under no obligation to require City standards be applied to the project. Conditions of approval will be added to the project requiring the applicant to meet applicable City standards and design guidelines. Landscaping is also proposed to be installed throughout the paved employee parking lot, along the site’s northern property line, along the North Golden State Boulevard road frontage, and the property boundary visible from the SR99. Solid fencing or another more decorative fencing will be installed around the perimeter of the site. The project will include perimeter fencing which will be required to be decorative where visible from public view. Additionally, the project proposes two signs, an 18 foot by 24 foot wall sign and a five foot tall and eight foot wide monument sign, to be located at the North Golden State frontage. The development standards for P-D (332), which apply to this project, require a landscape and signage plan be submitted to County Planning for review and approval and that the height, site area, and setbacks be in compliance with Section 21.48.040 of the County Zoning Ordinance.~~

The Mitigation Monitoring and Reporting Program adopted with the Keyes Community Plan also requires that all existing and future exterior lighting to be shielded and be aimed downward and towards the site so as to provide adequate illumination without off-site light spillage or a glare effect to adjacent properties and that the use of reflective surfaces on new multi-story development be oriented in such a way as to reduce glare to the adjacent roadways. With these mitigation measures applied to the project aesthetic impacts associated with the project are considered to be less than significant with mitigation included.

**Mitigation:**

1. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which

are used to be oriented in such a manner so as to reduce glare impacts along roadways.

2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; referral response, received April 14, 2022, from the City of Turlock; Stanislaus County General Plan; and Support Documentation<sup>1</sup>.

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

**Discussion:** The project site is classified as Vacant or Disturbed Land by the Farmland Mapping and Monitoring Program and contains Dinuba and Hanford sandy loam soils, which are a mixture of both prime and non-prime soils. The site is currently zoned P-D (332), which allows for the development of a variety of Highway Commercial uses, including truck terminals which requires a Use Permit prior to development. This site is not enrolled in a Williamson Act contract.

The existing Stanislaus County General Plan designation and Keyes Community Plan designation for this site is Planned Development and Highway Commercial respectively. According to the Keyes Community Plan, Planned Development in this area is expected to function similar to the General Plan designations of Highway Commercial and Planned Industrial with a focus on light industrial uses east of SR 99 and heavy industrial uses west of SR 99. The parcels north of the site are zoned H-1 (Highway Frontage), R-1 (Single-Family) R-2 (Medium Density Residential) and R-3 (Multi-Family). There

are vacant A-2-10 zoned properties with a Planned Development General Plan to the east; Highway 99 to the south and west; Nunes Road, residential homes, and Keyes Union School District to the north. Although the A-2-10 zoned parcels to the east are currently vacant and unimproved, there are several rezone applications being processed proposing highway commercial development on the parcels. The nearest actively farmed parcels are located across Highway 99 to the west of the project site.

**In response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, TID requested 10-foot public utility easements along all street frontages and to remove the pipelines and box with concrete per district guidelines. These requirements will be incorporated into the project as conditions of approval.**

Lands within the Keyes Community Plan area, with a General Plan of Agriculture are subject to farmland mitigation upon submittal of a General Plan Amendment/Rezone application. Because the project site is within the Keyes Community Plan area already designated as Highway Commercial and designated as Planned Development in the County General Plan, it is not subject to the Keyes Community Plan’s one to one farmland mitigation. Impacts to Agricultural Resources are considered to be less than significant.

**Mitigation:** None.

**References:** Natural Resources Conservation Service Soil Survey; application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Stanislaus Soil Survey (1957); Stanislaus County Zoning Ordinance; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County GIS; **referral response from Turlock Irrigation Department, dated June 07, 2022;** and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. -- Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
<b>a) Conflict with or obstruct implementation of the applicable air quality plan?</b>			X	
<b>b) 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?</b>			X	
<b>c) Expose sensitive receptors to substantial pollutant concentrations?</b>			X	
<b>d) Result in other emissions (such as those odors adversely affecting a substantial number of people?)</b>			X	

**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 PM10 (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.

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. The project will increase traffic in the area and, thereby, impact air quality.

Construction emissions result from on-site and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM10) from disturbed soil. Additionally, paving operations and application of architectural coatings would release VOC emissions. The

primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces.

These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Off-site emissions are caused by motor vehicle exhaust from trucking operations, delivery vehicles, worker traffic, and road dust (PM10 and PM2.5). Operational or long-term emissions occur over the life of the project. Sources of emissions may include motor vehicles and trucks, energy usage, water usage, and waste generation, and area sources such as consumer products and landscaping activities. The primary pollutants of concern during project construction and operation are ROG, NOX, PM10, and PM2.5. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOX, ROG, SOX, PM10, and PM2.5. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, the project would result in a less than significant impact.

The project proposes the construction of a 6,500 square-foot two-story office and administration building, a 4,414 square-foot shop and driver amenity facility, a 3,900 square-foot truck dock building; and a 94 square-foot security guard kiosk. The project will also include development of a paved parking lot with landscaping and lighting for employee and truck driver vehicles, a ~~graveled~~ paved truck parking area which can accommodate the parking of up to 60 trucks and trailers, a truck wash, and fueling station. The developer will be required to comply with all applicable Air District permits prior to and during all grading and construction activities.

The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product; however, only 5-7 drivers and a maximum of 10 trucks and 10 trailers parked at the facility are anticipated during any given day. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7. If you calculate the maximum number of trips for the project based on 30 trucks leaving the site per day (based on 30 spaces for trucks and 30 for trailers), 30 truck drivers driving to and from the site per day, and two shifts of 13 employees per day, the maximum number of trips for the project would include 112 vehicle trips (52 employee and 60 truck driver vehicle trips) and 60 truck trips per day. However, the applicant indicates the actual employee and truck trips per day will be much lower than this. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The project is below the District's thresholds of significance for emissions.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. The environmental review prepared for the P-D (332) zoning district was referred to the Air District in 2015 who responded that the Keyes Community Plan mitigation measures related to Air Quality did not need to be applied as mitigation measures, as the mitigation measures identified in the Keyes Community Plan MMRP were already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements were not applied as mitigation, but instead were applied as development standards applicable to the P-D (332) zoning district, which require that all applicable Air District permits be obtained, and that California Green Building Code be met. All development standards from P-D (332) apply to the subject project request.

The project's Early Consultation was referred to the Air District who responded with a request for additional studies. Following receipt of the Air District's comments, staff provided the Air District with the previous environmental review prepared for the P-D (332) zoning district after which the Air District indicated that no further studies were needed and that the project was subject to the Air District's response to the environmental review prepared for P-D (332). As stated above, a development standard from P-D (332) requiring that all applicable Air District permits be obtained, and Green Building Code be met is already applicable to the project. **However, in response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, the San Joaquin Valley Air Pollution Control District (SJVAPCD) requested a Health Risk Assessment (HRA) be completed and for truck routes to be evaluated. An HRA is a tool used to establish the adverse health effects caused by exposure to environmental pollutants in a variety of media such as air, water, and soil. The SJVAPCD had originally identified the need for an HRA in response to the project's Early Consultation referral but retracted the request when they learned that the project site had already been rezoned, to P-D (332), which allows for development of the site. As such, an HRA was not prepared for incorporation into the Initial Study. Following release of the Initial Study, the SJVAPCD stated that they had misunderstood the project request and that an HRA would be required.**

Based on the results of recent HRA’s for projects within the County, the project sites proximity to sensitive land uses, and the results of an HRA analysis completed for the Kamir International project on the adjoining parcel, a project with more intensive uses being proposed, the subject project is not anticipated to exceed the SJVAPCD’s thresholds of significance for HRA/toxic air contaminants. The project is subject to all applicable permits that must be obtained from the SJVAPCD and issuance of those permits may require the applicant to prepare an HRA and undergo further environmental analysis of the project. As for truck routes, the project will access the SR 99 via North Golden State Boulevard and E Keyes Road. This information has been provided to the SJVAPCD and no further comments have been received. The Initial Study circulated for the project has also been amended to clarify the SJVAPC’s HRA requirement and the truck routes. The applicant will be required to contact and coordinate with the SJVAPCD to obtain any required permits and to conduct any studies required by the District prior to operation.

The proposed project is considered to be consistent with all applicable air quality plans and will not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project. Impacts to Air Quality are considered to be less-than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Email referral response from the San Joaquin Valley Air Pollution Control District, dated February 22, 2022; California Building Standards Code, Title 24; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; [www.valleyair.org](http://www.valleyair.org); ; **Referral response from the San Joaquin Valley Air Pollution Control District dated June 01, 2022** and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X		

**Discussion:** The project is located within the Ceres Quad of the California Natural Diversity Database. There are nine animal species which are state or federally listed, threatened, or identified as species of special concern or a candidate of special concern within the Ceres CNDDB Quad. Animal species include Swainson's hawk (SWHA), tricolored blackbird, burrowing owl, ruffle sculpin, hardhead, chinook salmon - Central Valley fall / late fall-run ESU, valley elderberry longhorn beetle and Townsend's big-eared bat.

The property is currently unimproved and zoned P-D (332). A biological survey, dated June 26, 2015, was completed by Diane Moore, of Moore Biological Consultants, for the environmental review prepared for P-D (332). A field survey of the site was conducted on June 10, 2015, and consisted of walking throughout the project site, making observations of current habitat conditions, and nothing surrounding land use, general habitat types, and plant and wildlife species. The survey included an assessment of the project site for presence or absence of potentially jurisdictional Waters of the U.S. (a term that includes wetlands) as defined by the U.S. Army Corps of Engineers, special-status species, and suitable habitat for special-status species. Additionally, trees within and near the project site were assessed for the potential use by nesting raptors, especially SWHA; and, the site itself was searched for burrowing owls or ground squirrel burrows that could be utilized by burrowing owl. The survey found that while the project site may have provided habitat for special-status wildlife species at some time in the past, farming and development have substantially modified natural habitats in the greater project vicinity. Of the wildlife species identified in the California Natural Diversity Database (CNDDB), Swainson's hawk is the only species that has the potential to occur in the site on more than a transitory or very occasional basis. Other special-status birds including tricolor blackbird, and burrowing owl, may fly over the area on occasion, but would not be expected to nest in or immediately adjacent to the project site. No burrowing owls or ground squirrels were observed in the site. Two small blue elderberry shrubs in the northeast corner of the site lacked bore holes indicative of valley elderberry longhorn beetle (VELB), nor were VELB identified within the subject shrubs. Based on the biological survey, the site does not appear to have or provide likely habitat for special-status flora or fauna, nor were any special-status species, Waters of the U.S., or wetlands found on-site; however, mitigation measures, as recommended by the survey were incorporated into the P-D (332) zoning district. Those mitigation measures have also been applied to the subject application with the exception of the mitigation regarding potential VELB, as the VELB mitigation was specific to the northwestern portions of the P-D (332) zoning district, which does not include the project site.

An early consultation referral response was sent to the California Department of Fish and Game (CDFG); however, no response has been received to date. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. With mitigation measures applied, impacts on biological resources from the project are considered to be less-than significant with mitigation included.

**Mitigation:**

3. Pre-construction surveys for nesting Swainson's hawks within 0.25 miles of the project site are recommended if construction commences between March 1 and September 1. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).
4. Pre-construction surveys for burrowing owls in the site should be conducted if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
5. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a preconstruction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.

**References:** California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant	Less Than Significant Impact	No Impact

		With Mitigation Included		
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

**Discussion:** It does not appear this project will result in significant impacts to any archaeological or cultural resources. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. Development Standards for the P-D (332) zoning district, which applies to this project, require that if there is discovery of cultural resources during any ground disturbing, that construction activities will halt and the appropriate authorities will be notified.

Both the EIR prepared for the Keyes Community Plan Update and the initial study prepared for Rezone No. 2015-0032 – Belcorp AG found no impacts associated with cultural resources. Impacts related to Cultural Resources are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; Archaeological Inventory Study, dated April 30, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

VI. ENERGY. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

**Discussion:** The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per-trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project’s compliance with applicable state or local energy legislation, policies, and standards must be considered.

The 2016 California Green Building Standards Code (CALGreen Code) went into effect on January 1, 2017, and includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. The code requires mandatory inspections of building energy systems for non-residential buildings over 10,000 square-feet to ensure that they are operating at their design efficiencies. It is the intent of the CALGreen Code that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the state’s mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives. With the requirements of meeting the Title 24, Green Building Code energy impacts from the project are considered to be less-than significant. A development standard will be added to this project to address compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

SB 350 requires utilities to subject to the legislation will be required to increase their renewable energy mix from 33% in 2020 to 50% in 2030 (now 60% under SB 100) and the project will purchase electricity from a utility subject to the SB 350 Renewable Mandate.

The state’s regulatory program is able to target both new and existing development because the two most important strategies—motor vehicle fuel efficiency and emissions from electricity generation— obtain reductions equally from existing and new sources. This is because all vehicle operators use cleaner low carbon fuels and buy vehicles subject to the fuel efficiency regulations, and all building owners or operators purchase cleaner energy from the grid that is produced by increasing percentages of renewable fuels. This includes regulations on mobile sources, such as the Pavley standards, that apply to all vehicles purchased in California; the LCFS that applies to all fuel used in California; and the Renewable Portfolio Standard and Renewable Energy Standard that apply to utilities providing electricity to all California homes and businesses. The project building would be constructed after 2020 and would be required to comply with 2019 Title 24 standards, which will be applied as a development standard.

The project proposes the construction of a 6,500 square-foot two-story office and administration building, a 4,414 square-foot shop and driver amenity facility, a 3,900 square-foot truck dock building; and a 94 square-foot security guard kiosk. The project will also include development of a paved parking lot with landscaping and lighting for employee and truck driver vehicles, a ~~graveled~~ paved truck parking area which can accommodate the parking of up to 60 trucks and trailers, a truck wash, and fueling station. The developer will be required to comply with all applicable Air District permits prior to and during all grading and construction activities.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. The environmental review prepared for the P-D (332) zoning district was referred to the Air District in 2015 who responded that the Keyes Community Plan mitigation measures related to Air Quality did not need to be applied as mitigation measures, as the mitigation measures identified in the Keyes Community Plan MMRP were already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements were not applied as mitigation, but instead were applied as development standards applicable to the P-D (332) zoning district, which require that all applicable Air District permits be obtained and that California Green Building Code be met. All development standards from P-D (332) apply to the subject project request.

The project’s early consultation was referred to the Air District who responded with a request for additional studies. Following receipt of the Air District’s comments, staff provided the Air District with the previous environmental review prepared for the P-D (332) zoning district after which the Air District indicated that no further studies were needed and that the project was subject to the Air District’s response to the environmental review prepared for P-D (332). As stated above, a development standard from P-D (332) requiring that all applicable Air District permits be obtained and that Green Building Code be met is already applicable to the project. **In response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, TID requested the applicant to contact the TID electrical department to determine the electrical design and preferred source for the new service. This requirement will be incorporated into the project as conditions of approval.**

It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources. Accordingly, the potential impacts to Energy are considered to be less-than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April, 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; Email referral response from the San Joaquin Valley Air Pollution Control District, dated February 22, 2022; California Building Standards Code, Title 24; Stanislaus County Zoning Ordinance, Title 21; **Referral response from Turlock Irrigation Department, dated June 07, 2022;** and Support Documentation<sup>1</sup>.

<b>VII. GEOLOGY AND SOILS -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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<b>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>			X	
<b>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</b>			X	
<b>ii) Strong seismic ground shaking?</b>			X	
<b>iii) Seismic-related ground failure, including liquefaction?</b>			X	
<b>iv) Landslides?</b>				X
<b>b) Result in substantial soil erosion or the loss of topsoil?</b>			X	
<b>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</b>			X	
<b>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</b>			X	
<b>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</b>			X	
<b>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</b>			X	

**Discussion:** The United States Department of Agriculture Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the property is made up of Hanford sandy loam 0 to 3 percent slopes and Dinuba sandy loam 0 to 1 percent slopes. As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency.

The Department of Environmental Resources (DER), Public Works, and the Building Permits Division of the Planning and Community Development Department review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit is requested. The project was referred to DER, the Department of Public Works, and the Building Permits Division of the Planning and Community Development Department. A referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for any building permit that will create a larger or smaller building footprint, subject to Public Works review and Standards and Specifications and the proposed drainage basins and awnings will be subject to Public Works’ requirements, if applicable. All proposed construction is required to meet California Building Code requirements. The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area. Compliance with the Storm Water Pollution Prevention Program (SWPPP), with the Alquist-Priolo Earthquake Fault Zoning Act, and the California Building Code are all required through the building and grading permit review process which would reduce the risk of loss, injury, or death due to earthquake or soil erosion to less than significant. The requirement for the project to obtain building and grading permits in compliance with Building and Public Works standards is already incorporated into the development standards applied to the P-D (332) zoning district, which the proposed project will be required to meet.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the preparation of geotechnical reports and regarding septic systems prior to construction to ensure that they are developed appropriately based on the project site’s soil type. The Building Permits Division reviews building permits and determines if geotechnical reports are required with submission of building permits. After adoption of the Keyes Community Plan MMRP the Keyes Community Services District (CSD) was able to expand their ability to service property within the Keyes Community Plan

boundary with public sewer. The project has received a will serve letter from the Keyes CSD for both public water and sewer services. Accordingly, mitigation regarding septic is not required and has not been applied to this project. Additionally, a referral response received from DER indicated that if for some reason the project was unable to hook up to the Keyes CSD for sewer service, that the site would be subject to installing a Measure X septic system that 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.

Impacts to Geology and Soils associated with the project are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; referral response received from the Department of Environmental Resources, dated December 27, 2021; referral response received from the Department of Public Works, dated January 05, 2022; Will Serve Letter, received June 17, 2021, from the Keyes Community Services District; California Building Code and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H<sub>2</sub>O). CO<sub>2</sub> 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 CO<sub>2</sub> equivalents (CO<sub>2</sub>e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40% of 1990 levels by 2030.

Under its mandate to provide local agencies with assistance in complying with CEQA in climate change matters, the SJVAPCD developed its Guidance for Valley Land-Use Agencies in Addressing GHG Emissions Impacts for new projects under CEQA. As a general principal to be applied in determining whether a proposed project would be deemed to have a less-than significant impact on global climate change, a project must be in compliance with an approved GHG emission reduction plan that is supported by a CEQA-compliant environmental document or be determined to have reduced or mitigated GHG emissions by 29 percent relative to Business-As-Usual conditions, consistent with GHG emission reduction targets established in ARB’s Scoping Plan for AB 32 implementation. The SJVAPCD guidance is intended to streamline the process of determining if project specific GHG emissions would have a significant effect. The proposed approach relies on the use of performance-based standards and their associated pre-quantified GHG emission reduction effectiveness (Best Performance Standards, or BPS). Establishing BPS is intended to help project proponents, lead agencies, and the public by proactively identifying effective, feasible mitigation measures. Emission reductions achieved through implementation of BPS would be pre-quantified, thus reducing the need for project specific quantification of GHG emissions. For land use development projects, BPS would include emissions reduction credits for such project features as bicycle racks, pedestrian access to public transit, and so forth.

The 2016 California Green Building Standards Code (CALGreen Code) went into effect on January 1, 2017, and includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial

development. The code also requires mandatory inspections of building energy systems for non-residential buildings over 10,000 square feet to ensure that they are operating at their design efficiencies. It is the intent of the CALGreen Code that buildings constructed pursuant to the code achieve at least a 15 percent reduction in energy usage when compared to the state's mandatory energy efficiency standards contained in Title 24. The code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives. With the requirements of meeting the Title 24, Green Building Code energy impacts from the project are considered to be less-than significant. A development standard will be added to this project to address compliance with Title 24, California Green Building Code, which includes energy efficiency requirements.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. A project memo, received from the Department of Public Works, indicated that the project's proposal preceded the implementation of SB743 on July 1, 2020. Further, the memo stated that Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

Construction emissions result from on-site and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM10) from disturbed soil. Additionally, paving operations and application of architectural coatings would release VOC emissions. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Off-site emissions are caused by motor vehicle exhaust from trucking operations, delivery vehicles, worker traffic, and road dust (PM10 and PM2.5). Operational or long-term emissions occur over the life of the project. Sources of emissions may include motor vehicles and trucks, energy usage, water usage, and waste generation, and area sources such as consumer products and landscaping activities. The primary pollutants of concern during project construction and operation are ROG, NOX, PM10, and PM2.5. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOX, ROG, SOX, PM10, and PM2.5. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations.

The project proposes the construction of a 6,500 square-foot two-story office and administration building, a 4,414 square-foot shop and driver amenity facility, a 3,900 square-foot truck dock building; and a 94 square-foot security guard kiosk. The project will also include development of a paved parking lot with landscaping and lighting for employee and truck driver vehicles, a ~~graveled~~ **paved** truck parking area which can accommodate the parking of up to 60 trucks and trailers, a truck wash, and fueling station. The developer will be required to comply with all applicable Air District permits prior to and during all grading and construction activities.

The project would also result in direct annual emissions of GHGs during operation. Direct emissions of GHGs from operation of the proposed project are primarily due to employee vehicles and truck trips. The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product; however, only 5-7 drivers and a maximum of 10 trucks and 10 trailers parked at the facility are anticipated during any given day. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7. If you calculate the maximum number of trips for the project based on 30 trucks leaving the site per day (based on 30 spaces for trucks and 30 for trailers), 30 truck drivers driving to and from the site per day, and two shifts of 13 employees per day, the maximum number of trips for the project would include 112 vehicle trips (52 employee and 60 truck driver vehicle trips) and 60 truck trips per day. However, the applicant indicates the actual employee and truck trips per day will be much lower than this. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The project is below the District's thresholds of significance for emissions.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. The environmental review prepared for the P-D (332) zoning district was referred to the Air District in 2015 who responded

that the Keyes Community Plan mitigation measures related to Air Quality did not need to be applied as mitigation measures, as the mitigation measures identified in the Keyes Community Plan MMRP were already required to be met through applicable Air District permitting and through enforcement of the California Green Building Code. Accordingly, Air Quality requirements were not applied as mitigation, but instead were applied as development standards applicable to the P-D (332) zoning district, which require that all applicable Air District permits be obtained and that California Green Building Code be met. All development standards from P-D (332) apply to the subject project request.

The project’s early consultation was referred to the Air District who responded with a request for additional studies. Following receipt of the Air District’s comments, staff provided the Air District with the previous environmental review prepared for the P-D (332) zoning district after which the Air District indicated that no further studies were needed and that the project was subject to the Air District’s response to the environmental review prepared for P-D (332). As stated above, a development standard from P-D (332) requiring that all applicable Air District permits be obtained and California Green Building Code be met is already applicable to the project. GHG emissions are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Email referral response from the San Joaquin Valley Air Pollution Control District, dated February 22, 2022; California Building Standards Code, Title 24; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; [www.valleyair.org](http://www.valleyair.org); State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

IX. 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 or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

**Discussion:** In addition to truck parking, loading, and unloading, the project proposes minor truck maintenance, and truck fueling and washing station. The project was referred to the Department of Environmental Resources (DER) Hazardous Materials (Haz Mat) Division who responded that the project applicant is required to obtain all applicable permits through Haz Mat, must submit hazardous materials business information into the California Electronic Reporting System (CERS), must complete a Phase I/II Study if any previous structures existed, and shall install protective infrastructure to the

proposed truck wash to prevent hazardous waste contamination from entering the storm drain system. A hazardous waste plan will be required to be submitted as a part of normal business operations and will be reviewed by Haz Mat and the Fire Department. Additionally, the Haz Mat response indicated that if the project involves the installation of monitoring wells and/or borings, the applicant must submit a current permit application for groundwater monitoring wells and exploratory borings to the Hazardous Materials Division (HMD) within DER. No monitoring wells are anticipated as the project will be served the Keyes CSD for public water.

~~Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan.~~ A referral response received from the City of Turlock requested the project meet the City's standards for sewer services, including installation of grease, sand, and oil interceptors. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services. **While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City's General Plan area and the City's Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project.**

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding hazardous materials. However, the mitigation required that standard Haz Mat permitting and regulations be met. Additionally, the Development Standards for the P-D (332) zoning district already requires that the development comply with Haz Mat permitting requirements. Conditions of approval will be added to the project requiring that the truck washing area meet Haz Mat standards prior to issuance of any building permit and that construction shall halt in the event that previously unidentified contamination is discovered during grading and construction activities to ensure that measures are taken to reduce potential hazards.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. 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. It does not appear that the neighboring, vacant, and A-2-10 zoned parcels are currently planted in crops. That said, any spraying activities on adjacent properties will be conditioned by the Agricultural Commissioner's Office. The project site is not located within an airport land use plan or a wildlands area, nor is the site listed on the EnviroStor database managed by the CA Department of Toxic Substances Control. The groundwater is not known to be contaminated in this area. Previously identified as Keyes MMRP Mitigation Measures Nos. 11 and 12 on page 16 of the MMRP.

The project site is not within the vicinity of any airstrip or wildlands. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; referral response from the Department of Environmental Resources, dated December 27, 2021; Will Serve Letter, received June 17, 2021, from the Keyes Community Services District; referral response, received April 14, 2022, from the City of Turlock; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

X. 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 or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			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 or through the addition of impervious surfaces, in a manner which would:			X	
(i) result in substantial erosion or siltation on – or off-site;			X	
(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) 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; or			X	
(iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

**Discussion:** The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD is required to meet any applicable state or regional Groundwater Sustainability agency requirements. A referral response received from the Department of Environmental Resources (DER) indicated that if for some reason the development is unable to hook-up to the Keyes CSD for water and sewer services, that the project would be required to be permitted as a public water system and would be required to meet Measure X standards for on-site private waste systems. These requirements will be incorporated into the project as conditions of approval.

This project was referred to the Regional Water Quality Control Board (RWQCB) which responded with a list of permitting programs that the project maybe subject to. The Department of Public Works reviewed the project and responded with a request that a grading and drainage plan be reviewed and approved and that a drainage easement be recorded prior to the final of any building or grading permit if the storm drainage system/basin crosses parcels (APN: 045-074-004 and 045-074-002). The grading and drainage plan shall include the drainage calculations showing compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit.

~~Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty Six of the Land Use Element of the Stanislaus County General Plan.~~ A referral response received from the City of Turlock requested the project meet the City's standards for landscaping and for sewer services, including installation of grease, sand, and oil interceptors. Conditions of approval will be added to the project requiring the applicant to meet applicable City landscape standards and design guidelines. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services. **While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City's General Plan area and the City's Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project.**

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding hydrology and water quality. However, the mitigation measures that were applied are being met through the application of standard regulatory permitting. Additionally, the Development Standards for the P-D (332) zoning district already requires that the development comply with Public Works and Regional Water permitting requirements. Conditions of approval will be added to the project requiring that the landscaping plans comply with the California State Water Model Ordinance.

Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). Run-off is not considered an issue because of several factors which limit the potential impact. These factors include the relatively flat terrain of the subject site, and relatively low rainfall intensities in the Central Valley. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is located in Zone X (outside the 0.2% floodplain) and, as such, exposure to people or structures to a significant risk of loss/injury/death involving flooding

due levee/dam failure and/or alteration of a watercourse, at this location is not an issue with respect to this project.

**In response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, TID requested the submission of plans detailing the proposed site improvement, 10-foot public utility easements along all street frontages and to remove the pipelines and box with concrete per district guidelines. These requirements will be incorporated into the project as conditions of approval.**

As a result of the development standards and conditions of approval applied to the project, impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; referral response from the Department of Public Works, dated January 05, 2022; Will Serve Letter, received June 17, 2021, from the Keyes Community Services District; referral response, received April 14, 2022, from the City of Turlock; referral response from the Department of Environmental Resources, dated December 27, 2021; referral response from the Regional Water Quality Control Board, dated January 04, 2022; **Referral response from Turlock Irrigation Department, dated June 07, 2022;** and Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XI. 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?				<b>X</b>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			<b>X</b>	

**Discussion:** The site is currently bordered by State Route (SR) 99, Nunes Road, and North Golden State Boulevard, in the unincorporated community of Keyes, just north of the Keyes Road Overpass and the northbound SR 99 on and off ramps. The site has a General Plan designation of Planned Development, a Keyes Community Plan designation of Highway Commercial, and a zoning designation of Planned Development (P-D) (332), which was established by Rezone No. PLN2015-0032 – Belcorp Ag and was approved by the Board of Supervisors on November 3, 2015, to allow for the development of various Highway Commercial uses on five parcels. The applicant is requesting to construct a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks and its drivers on a 5.23 acre parcel. Under the P-D (332) zoning district, truck terminals require a use permit. In order to approve a use permit the decision making body must find that the establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

The project site is within the Keyes Community Plan boundaries. According to the Keyes Community Plan. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from SR 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along SR 99/Keyes Road Interchange; and the development of “Gateway” treatments and positive, high quality landscaped edges along SR 99 and major roads.

The parcels north of the site are zoned H-1 (Highway Frontage), R-1 (Single-Family) R-2 (Medium Density Residential) and R-3 (Multi-Family). There are vacant A-2-10 zoned properties with a Planned Development General Plan to the east; Highway 99 to the south and west; Nunes Road, residential homes, and Keyes Union School District to the north. Although the A-2-10 zoned parcels to the east are currently vacant and unimproved, there are several rezone applications being processed proposing highway commercial development on the parcels. The nearest actively farmed parcels are located across Highway 99 to the west of the project site.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project meet the City's standards for landscaping and for sewer services, including installation of grease, sand, and oil interceptors. **While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City's General Plan area and the City's Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project.** Conditions of approval will be added to the project requiring the applicant to meet applicable City landscape standards and design guidelines. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services.

The proposed project will not conflict with any land use designations or applicable habitat conservation plan or natural community conservation plan and will not physically divide an established community, as the General Plan and Keyes Community Plan call for this type of development plans. Impacts to Land Use and Planning are considered to be less-than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Will Serve Letter, received June 17, 2021, from the Keyes Community Services District; referral response, received April 14, 2022, from the City of Turlock; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>XII. MINERAL RESOURCES -- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	

**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, nor is the project site located in a geological area known to produce resources.

Both the EIR prepared for the Keyes Community Plan Update and the initial study prepared for Rezone No. 2015-0032 – Belkorp AG found no impacts to mineral resources. Impacts related to Mineral Resources are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>XIII. NOISE -- Would the project result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</b>			<b>X</b>	

b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or 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	

**Discussion:** The Stanislaus County General Plan identifies noise levels up to 75 dB Ldn (or CNEL) as the normally acceptable level of noise for industrial, manufacturing, utility, and agricultural uses. On-site grading/construction resulting from this project may result in a temporary increase in the area’s ambient noise levels. The area’s ambient noise level will temporarily increase during grading/construction affecting the nearest residential area (sensitive receptor) temporarily located 400 ft from the project. The site itself is impacted by the noise generated from existing nearby SR 99 and the Union Pacific railroad adjacent to southbound SR 99. The site is not located within an airport land use plan.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding noise specific to residential development and ensuring County Noise standards are met during the construction phase of projects developed within the Keyes Community Plan. All development is required to meet the standards established by the Noise Element of the Stanislaus County General Plan and in the Noise Ordinance. Additionally, a development standard regarding nuisance noise was applied to the P-D (332) zoning district, which also applies to the project.

The site is not located within an airport land use plan or within the vicinity of a private airstrip or within two miles of a public/public use airport. Impacts from the project associated with noise are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April, 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Chapter 10.46 - Noise Control Ordinance of Stanislaus County Code; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XIV. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?				X

**Discussion:** The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the county and will therefore not impact the County’s ability to meet their RHNA. The proposed use of the site may induce modest growth in the area by creating service extensions and/or new infrastructures in the form of Keyes Community Services District extension of water and sewer services, but no existing housing will be displaced as a result of this project. Extension of such services must be approved by Stanislaus County LAFCO. No housing or persons will be displaced by the project.

Both the EIR prepared for the Keyes Community Plan Update and the initial study prepared for Rezone No. 2015-0032 – Belkorp AG found no impacts to population and housing. Impacts related to Population and Housing are considered to be less-than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** The project site is served by the Keyes Fire District for fire protection services, the Keyes Union and Turlock Unified school districts for school services, the Stanislaus County Sheriff Department for police protection, the Keyes Community Services District for public water and sewer, Stanislaus County Parks and Recreation Department for parks facilities, and the Turlock Irrigation District (TID) for power and irrigation water. County adopted Public Facilities Fees, as well as fire and school fees are required to be paid based on the development type prior to issuance of a building permit. The project proposes the construction of a 6,500 square-foot two-story office and administration building, a 4,414 square-foot shop and driver amenity facility, a 3,900 square-foot truck dock building; and a 94 square-foot security guard kiosk. Payment of the applicable district fees will be required prior to issuance of a building permit.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of applicable fire, parks, and public facility fees. Development standards regarding the payment of public facility and fire fees were applied to the P-D (332) zoning district, which also applies to the project. Residential subdivisions are required to pay park in lieu fees or to dedicate parkland based on the policies included in the State of California’s Quimby Act and the Stanislaus County’s Conservation and Open Space Element. However, as a highway commercial use the proposed development will only be responsible for paying the parks fees identified in the public facility fee schedules adopted by applicable jurisdiction. P-D (332) development standards also require that the project site annex into the Keyes Community Services Area for streetlights and that TID standards be met for the connection to electrical services and for protection of and/or removal of existing irrigation infrastructure. **In response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, TID requested the submission of plans detailing the proposed site improvement, 10-foot public utility easements along all street frontages, to remove the pipelines and box with concrete per district guidelines, and to contact the TID electrical department to determine the electrical design and preferred source for the new service.**

~~Though the project is located outside the City of Turlock’s Sphere of Influence (SOI), it is located within one mile of the City’s SOI and within the City’s General Plan area which requires referral to the city in accordance with Policy Twenty Six of the Land Use Element of the Stanislaus County General Plan.~~ A referral response received from the City of Turlock requested the project meet the City’s standards for sewer services, including installation of grease, sand, and oil interceptors. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock’s standards, as they are the provider of sewer services. **While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City’s General Plan area and the City’s Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project.**

The project is not anticipated to have any significant adverse impact on public services.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; Will Serve Letter, received June 17, 2021, from the Keyes Community Services District; referral response, received April 14, 2022, from the City of Turlock; referral response from the Department of Public Works, dated January 5, 2022; **Referral response from Turlock Irrigation Department, dated June 07, 2022;** Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>XVI. RECREATION --</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>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?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	

**Discussion:** This project does not include any recreational facilities and is not anticipated to increase demands for recreational facilities, as such impacts typically are associated with residential development which is not a component of this project. A mitigation measure was included in the MMRP for the Keyes Community Plan requiring the payment of fair share towards parks for residential projects. Residential subdivisions are required to pay park in lieu fees or to dedicate parkland based on the policies included in the State of California’s Quimby Act and the Stanislaus County’s Conservation and Open Space Element. However, as a highway commercial use the proposed development will only be responsible for paying the parks fees identified in the public facility fee schedules adopted by applicable jurisdiction.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>XVII. TRANSPORTATION-- Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</b>		<b>X</b>		
<b>b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?</b>			<b>X</b>	
<b>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</b>			<b>X</b>	
<b>d) Result in inadequate emergency access?</b>			<b>X</b>	

**Discussion:** The project will receive access via County maintained Golden State Boulevard. The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product; however, only 5-7 drivers and a maximum of 10 trucks and 10 trailers parked at the facility are anticipated during any given day. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7. If you calculate the maximum number of trips for the project based on 30 trucks leaving the site per day (based on 30 spaces for trucks and 30 for trailers), 30 truck drivers driving to and from the site per day, and two shifts of 13 employees per day, the maximum number of trips for the project would include 112 vehicle trips (52

employee and 60 truck driver vehicle trips) and 60 truck trips per day. However, the applicant indicates the actual employee and truck trips per day will be much lower than this. Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. The approval of the P-D (332) zoning district preceded the implementation of SB743 on July 1, 2020. The proposed operation will include truck trips that are part of an existing movement of goods throughout the western United States.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of a traffic mitigation fee for roadway projects identified in the Keyes Community Plan. Payment of this fee, updated to reflect 2002 costs, has been incorporated into this project as a mitigation measure.

Public Works provided conditions of approval regarding a restriction on parking, loading or unloading of vehicles in the road right-of-way, installation of any signs and/or markings, requirements than an encroachment permit be obtained, and that all driveway locations and widths be approved by Public Works and completed to Public Works standards. These requirements are included in the development standards for the P-D (332) zoning district, which are applicable to the project site. Additionally, the development standards for the P-D (332) zoning district require that the project site annex into the Keyes Community Services Area for streetlights and that road improvements be made to County Public Works standards. The County Public Works response also requested that a cross access easement be recorded for parcels (APN: 045-074-004 and 045-074-002). This will be incorporated into the conditions of approval for the project. Caltrans provided a referral response requesting a traffic impact study be completed for the project. However, after staff provided Caltrans with the environmental review that was prepared for the P-D (332) zoning district a revised response was provided indicating a less than significant impact from the project. The revised Caltrans response also stated that if the proposed development anticipates Surface Transportation Assistance Act (STAA) truck access, a terminal access application would need to be submitted to Caltrans to evaluate the route for STAA Truck use. This will be incorporated into the conditions of approval applied to the project. **In addition, Public Works requested that N. Golden State Boulevard frontage be offered to Stanislaus County as an Irrevocable Offer of Dedication, that this property be annexed into the Keyes County Service Area (CSA) #26 for the maintenance of curbs, gutters, sidewalks, manholes, storm drains and street sweeping, and that the applicant sign a "Plan Check/Inspection Agreement" and deposit the Public Works fee. These requirements will be incorporated into the project as conditions of approval.**

~~Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty Six of the Land Use Element of the Stanislaus County General Plan.~~ A referral response received from the City of Turlock requested the project install commercial driveway approaches **and that the entire site, including the truck parking area, shall be paved. While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City's General Plan area and the City's Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project. However,** tThis will be required per County Public Works Standards and Specifications and will be verified with review of the required encroachment permits for the new driveways to serve the proposed development.

Impacts associated with transportation are considered to be less than significant with mitigation included.

#### Mitigation:

- The applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Highway Commercial per the Keyes community Plan adopted on April 18, 2000. The fees were calculated in 2003 at \$751.47 per 1,000 square feet of floor space. With the fees adjusted for inflation using the Engineering News-Record index, the April 2022 fees are \$1422.30 per 1,000 square feet. These fees will be paid prior to building permit issuance.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; referral responses from Caltrans, dated January 5, 2022 and April 14, 2022; referral response from the Department of Public Works, dated January 5, 2022 **and updated response received on June 06, 2022;** referral response, received April 14, 2022, from the City of Turlock; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XVIII. TRIBAL 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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

**Discussion:** As this project is a General Plan Amendment it was referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18. No tribes responded with a request for consultation or with any project comments. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. Development Standards for the P-D (332) zoning district, which applies to this project, require that if there is discovery of cultural resources during any ground disturbing, that construction activities will halt, and the appropriate authorities are notified.

Both the EIR prepared for the Keyes Community Plan Update and the initial study prepared for Rezone No. 2015-0032 – Belkorp AG found no impacts associated with cultural/tribal resources. Impacts related to Cultural Resources are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has			X	

adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?				
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

**Discussion:** Limitations on providing services have not been identified. The project site is served by the Keyes Community Services District (CSD) for public water and sewer and the Turlock Irrigation District (TID) for power and irrigation water. A Will Serve letter received from the Keyes CSD indicated that the installation of all sewer and water service line connections shall be in accordance to District standards and to plans approved by the District, at the owner's expense, and all District connection, facility, and inspection fees must be paid upon application for connections. Approval for connecting is also required from the Stanislaus County Local Agency Formation Commission (LAFCO). A referral response received from the Department of Environmental Resources (DER) indicated that if for some reason the development is unable to hook-up to the Keyes CSD for water and sewer services, that the project would be required to be permitted as a public water system and would be required to meet Measure X standards for on-site private waste systems. These requirements will be incorporated into the project as conditions of approval.

~~Though the project is located outside the City of Turlock’s Sphere of Influence (SOI), it is located within one mile of the City’s SOI and within the City’s General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan.~~ A referral response received from the City of Turlock requested the project meet the City’s standards for sewer services, including installation of grease, sand, and oil interceptors. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock’s standards, as they are the provider of sewer services. **While the project site is indirectly served with public sewer by the City (City has an agreement to serve the Keyes Community Services District), the site is located outside of the City’s General Plan area and the City’s Local Agency Formation Commission (LAFCO) Sphere of Influence (SOI). As such, the County under no obligation to require City standards be applied to the project.**

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding stormwater, water supply and quality, and regarding the preparation of geotechnical reports prior to installation of an onsite septic system. The water supply and sewer services will be provided by Keyes CSD which makes the mitigation regarding those subjects inapplicable. The mitigation measures regarding water quality and stormwater management are being met through the application of standard regulatory permitting which are required to be obtained as incorporated into the Development Standards for the P-D (332) zoning district. P-D (332) development standards also require that the project site annex into the Keyes Community Services Area for streetlights and that TID standards be met for the connection to electrical services and for protection of and/or removal of existing irrigation infrastructure. **Referral response from the Department of Public Works requests that this property be annexed into the Keyes County Service Area (CSA) #26 for the maintenance of curbs, gutters, sidewalks, manholes, storm drains and street sweeping. In response to the California Environmental Quality Act (CEQA) Initial Study circulated for this project, TID requested the submission of plans detailing the proposed site improvement, 10-foot public utility easements along all street frontages, to remove the pipelines and box with concrete per district guidelines, and to contact the TID electrical department to determine the electrical design and preferred source for the new service.**

The project is not anticipated to have a significant impact to utilities and service systems.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Will Serve Letter, received June 17, 2021, from the Keyes Community Services District; referral response, received April 14, 2022, from the City of Turlock; referral response from the Department of Environmental Resources, dated December 27, 2021; referral response from the Department of Public Works, dated January 05, 2022 **and updated response received on June 06, 2022; Referral response from Turlock Irrigation Department, dated June 07, 2022;** and the Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

**Discussion:** The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat, and the site has access to a County-maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, and no comments have been received to date. California Building and Fire Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and burning embers. Building permits required as a result of the proposed project will be reviewed the County’s Building Permits Division and Fire Prevention Bureau to ensure all State of California Building and Fire Code requirements are met prior to construction.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included a mitigation measure regarding the payment of applicable fire fees. All development is required to applicable fire fees. Additionally, a development standard regarding the payment of public facility and fire fees was applied to the P-D (332) zoning district, which also applies to the project.

Wildfire risk and risks associated with postfire land changes are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XXI. 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 substantially 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, substantially 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			X	

<p>project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			<p>X</p>	

**Discussion:** The site is currently bordered by State Route (SR) 99, Nunes Road, and North Golden State Boulevard, in the unincorporated community of Keyes, just north of the Keyes Road Overpass and the northbound SR 99 on and off ramps. The site has a General Plan designation of Planned Development, a Keyes Community Plan designation of Highway Commercial, and a zoning designation of Planned Development (P-D) (332), which was established by Rezone No. PLN2015-0032 – Belcorp Ag and was approved by the Board of Supervisors on November 3, 2015, to allow for the development of various Highway Commercial uses on five parcels. The applicant is requesting to construct a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks and its drivers on a 5.23 acre parcel. Under the P-D (332) zoning district, truck terminals require a use permit. In order to approve a use permit the decision making body must find that the establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

The project site is within the Keyes Community Plan boundaries. According to the Keyes Community Plan. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from SR 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along SR 99/Keyes Road Interchange; and the development of “Gateway” treatments and positive, high quality landscaped edges along SR 99 and major roads.

The parcels north of the site are zoned H-1 (Highway Frontage), R-1 (Single-Family) R-2 (Medium Density Residential) and R-3 (Multi-Family). There are vacant A-2-10 zoned properties with a Planned Development General Plan to the east; Highway 99 to the south and west; Nunes Road, residential homes, and Keyes Union School District to the north. Although the A-2-10 zoned parcels to the east are currently vacant and unimproved, there are several rezone applications being processed proposing highway commercial development on the parcels. A referral response received from Caltrans requested that the County coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts that may occur from this project and other developments near this geographical location to assist in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities. Traffic Impacts Studies have been prepared for the proposed highway commercial developments to the east which were referred to Caltrans for review and comment. All Caltrans comments received will be integrated into the project’s development requirements. Development of the Keyes area is generally subject to the boundaries and development requirements of the existing Keyes Community Plan.

Review of this project has not indicated any potential for cumulative impacts which might significantly impact the environmental quality of the site and/or the surrounding area.

**Mitigation:** None.

**References:** Initial Study; application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belcorp AG by the Board of Supervisors on November 3, 2015; referral responses from Caltrans, dated January 5, 2022 and April 14, 2022; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
<b>EIR Mitigation Measures</b>				
<b>4.1 Land Use</b>				
Conversion of additional Prime Farmland to non-agricultural use	4.1-1 Replace Important Farmland at a 1:1 ratio with agricultural land of equal quality and protect the land for agricultural use through long-term land use restrictions, such as agricultural conservation easements.	Developers of new projects in the Community Plan area shall set aside in a long-term conservation or agricultural easement an equal amount of land equivalent to agricultural land proposed for conversion to non-agricultural use. The land shall be of equal quality of that being proposed for development, to the satisfaction of the County.	Planning Department; Agriculture Department	Prior to project approval.
Important Farmland would continue to be converted to non-agricultural uses	4.1-4 Implement Mitigation Measure 4.1-1.	See Mitigation Measure 4.1-1.		

<sup>1</sup>

These mitigation measures are taken verbatim from the DEIR, except where revised by the Final EIR. Initial Study mitigation measures incorporated in the DEIR are not included in the Initial Study portion of this Mitigation Monitoring Program.

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
<b>4.2 Biological Resources</b>				
Loss of wetlands and other waters of the U.S.	<p>4.2-1(a) Prior to approval of development projects in portions of the Community Plan Area that could support wetlands, the project proponent shall conduct a wetland analysis/delineation to determine whether jurisdiction wetlands or waters of the U.S. are present or absent in the proposed development area. If there are no wetlands or waters of the U.S. present no further mitigation is required. If wetlands or waters of the U. S. are present then;</p> <p>(b) Direct or indirect losses of wetlands shall be compensated by replacement, rehabilitation, contribution to a mitigation bank, or purchase of wetlands habitat at a ratio that ensures no net loss of wetlands. A wetlands mitigation monitoring program shall be submitted to the Corps and CDFG for review prior to permit approval.</p> <p>(c) The project applicant shall obtain applicable permit(s)/agreements(s) and implement all the terms and conditions required by the Corps, USFWS and the CDFG for impacts to wetlands.</p>	<p>Developers of new projects in the Community Plan area shall conduct a wetland analysis/delineation, in consultation with the US Army Corps of Engineers (Corps) to determine whether jurisdiction wetlands or waters of the U.S. are present in the proposed development area.</p> <p>If wetlands are present, loss of wetlands shall be compensated ensuring no net loss of wetlands. Prior to grading permit approval, a wetlands mitigation monitoring program shall be submitted to the Corps and CDFG for review.</p> <p>If wetlands are present, the project applicant shall obtain all applicable permits required by the Corps, USFWS, and CDFG.</p>	<p>Corps; Planning Department</p> <p>Corps; CDFG; Planning Department</p> <p>Corps; CDFG; USFWS</p>	<p>Prior to any construction or grading activity.</p> <p>Prior to any construction or grading activity.</p> <p>Prior to any construction or grading activity.</p>
Loss of potential habitat for the valley elderberry longhorn beetle (VELB).	<p>4.2-2(a) Prior to the approval of development projects in portions of the Community Plan Area that contain natural or artificial drainages, the project proponent shall conduct a project-specific survey for potential VELB habitat (elderberry shrubs).</p>	<p>The project proponent shall conduct a project-specific survey for elderberry shrubs in areas that could contain VELB habitat, consistent with USFWS guidelines.</p>	<p>USFWS</p>	<p>Prior to any construction or grading activity.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<p>(b) The project proponent shall avoid and protect all potential identified VELB habitat where feasible. Where avoidance is infeasible and elderberry shrubs are subject to removal or potential damage from the proposed development, the project proponent shall develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat, pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall provide for no net loss of VELB habitat and shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.</p>	<p>If VELB habitat is present, the project proponent shall implement mitigation for the protection of elderberry shrubs, ensuring no net loss of habitat, consistent with USFWS mitigation guidelines.</p>	<p>USFWS</p>	<p>Prior to any construction or grading activity.</p>
<p>Take of Swainson's hawk individuals (eggs, nestlings or juveniles) and other raptors (birds-of-prey).</p>	<p>4.2-3(a)  Prior to approval of development in portions of the Community Plan Area that contain trees, the project proponent, in consultation with the DFG, shall conduct a pre-construction survey of trees in the proposed development area for raptor nests. The surveys shall occur during the raptor breeding-season (approximately March 1 through August 31). The survey shall be conducted by a qualified raptor biologist during the same calendar year that the proposed activity is planned.</p>	<p>The project proponent, in consultation with the DFG, shall conduct a pre-construction survey of trees in any proposed development area for raptor nests. The survey shall be conducted by a qualified raptor biologist during the same calendar year that the proposed activity is planned.</p>	<p>CDFG</p>	<p>In the breeding season prior to any construction or grading activity.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<p>(b) If an active raptor nest is identified within one half mile of the plan area then a buffer zone shall be implemented within a (0.5 or 0.10) mile radius (depending upon raptor species) of the nest tree or nest burrow, in the case of ground nesting burrowing owls.</p> <p>If an active Swainson's hawk nest is involved then no construction activities shall be initiated during the Swainson's hawk nesting period (IE., March 1 - August 1) within .25 mile without the approval by DFG. Construction shall be permitted at such time that juvenile Swainson's hawks are no longer dependant upon the nest tree.</p>	<p>A buffer zone around nest trees or burrows shall be implemented in consultation with CDFG.</p> <p>There shall be no construction activities initiated during the Swainson's hawk nesting period within .25 miles of an active Swainson's hawk nest without prior approval by CDFG.</p>	<p>CDFG</p> <p>CDFG</p>	<p>Prior to construction or grading activity.</p> <p>During construction or grading activity.</p>
Removal of native oak trees.	<p>4.2-4(a) All oak trees over four inches (dbh) on proposed development sites shall be preserved to the maximum extent practical. Final development plans shall depict all trees proposed for removal. Any trees that are removed shall be replaced at a two to one tree replacement ratio. Prior to issuance of a grading permit, the applicant shall submit a tree preservation plan to the Stanislaus County planning division for review and approval. The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings. In addition, the plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees. During the monitoring period, dead trees shall be replaced.</p>	<p>Project proponents shall submit a tree preservation plan to the Stanislaus County planning division for review and approval that ensures that any oak trees over four inches (dbh) that are to be removed shall be replaced at a two to one tree replacement ratio. The plan shall include provisions for watering and landscaping and a monitoring period during which time dead trees shall be replaced</p>	<p>Planning Department; Agriculture Department</p>	<p>Prior to issuance of a grading permit.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
Cumulative loss and degradation of valley grassland and agricultural habitat supporting native plants and wildlife.	4.2-5 Implement Mitigation Measures 4.2-1 through 4.2-4.	See Mitigation Measures 4.2-1 through 4.2-4.		
<b>4.3 Transportation and Circulation</b>				
Roadway segments in the area could operate at unacceptable levels of service.	4.3-1 (a) Faith Home Road shall be widened to a four-lane major road between Keyes Road and Redwood Road.  (b) Keyes Road shall be widened to a four-lane major road from Faith Home Road to State Route 99 southbound on- and off- ramps, and from Golden State Boulevard and State Route 99 northbound on- and off- ramps.  (c) Golden State Boulevard shall be widened to a four-lane major road between Keyes Road and Taylor Road.  (d) Washington Road shall be widened from a two-lane collector to an access-restricted two-lane, 60-foot wide collector south of the TID canal to Keyes Road at such time that widening is justified, as determined by the Director of Public Works.	The County shall establish a funding mechanism for required roadway improvements identified in the Community Plan.  Individual projects within the Community Plan Area shall pay their fair share for roadway improvements based upon a project-specific traffic study.  The County shall construct individual roadway projects.	Public Works Department and Board of Supervisors  Developer  Public Works Department	Prior to first approval of new development in the Plan Area.  Prior to project approval.  As warranted.

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
Circulation in the Community Plan Area and the surrounding roadways.	<p>4.3-2 (a) Faith Home Road shall be widened to six lanes between Keyes Road and Redwood Road.</p> <p>(b) Keyes Road shall be widened to six through lanes from Faith Home Road to Golden State Boulevard.</p> <p>(c) Washington Road shall be widened to an access-restricted, two-lane, 60-foot wide collector south of the TID canal to Keyes Road, at such time that widening is justified, as determined by the Director of Public Works.</p>	<p>The County shall establish a funding mechanism for required roadway improvements identified in the Community Plan.</p> <p>Individual projects within the Community Plan Area shall pay their fair share for roadway improvements based upon a project-specific traffic study.</p> <p>The County shall construct individual roadway projects.</p>	<p>Public Works Department and Board of Supervisors</p> <p>Developer</p> <p>Public Works Department</p>	<p>Prior to first approval of new development in the Plan Area.</p> <p>Prior to project approval</p> <p>As warranted.</p>
Reduced levels of service at area intersections to unacceptable levels	<p>4.3-3 (a) Keyes Road / SR 99 NB and SB Ramps</p> <p>Keyes Road shall be widened to six lanes from Faith Home Road to Golden State Boulevard. When a need for signalization is demonstrated through traffic signal warrants analysis, traffic signals shall be provided at the two ramp intersections. In addition to signalization, the following measures are necessary to operate the intersections at LOS C conditions or better during the PM peak hour:</p>	<p>The County shall establish a funding mechanism for required roadway improvements identified in the Community Plan.</p> <p>Individual projects within the Community Plan Area shall pay their fair share for roadway improvements based upon a project-specific traffic study.</p> <p>The County shall construct individual roadway projects.</p>	<p>Public Works Department and Board of Supervisors</p> <p>Developer</p> <p>Public Works Department</p>	<p>Prior to first approval of new development in the Plan Area.</p> <p>Prior to project approval.</p> <p>As warranted.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<p><u>SB Ramps</u> Provide dual left-turn lanes and a separate right-turn lane on the southbound approach.</p> <p>Provide dual westbound left-turn lanes on Keyes Road to southbound SR99.</p> <p>Provide three eastbound and three westbound through lanes.</p> <p>Provide a free eastbound right-turn lane from Keyes Road to southbound SR99.</p> <p><u>NB Ramps</u> Provide dual left-turn lanes and a separate right-turn lane on the northbound approach.</p> <p>Provide an eastbound left-turn lane from Keyes Road to northbound SR99.</p> <p>Provide three eastbound and three westbound through lanes.</p> <p>Provide a free westbound right-turn lane from Keyes Road to northbound SR99.</p>			

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<p>(b) Keyes Road / Golden State Boulevard Provide single westbound and dual eastbound left-turn lanes.</p> <p>Provide separate eastbound and westbound right-turn lanes.</p> <p>Provide two northbound and two southbound through lanes.</p> <p>Provide a separate right-turn lane on the northbound approach.</p> <p>Provide a separate southbound left-turn lane.</p> <p>Provide a free southbound right-turn lane.</p>			
<b>4.4 Air Quality</b>				
<p>Generation of CO, PM<sub>10</sub>, NO<sub>x</sub> and ROG emissions could exceed SJVUAPCD thresholds.</p>	<p>4.4-1(a) (Initial Study Mitigation Measure 7)</p> <p>To reduce PM<sub>10</sub> emissions associated with construction the following strategies shall be included as part in all construction contracts for future development.</p> <p>1. All clearing, grading, earth moving, or excavation activities shall cease when wind speeds are consistently equal to or greater than 20 mph.</p>	<p>The San Joaquin Valley Air Pollution Control District (SJVAPCD) shall confirm that all construction contracts in the Community Plan include emissions reduction strategies included in Mitigation Measure 4.4-1.</p>	<p>SJVAPCD</p>	<p>Prior to issuance of grading or building permits.</p> <p>Ongoing during construction.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<p>2. All excavated material, graded or otherwise disturbed shall be watered sufficiently to prevent excessive amounts of dust. Watering shall occur twice daily with complete coverage, preferably in late morning and after work is done for the day.</p> <p>3. All material transported and vehicle speeds shall be limited to 15 mph on unpaved roadways.</p> <p>4. Street sweeping and/or washing shall be undertaken to reduce dust emissions on paved roads, shoulders and access ways adjacent to the construction site. Wetting of the pavement shall occur either prior to or in conjunction with rotary sweeping.</p> <p>5. All internal combustion equipment shall be properly maintained and tuned according to manufacturer's specifications.</p> <p>6. Idling of all internal combustion equipment shall be limited to ten minutes at any given time.</p> <p>7. The use of building materials that do not require the use of paints/solvents shall be encouraged.</p> <p>(b) All diesel-fueled construction equipment shall implement the following measures:</p> <p>(i) Retard injection timing 2 degrees.</p>			

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<ul style="list-style-type: none"> <li>(ii) Install high pressure injectors.</li> <li>(iii) Use reformulated diesel fuel.</li> <li>(iv) Limit diesel warm-up times (normally, a properly tuned diesel engine can be warmed up in 5 to 10 minutes).</li> </ul>			
<p>ROG, NO<sub>x</sub>, CO, and PM<sub>10</sub> emissions generated by motor vehicles and on-site sources associated with project operation would exceed established thresholds.</p>	<p>4.4-2(a) (Initial Study Mitigation Measure 8)</p> <p>To ensure the SJVAPCD standards are achieved, all new development within the plan area shall implement the following measures:</p> <ul style="list-style-type: none"> <li>1. Lighting controls and energy-efficient lighting in buildings.</li> <li>2. Light colored roof materials to reflect heat.</li> <li>3. Provide low nitrogen oxide (NO<sub>x</sub>) emitting and/or high efficiency water heaters.</li> <li>4. If fireplaces are proposed, natural gas fireplaces or EPA-certified wood burning fireplaces/stoves should be installed in every unit that has a fireplace.</li> <li>5. Include exterior electrical outlets on all residential units to encourage the use of electric powered yard maintenance equipment..</li> </ul>	<p>The County and SJVAPCD shall require that all new development in the Community Plan includes design measures, included in Mitigation Measure 4.4-2(a) and (c), to reduce project emissions.</p>	<p>Planning Department; SJVAPCD</p>	<p>Prior to project approval.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
	<p>(b) (Initial Study Mitigation Measure 9)</p> <p>All new development shall prepare an analysis to determine if project emissions would exceed SJVAPCD standards. If the project is found to exceed these standards, mitigation shall be incorporated into the project to reduce the emissions to a level below District standards. If no mitigation is available to reduce emissions below the standards, the project applicant shall participate in the District's offset program, by purchasing new equipment or other measures that would reduce emissions in the district by an amount equivalent to the amount of project emissions in excess of District standards.</p> <p>(c) Increase insulation beyond Title 24 requirements.</p>	<p>All new development in the Community Plan shall prepare a project-specific air quality analysis. If development would exceed SJVAPCD standards after implementation of the measures in Mitigation Measure 4.4-2(a), the project applicant shall participate in the District's offset program, as described in Mitigation Measure 4.4-2(b).</p> <p>See Mitigation Measure 4.4-2(a).</p>	<p>Developer; SJVAPCD</p>	<p>Prior to project approval.</p>
<p>Ozone in the air basin.</p>	<p>4.4-3 Implement Mitigation Measures 4.4-1(a) and (b) and 4.4-2(a), (b), and (c).</p>	<p>See Mitigation Measures 4.4-1(a) and (b) and 4.4-2(a), (b), and (c).</p>		
<b>FIS Mitigation Measures</b>				
<p>Unstable soils</p>	<p>1 Design guidelines for individual projects shall include requirements for the preparation of site-specific geotechnical reports and shall require that project design incorporates additional or special construction technique and/or features, if any, to account for potentially unstable soil conditions.</p>	<p>The developer for any new project in the Community Plan shall prepare site-specific geotechnical reports and shall demonstrate that the project design incorporates techniques or features to account for potentially unstable soil conditions.</p>	<p>Public Works; Building Department; Department of Environmental Resources</p>	<p>Prior to issuance of grading permit.</p>

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Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
Soils are capable of supporting septic systems or will require connection to the Keyes CSD lines.	2. If the use of septic tanks is proposed for new development, a study shall be conducted by a qualified hydrologist to determine if the soil is capable of supporting a septic system. If the study determines that the soil is inadequate, the development shall be required to be annexed into the Keyes Community Service District for the provision of wastewater services.	The developer for any new project in the Community Plan shall conduct a study to determine if the soil is capable of supporting a septic system. If the soil is inadequate, the development shall be required to be annexed into the Keyes Community Service District.	Building Department; Department of Environmental Resources	Prior to project approval.
Adequate water would be available to serve future development prior to the approval of any development projects.	3. New development shall not be approved until it has demonstrated that adequate water supplies exist to serve the project.	The developer for any new project in the Community Plan shall provide to the City "will serve" letters from the appropriate water purveyor.	Department of Environmental Resources	Prior to project approval.
Discharge into surface waters.	4. During project construction, all new development shall implement appropriate stormwater runoff BMPs and design features to protect receiving water quality during construction and occupancy, consistent with Stanislaus County standards.	The developer of any new project in the Community Plan area shall incorporate design features to protect receiving water quality during construction and occupancy of the project. The contractor shall implement appropriate stormwater runoff BMPs during construction. The County shall inspect the project site to verify that stormwater runoff measures are being implemented	Public Works	During project construction.
Discharge into surface waters.	5. BMPs shall be incorporated into project design to reduce urban contaminant levels in stormwater runoff, consistent with Stanislaus County standards.	The developer of any new project in the Community Plan area shall incorporate BMPs into project design to reduce urban contaminant levels in stormwater runoff.	Public Works; Department of Environmental Resources	Prior to issuance of building permit.

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
Change of absorption rates, drainage patterns and the rate and amount of surface runoff.	6. All new projects within the plan area shall demonstrate through a drainage study or hydrological report, in accordance with the Stanislaus County Public Works standards, that new development would not increase peak storm flows and that adequate capacity exists downstream to accommodate increased flood volume.	The developer of any new project in the Community Plan area shall prepare a drainage study or hydrological report, to demonstrate that new development would not increase peak storm flows and that adequate capacity exists downstream to accommodate increased flood volume.	Public Works; Department of Environmental Resources	Prior to project approval.
Odor	10. To address potential land use incompatibilities related to odor, new residential areas shall not be located immediately adjacent to odor producing land uses. If this is infeasible, adequate setbacks shall be provided as part of the project.	The County shall review new residential development to determine potential odor incompatibilities. If such potential exists, the County shall require adequate setbacks at the residential property to reduce odor impacts to acceptable levels.	Department of Environmental Resources; SJVAPCD	Prior to project approval.
Potential hazardous materials	11. Prior to development at locations suspected or known to have used hazardous materials, a Phase 1 Environmental Site Assessment shall be prepared in accordance with ASTM Standard to identify whether past or existing uses of the site have adversely affected soil or groundwater, or would otherwise pose a health hazard during site development. Results of the Phase 1 investigation shall be used to determine whether additional investigation or site management is needed.	A Phase 1 Environmental Site Assessment shall be prepared by the developer of any new project in the Community Plan area prior to development at locations suspected or known to have used hazardous materials. Based on results of the Phase 1 investigation, additional investigation or site management shall be required.	Planning Department; Department of Environmental Resources	Prior to grading or construction activities.
Potential hazardous materials	12. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.	The developer of any new project in the Community Plan area shall include in all construction contracts a stop-work provision in the event unidentified contamination is discovered during construction.	Planning Department; Department of Environmental Resources	Prior to construction.

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
Increase in noise levels.	13. New residential development located within areas subject to noise levels in excess of 60 $L_{dn}$ shall demonstrate through an acoustical study that project design would reduce noise impacts to acceptable levels (per the County General Plan). Measures to reduce noise could include, sound-rated windows, sound walls, barriers, increased setbacks or other modifications to project design, or noise attenuation of proposed or existing buildings.	An acoustical study shall be prepared by the developer of any new project in the Community Plan area which demonstrates that project design would reduce noise impacts to acceptable levels in areas of new residential development subject to noise levels in excess of 60 $L_{dn}$ .	Planning Department; Department of Environmental Resources	Prior to project approval.
Increase in noise levels.	14. New development shall implement the following measures during construction:  a. Construction shall be allowed only during the day, during hours designated by the County.  b. All construction equipment shall be fitted with properly functioning mufflers.  c. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors.	All construction contracts shall include the measures identified in Mitigation Measure 14.  The County shall inspect the project site to verify that noise reduction measures are implemented.	Planning Department  Building Department	Prior to issuance of grading and construction permits.  During construction.
Fire protection	15. All new development in the Community Plan Area shall be required to pay all applicable program fees, as defined by the Keyes Fire Protection District, which shall be used to prevent fire protection service from dropping below its current level. Fees may be used towards the purchase of new or replacement vehicles or substation space.	All new development in the Community Plan Area shall pay all applicable program fees, as defined by the Keyes Fire Protection District.	Planning Department; Keyes Fire Protection District	Prior to project approval.

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

Significant or Potentially Significant Impact	Mitigation Measure	Implementation, Monitoring and Reporting Actions	Monitoring and Reporting Responsibilities	Implementation, Monitoring and Reporting Schedule
Light and glare	16. New multistory development in Highway Commercial, Industrial and Planned Industrial areas shall minimize the use of reflective surfaces and have those reflective surfaces which are used to be oriented in such a manner to reduce glare impacts along roadways.	The County shall review new multistory development in Highway Commercial, Industrial, and Planned Industrial areas to ensure that reflective surfaces would not result in glare along roadways.	Planning Department	Prior to project approval.
Light and glare	17. In Highway Commercial areas, cut-off luminaries, and/or shield, low-intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.	New development in Highway Commercial areas shall include cut-off luminaries, and/or shield, low-intensity lights to prevent spillover.	Planning Department	Prior to project approval.
Park facilities	18. New development shall be required to contribute its fair share, as determined by the County of Stanislaus, toward provision of the parks proposed by this plan.	The developer of any new project in the Community Plan area shall to contribute its fair share toward provision of the parks proposed by the Community Plan.	Planning Department; Parks Department	Prior to project approval.

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# MOORE BIOLOGICAL CONSULTANTS

June 26, 2015

Mr. Rod Hawkins  
Hawkins & Associates Engineering  
436 Mitchell Road  
Modesto, California 95354

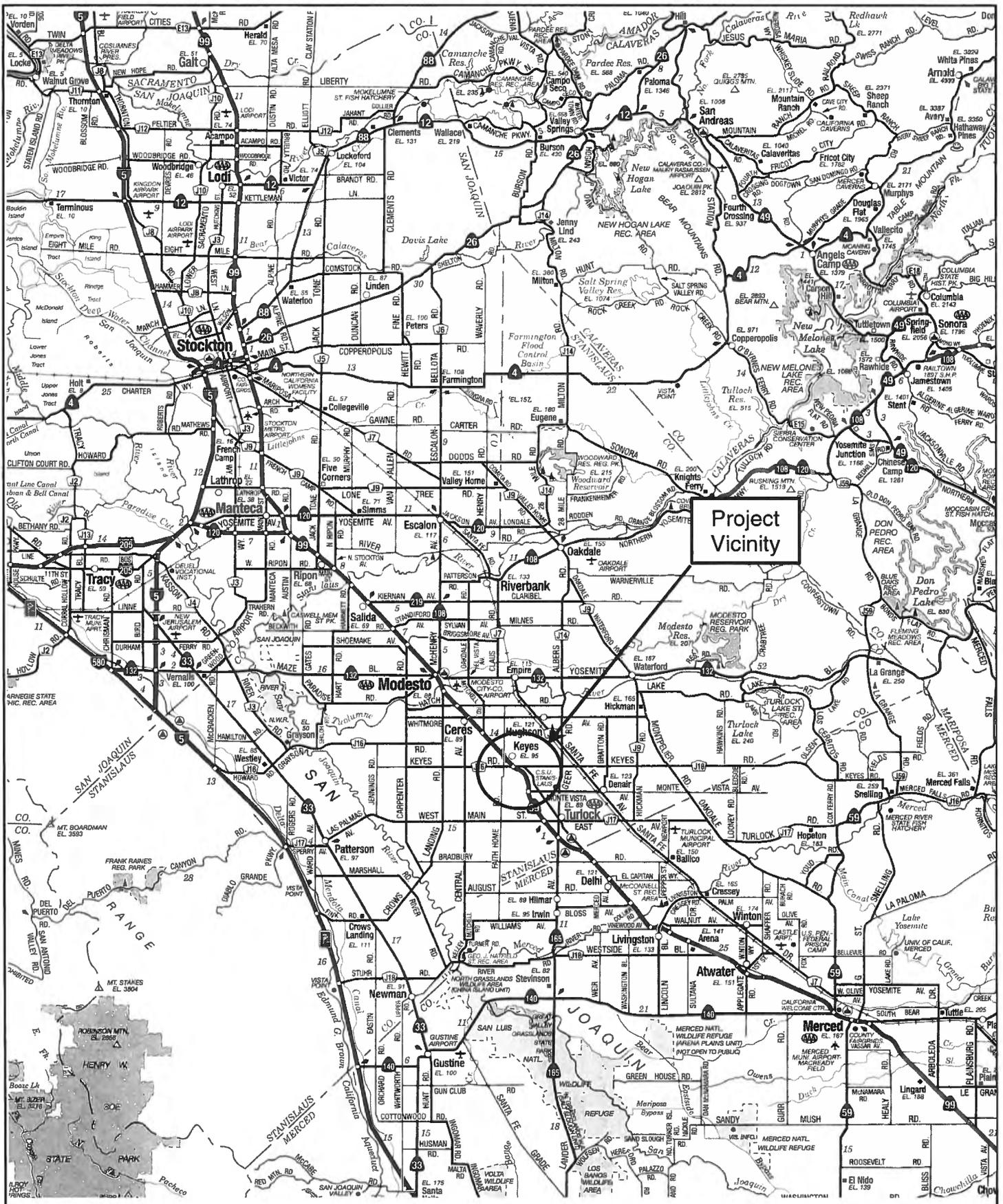
Subject: "BELKORP AG PROJECT", STANISLAUS COUNTY, CALIFORNIA:  
BIOLOGICAL ASSESSMENT

Dear Rod:

Thank you for asking Moore Biological Consultants to prepare this biological assessment for the Belkorp AG site in Keyes (Figures 1 and 2). The focus of our work was to document existing biological resources in the site, conduct a survey to determine presence or absence of potentially jurisdictional waters or wetlands, and search for suitable habitat for or presence of special-status species within the site. This report details the methodology and results of our investigation.

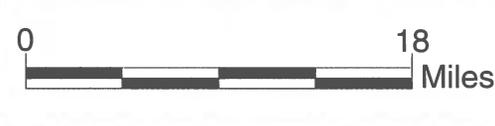
## **Project Overview**

The proposed commercial project is an agricultural tractor and supply center in the northeast quadrant of the intersection of Highway 99 and Keyes Road. The project will include an approximately 57,000 ft<sup>2</sup> building with landscaping and parking. There will be equipment display areas to the west of the store along Highway 99 and to the east of the store along North Golden State Boulevard (see site plan in Attachment A). An approximately 1-acre detention basin will be constructed to the south of the store. The primary access to the site will be from North Golden State Boulevard.

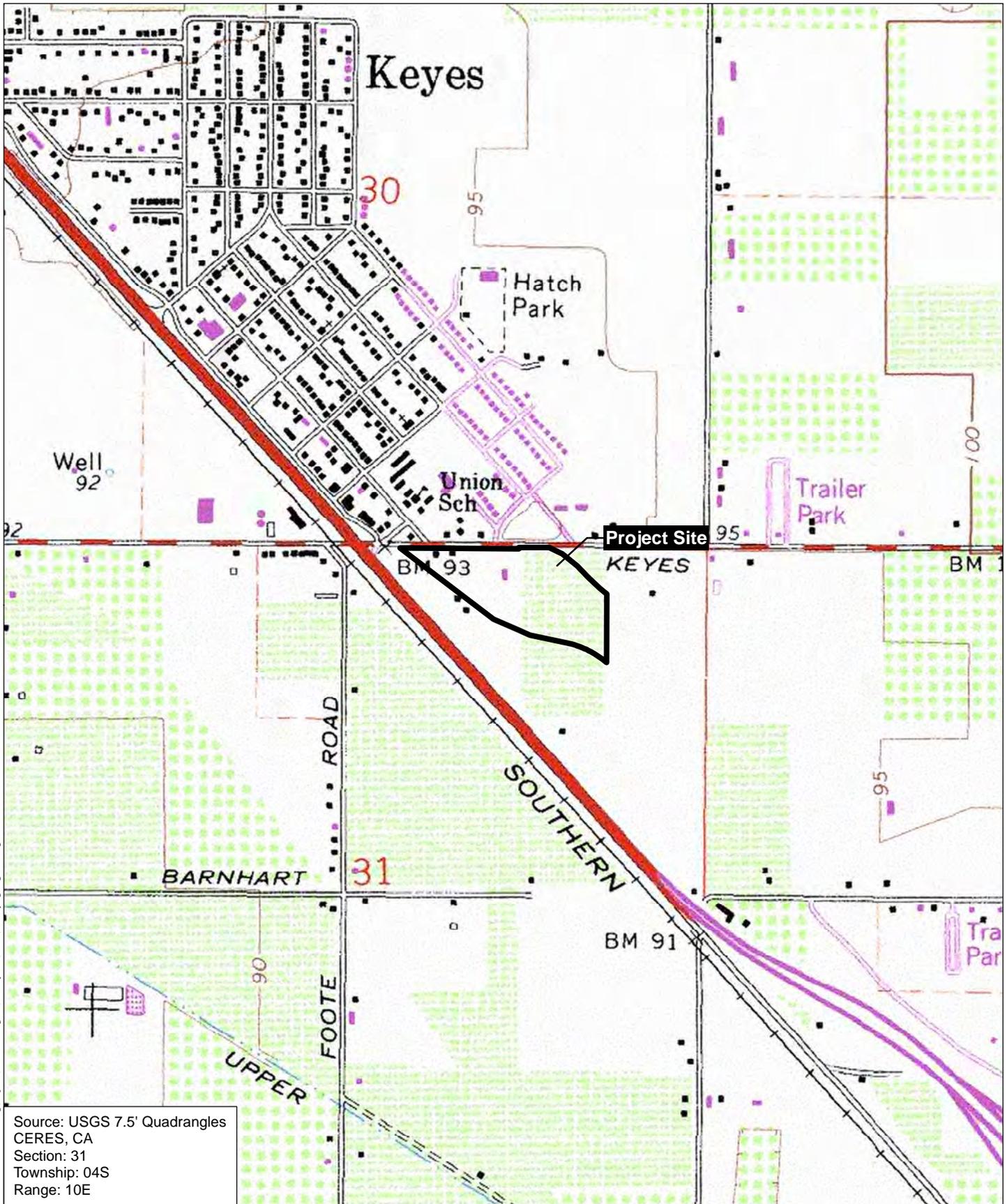


Source: Calif. State Automobile Association

**Moore Biological  
Consultants**



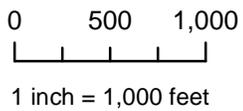
**FIGURE 1  
PROJECT VICINITY**



Source: USGS 7.5' Quadrangles  
 CERES, CA  
 Section: 31  
 Township: 04S  
 Range: 10E

**Figure 2**

Moore Biological  
 Consultants



Map Date: June 2015

**PROJECT LOCATION**

**Belcorp AG**  
 Stanislaus County, CA

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## Methods

Prior to the field survey, we conducted a search of California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB, 2015). The CNDDDB search encompassed the USGS 7.5-minute Ceres and Denair topographic quadrangles, which encompasses approximately 120 square miles surrounding the project site. The United States Fish and Wildlife Service (USFWS) list of Federally Threatened and Endangered species that may occur in or be affected by projects in the same topographic quadrangles was also reviewed (Attachment B). This information was used to identify wildlife and plant species that have been previously documented in the project vicinity or have the potential to occur based on suitable habitat and geographical distribution. The USFWS on-line-maps of designated critical habitat were also downloaded and plotted with respect to the site.

A field survey of the site was conducted on June 10, 2015. The survey consisted of walking throughout the project site making observations of current habitat conditions and noting surrounding land use, general habitat types, and plant and wildlife species. The survey included an assessment of the project site for presence or absence of potentially jurisdictional Waters of the U.S. (a term that includes wetlands) as defined by the U.S. Army Corps of Engineers (ACOE, 1987; 2008), special-status species, and suitable habitat for special-status species (e.g., blue elderberry shrubs, vernal pools). Additionally, trees within and near the project site were assessed for the potential use by nesting raptors, especially Swainson's hawk (*Buteo swainsoni*). The project site was also searched for burrowing owls (*Athene cunicularia*) or ground squirrel burrows that could be utilized by burrowing owls.

## Results

GENERAL SETTING: The project site is located south of Keyes, in Stanislaus County, California (Figure 1). The site is in Section 31, Township 4 South, Range 10 East of the USGS 7.5-minute Ceres topographic quadrangle (Figure 2). The site is nearly level and is at an elevation of approximately 90 feet above mean sea level. The west part of the site was previously developed and there are old foundations and roads remaining. The east part of the site was leveled cropland, but has been fallow for years. The entire site is disturbed weedy grassland (Figure 3 and photographs in Attachment C).

Surrounding land uses in this portion of Stanislaus County are primarily agricultural. North Golden State Boulevard bounds the site on the northeast and Highway 99 bounds the site on the southwest. The town of Keyes is located just north of the site, across Nunes Road and there is a vineyard west of the site, across Highway 99. There are open fields to the east of the site, across North Golden State Boulevard (Figure 3 and photographs in Attachment C).

VEGETATION: Due to the amount of disturbance from agriculture, development, and periodic mowing and/or disking for weed abatement, vegetation in the project site is primarily annual grass and weed species. California annual grassland series (Sawyer and Keeler-Wolf, 1995) best describes the disturbed grassland vegetation. Grasses including oats (*Avena* sp.), soft chess brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis*), foxtail barley (*Hordeum murinum*), and perennial ryegrass (*Lolium perenne*) are dominant grass species. Other grassland species such as black mustard (*Brassica nigra*), hairy fleabane (*Conyza bonariensis*), prickly lettuce (*Lactuca serriola*), yellow star-thistle (*Centaurea solstitialis*), filaree (*Erodium* spp.), and common mallow (*Malva neglecta*) are intermixed with the grasses. Table 1 is a list of plant species observed in the site.



C:\Users\Matt\Documents\Fremont Environmental Consulting\Projects\Moore Biological\Belcorp AG\MXD\Belcorp ag - Figure 3 aerial.mxd

Google

**Figure 3**

Moore Biological  
Consultants

0 100 200

1 inch = 200 feet



Map Date: June 2015

**AERIAL**

**Belcorp AG**

Stanislaus County, CA

TABLE 1  
PLANT SPECIES OBSERVED IN THE PROJECT SITE

---

<i>Ailanthus altissima</i>	tree-of-heaven
<i>Amsinckia menziesii</i>	rancher's fireweed
<i>Avena fatua</i>	wild oat
<i>Brassica nigra</i>	black mustard
<i>Bromus diandrus</i>	ripgut brome
<i>Bromus hordeaceus</i>	soft chess brome
<i>Bromus madritensis</i>	red brome
<i>Carya</i> sp.	pecan
<i>Centaurea solstitialis</i>	yellow star-thistle
<i>Chamomilla suaveolens</i>	pineapple weed
<i>Convolvulus arvensis</i>	morning glory
<i>Conyza bonariensis</i>	hairy fleabane
<i>Conyza canadensis</i>	horseweed
<i>Cynodon dactylon</i>	Bermuda grass
<i>Datura innoxia</i>	datura
<i>Eremocarpus setigerus</i>	dove weed
<i>Erodium botrys</i>	filaree
<i>Erodium circuitarium</i>	red-stem filaree
<i>Grindelia camporum</i>	common gumweed
<i>Helianthus annuus</i>	common sunflower
<i>Heterotheca grandiflorum</i>	telegraph weed
<i>Hordeum murinum</i>	foxtail barley
<i>Lactuca serriola</i>	prickly lettuce
<i>Lepidium latifolium</i>	perennial pepperweed
<i>Lolium perenne</i>	perennial ryegrass
<i>Malva neglecta</i>	common mallow
<i>Morus alba</i>	mulberry
<i>Nerium</i> sp.	oleander

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TABLE 1 (continued)  
 PLANT SPECIES OBSERVED IN THE PROJECT SITE

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<i>Pinus</i> sp.	ornamental pine
<i>Populus fremontii</i>	Fremont cottonwood
<i>Raphanus sativus</i>	wild radish
<i>Salix</i> sp.	willow
<i>Salsola iberica</i>	Russian thistle
<i>Sambucus mexicana</i>	blue elderberry
<i>Senecio vulgaris</i>	common groundsel
<i>Sorghum halepense</i>	Johnsongrass
<i>Tribulus terrestris</i>	puncture vine
<i>Trichostema lanceolatum</i>	vinegar weed
<i>Washingtonia filifera</i>	California fan palm
<i>Vicia</i> sp.	vetch

---

The only trees in the site are in the north part of the site near Nunes Road (see photographs in Attachment C). The trees in the north part of the site include several relatively small tree-of-heaven (*Ailanthus altissima*), a Fremont cottonwood (*Populus fremontii*), a few mulberry (*Morus alba*) and pines (*Pinus* sp.), and two fan palms (*Washingtonia filifera*). There are also some ornamental trees along the Highway 99 frontage, intermixed with oleanders (*Nerium* sp.) This ornamental strip appears to be off-site, but may span the site boundary.

There are two small blue elderberry (*Sambucus mexicana*) shrubs in the northeast corner of the site, near the intersection of Highway 99 and North Golden State Boulevard (Figure 3 photograph in Attachment C). No other blue elderberry shrubs were observed in the project site. There are several blue elderberry shrubs in the parcel just southeast of the site, including a very large shrub approximately 30 feet east of the site.

WILDLIFE: A variety of bird species were observed during the field survey; all of these are common species found in agricultural and riparian areas of Stanislaus County (Table 2). Red-tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverius*), American crow (*Corvus brachyrhynchos*), mourning dove (*Zenaida macroura*), northern mockingbird (*Mimus polyglottos*), western kingbird (*Tyrannus verticalis*), red-winged blackbird (*Agelaius phoeniceus*), Brewer's blackbird (*Euphagus cyanocephalus*), and house finch (*Carpodacus mexicanus*) are representative of the avian species observed in the site.

Only a few of the trees in the site are large enough to support nesting raptors. The cottonwood contains a large raptor stick nest that was not occupied during the recent survey and is tattered and appears to have been from last year's nesting season. It is possible that songbirds nest in the smaller trees, shrubs, and grasslands in the site.

A limited variety of mammals common to agricultural areas likely occur in the project site. Black-tailed hare (*Lepus californicus*) was the only mammal observed during the recent survey; sign of raccoon (*Procyon lotor*) was also observed. Coyote (*Canis latrans*), striped skunk (*Mephitis mephitis*), desert cottontail (*Sylvilagus audubonii*), and Virginia opossum (*Didelphis virginiana*) are expected to occur in the project site on occasion. California ground squirrels (*Spermophilus beecheyi*) are common in the area and may occur on-site. No California ground squirrels were observed during the recent survey, although a few old ground squirrels were observed in parts of the site.

Due to lack of suitable habitat, few amphibians and reptiles are expected to use habitats in the site. Western fence lizard (*Sceloporus occidentalis*) was the only reptile observed in the site; no amphibians were observed. Common species such as Pacific chorus frog (*Pseudacris regilla*) and western terrestrial garter snake (*Thamnophis elegans*) may occur in the site on occasion.

TABLE 2  
WILDLIFE SPECIES DOCUMENTED IN THE PROJECT SITE

---

**Birds**

Turkey vulture	<i>Cathartes aura</i>
Red-tailed hawk	<i>Buteo jamaicensis</i>
American kestrel	<i>Falco sparverius</i>
Mourning dove	<i>Zenaida macroura</i>
Western scrub jay	<i>Aphelocoma coerulescens</i>
Western kingbird	<i>Tyrannus verticalis</i>
American crow	<i>Corvus brachyrhynchos</i>
Northern mockingbird	<i>Mimus polyglottos</i>
White-crowned sparrow	<i>Zonotrichia leucophrys</i>
Red-winged blackbird	<i>Agelaius phoeniceus</i>
Brewer's blackbird	<i>Euphagus cyanocephalus</i>
House finch	<i>Carpodacus mexicanus</i>
House sparrow	<i>Passer domesticus</i>

**Mammals**

Black-tailed hare	<i>Lepus californicus</i>
Raccoon	<i>Procyon lotor</i>
California ground squirrel	<i>Spermophilus beecheyi</i>

**Reptiles**

Western fence lizard	<i>Sceloporus occidentalis</i>
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WATERS OF THE U.S. AND WETLANDS: Waters of the U.S., including wetlands, are broadly defined under 33 Code of Federal Regulations (CFR) 328 to include navigable waterways, their tributaries, and adjacent wetlands. State and federal agencies regulate these habitats and Section 404 of the Clean Water Act

requires that a permit be secured prior to the discharge of dredged or fill materials into any waters of the U.S., including wetlands. Both CDFW and ACOE have jurisdiction over modifications to riverbanks, lakes, stream channels and other wetland features.

“Waters of the U.S.”, as defined in 33 CFR 328.4, encompasses Territorial Seas, Tidal Waters, and Non-Tidal Waters; Non-Tidal Waters includes interstate and intrastate rivers and streams, as well as their tributaries. The limit of federal jurisdiction of Non-Tidal Waters of the U.S. extends to the “ordinary high water mark”. The ordinary high water mark is established by physical characteristics such as a natural water line impressed on the bank, presence of shelves, destruction of terrestrial vegetation, or the presence of litter and debris. Jurisdictional wetlands and Waters of the U.S. include, but are not limited to, perennial and intermittent creeks and drainages, lakes, seeps, and springs; emergent marshes; riparian wetlands; and seasonal wetlands. Wetlands and Waters of the U.S. provide critical habitat components, such as nest sites and a reliable source of water, for a wide variety of wildlife species.

There are no rivers, streams, lakes, ponds, vernal pools, seasonal wetlands, or marshes in the site. The only area in the project site supporting wetland vegetation is a small (0.01+/- acre) rectangular detention basin in the northeast part of the site, associated with the old foundations (see photographs in Attachment C). This 5+/- feet deep basin was dry and does not appear to hold water other than during rain events. Portions of a small willow in this basin are dead, presumably due to lack of water. This basin was constructed in uplands, is isolated from creeks and other potentially jurisdictional wetlands or Waters of the U.S. and does not meet the technical and/or regulatory criteria of jurisdictional wetlands or Waters of the U.S.

No other potentially jurisdictional wetlands or Waters of the U.S. were observed within the site. The body of the site vegetated with upland grasses and weeds.

**SPECIAL-STATUS SPECIES:** Special-status species are plants and animals that are legally protected under the state and/or federal Endangered Species Act or other regulations. The Federal Endangered Species Act (FESA) of 1973 declares that all federal departments and agencies shall utilize their authority to conserve endangered and threatened plant and animal species. The California Endangered Species Act (CESA) of 1984 parallels the policies of FESA and pertains to native California species.

Special-status species also include other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts, and other essential habitat. The presence of species with legal protection under the Endangered Species Act often represents a major constraint to development, particularly when the species are wide-ranging or highly sensitive to habitat disturbance and where proposed development would result in a take of these species.

Special-status plants are those which are designated rare, threatened, or endangered and candidate species for listing by the USFWS. Special-status plants also include species considered rare or endangered under the conditions of Section 15380 of the California Environmental Quality Act Guidelines, such as those plant species identified on Lists 1A, 1B and 2 in the Inventory of Rare and Endangered Vascular Plants of California by the California Native Plant Society (CNPS, 2010). Finally, special-status plants may include other species that are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for state or federal status, such as those included on List 3 in the CNPS Inventory.

The likelihood of occurrence of listed, candidate, and other special-status species in the work areas is generally low. Table 3 provides a summary of the listing status and habitat requirements of special-status species that have been documented in the greater project vicinity or for which there is potentially suitable

TABLE 3

## SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED IN THE GREATER PROJECT VICINITY

Common Name	Scientific Name	Federal Status <sup>1</sup>	State Status <sup>1</sup>	CNPS List <sup>2</sup>	Habitat	Likelihood of Occurrence in the Project Site
<b>PLANTS</b>						
Heartscale	<i>Atriplex cordulata</i>	None	None	1B	Valley and foothill grassland, chenopod scrub	Unlikely: the disturbed grassland in the site does not provide suitable habitat for heartscale. The nearest occurrence of this species in the CNDDDB (2015) search area is approximately 1.5 miles southeast of the site.
Subtle oracle	<i>Atriplex subtilis</i>	None	None	1B	Valley and foothill grassland; usually in alkaline soils.	Unlikely: the disturbed grassland in the site does not provide suitable habitat for subtle oracle. The site is below the elevation range of this species (CNPS, 2010). The nearest occurrence of subtle oracle in the CNDDDB (2015) search area is approximately 1.5 miles south of the site.
San Joaquin Valley Orcutt grass	<i>Orcuttia inaequalis</i>	T	E	1B	Vernal pools.	Unlikely: there are no vernal pools or seasonal wetlands in the site. The nearest occurrence of San Joaquin Valley Orcutt grass in the CNDDDB (2015) search area is approximately 8 miles northeast of the site. The site is not in designated critical habitat this species (USFWS 2005a)
<b>WILDLIFE</b>						
<b>BIRDS</b>						
Swainson's hawk	<i>Buteo swainsoni</i>	None	T	N/A	Nesting: large trees, usually within riparian corridors. Foraging: agricultural fields and annual grasslands.	Low: the disturbed grassland in the site provides marginal foraging habitat; only a few trees in the site are large enough for nesting raptors. It is unlikely Swainson's hawks utilize this small patch of land for a significant amount of foraging when there are expansive alfalfa and hay fields nearby providing better habitat. The nearest occurrence of nesting Swainson's hawks in the CNDDDB (2015) search area is approximately 2.5 miles southeast of the site.

TABLE 3

## SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED IN THE GREATER PROJECT VICINITY

Common Name	Scientific Name	Federal Status <sup>1</sup>	State Status <sup>1</sup>	CNPS List <sup>2</sup>	Habitat	Likelihood of Occurrence in the Project Site
Tricolored blackbird	<i>Agelaius tricolor</i>	None	SC	N/A	Nests in dense brambles and emergent wetland vegetation associated with open water habitat.	Unlikely: there is no suitable emergent wetland vegetation in the site for nesting. This species may occasionally fly over or forage in the area. The nearest occurrence of tricolored blackbird in the CNDDDB (2015) search area is approximately 6 miles southwest of the site.
Burrowing owl	<i>Athene cunicularia</i>	None	None	N/A	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	Unlikely: the formerly paved and graveled areas and disturbed grassland in the site provide marginal foraging habitat for burrowing owl, but very little suitable burrow habitat was observed in the site. There are no occurrences of this species in the CNDDDB (2015) search area.
<b>MAMMALS</b>						
Townsend's big-eared bat	<i>Corynorhinus townsendii townsendii</i>	None	T	N/A	Requires caves, mines, buildings, or other human-made structures for roosting.	Unlikely: the site does not provide suitable habitat for this species. Townsend's big-eared bat may fly over or forage above the site. The nearest occurrence of this species in the CNDDDB (2015) search area is along the Tuolumne River, approximately 5 miles north of the site.
<b>REPTILES &amp; AMPHIBIANS</b>						
California tiger salamander	<i>Ambystoma californiense</i>	T	T	N/A	Breeds in seasonal water bodies such as deep vernal pools or stock ponds. Requires small mammal burrows for summer refugia.	Unlikely: there are no areas within or near the site that could provide breeding habitat for California tiger salamander and the site is not suitable for aestivation. There are no occurrences of this species in the CNDDDB (2015) search area. The site is not within an area designated critical habitat for California tiger salamander (USFWS, 2005b).

TABLE 3

## SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED IN THE GREATER PROJECT VICINITY

Common Name	Scientific Name	Federal Status <sup>1</sup>	State Status <sup>1</sup>	CNPS List <sup>2</sup>	Habitat	Likelihood of Occurrence in the Project Site
California red-legged frog	<i>Rana aurora draytonii</i>	T	SC	N/A	Lowlands and foothills in or near permanent sources of water with vegetation.	Unlikely: there is no suitable aquatic habitat for California red-legged frog in or near the site. California red-legged frog is not known from the area and there are no recorded occurrences of this species in the CNDDDB (2015) search area. The site is not in designated for California red-legged frog critical habitat (USFWS, 2006).
Giant garter snake	<i>Thamnophis gigas</i>	T	T	N/A	Freshwater marsh and low gradient streams; adapted to drainage canals and irrigation ditches, primarily for dispersal or migration.	Unlikely: there is no suitable habitat in or near the site for giant garter snake. Giant garter snake is not known from the area and there are no recorded occurrences of this species in the CNDDDB (2015) search area.
<b>FISH</b>						
Delta smelt	<i>Hypomesus transpacificus</i>	T	T	N/A	Shallow lower delta waterways with submersed aquatic plants and other suitable refugia.	Unlikely: there is no aquatic habitat in the site. There are no occurrences of delta smelt recorded in the CNDDDB (2015) in the search area. There is no designated critical habitat for delta smelt (USFWS, 1994) in or near the site.
Central Valley steelhead	<i>Oncorhynchus mykiss</i>	T	None	N/A	Riffle and pool complexes with adequate spawning substrates within Central Valley drainages.	Unlikely: there is no aquatic habitat in the site. Central Valley steelhead is recorded in the CNDDDB (2015) in the Tuolumne River approximately 5 miles north of the site. The site is not within designated critical habitat for Central Valley steelhead (NOAA, 2005).
Hardhead	<i>Mylopharodon concephalus</i>	None	SC	N/A	Major tributaries to Central Valley drainages.	Unlikely: there is no suitable perennial or near-perennial aquatic habitat in or near the site for hardhead. This species is recorded in the CNDDDB (2015) in the Tuolumne River approximately 5 miles north of the site.

TABLE 3

## SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED IN THE GREATER PROJECT VICINITY

Common Name	Scientific Name	Federal Status <sup>1</sup>	State Status <sup>1</sup>	CNPS List <sup>2</sup>	Habitat	Likelihood of Occurrence in the Project Site
<b>INVERTEBRATES</b>						
Vernal pool tadpole shrimp	<i>Lepidurus packardi</i>	E	None	N/A	Vernal pools and seasonally wet depressions within the Central Valley.	Unlikely: there are no vernal pools or seasonal wetlands in the site. There are no occurrences of vernal pool tadpole shrimp recorded in the CNDDDB (2015) within the search area. The site is not within designated critical habitat for vernal pool tadpole shrimp (USFWS, 2005a).
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	T	None	N/A	Vernal pools and seasonally inundated depressions in the Central Valley.	Unlikely: there are no vernal pools or seasonal wetlands in the site. There are no occurrences of vernal pool fairy shrimp recorded in the CNDDDB (2015) within the search area. The site is not within designated critical habitat for any vernal pool shrimp species (USFWS, 2005a).
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	T	None	N/A	Elderberry shrubs in the Central Valley and surrounding foothills	Unlikely: the blue elderberry shrubs in the site are small and show no evidence of occupancy. The nearest occurrence of valley elderberry longhorn beetle in the CNDDDB (2015) search area steelhead is along the Tuolumne River, approximately 5 miles north of the site.

## Notes:

1 T= Threatened; E = Endangered; SC = Species of Special Concern per California Department of Fish and Wildlife.

2 CNPS List 1B includes species that are rare, threatened, or endangered in California and elsewhere.

habitat in the greater project vicinity. This table also includes an assessment of the likelihood of occurrence of each of these species in the site. The evaluation of the potential for occurrence of each species is based on the distribution of regional occurrences (if any), habitat suitability, and field observations.

**SPECIAL-STATUS PLANTS:** Three species of special-status plants were identified in the CNDDDB (2015) search area (Table 3 and Attachment A). These include heartscale (*Atriplex cordulata*), subtle oracle (*Atriplex subtilis*), and San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*). The USFWS species list (Attachment A) does not contain any special-status plants.

Special-status plants generally occur in relatively undisturbed areas in vegetation communities such as vernal pools, marshes and swamps, seasonal wetlands, riparian scrub, and areas with unusual soils. The leveled ruderal grassland in the site is highly disturbed and does not provide suitable habitat for any of these plants in Table 3 or other special-status plants. Due to lack of suitable habitat, no special-status plant species are expected to occur in the site.

**SPECIAL-STATUS WILDLIFE:** The potential for intensive use of habitats within the project site by special-status wildlife species is very low. Special-status wildlife identified in the CNDDDB (2015) search are Swainson's hawk, tricolored blackbird (*Agelaius tricolor*), Central Valley steelhead (*Oncorhynchus mykiss*), hardhead (*Mylopharodon conocephalus*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) (Table 3 and Attachment A). Although not recorded in the CNDDDB (2015) within the search area, giant garter snake (*Thamnophis gigas*), California red-legged frog (*Rana aurora draytonii*), delta smelt (*Hypomesus transpacificus*), vernal pool tadpole shrimp (*Lepidurus packardii*), and vernal pool fairy shrimp (*Branchinecta lynchi*) were added to Table 3 as they are on the USFWS Species List (Attachment B). Burrowing owl was added to Table 3 as it is widespread throughout the Central Valley and could occur in the project site.

While the project site may have provided habitat for special-status wildlife species at some time in the past, farming and development have substantially modified natural habitats in the greater project vicinity. Of the wildlife species identified in the CNDDDB, Swainson's hawk is the only species that has potential to occur in the site on more than a transitory or very occasional basis. Other special-status birds including tricolor blackbird, and burrowing owl, may fly over the area on occasion, but would not be expected to nest in or immediately adjacent to the project site.

**SWAINSON'S HAWK:** The Swainson's hawk is a migratory hawk listed by the State of California as a Threatened species. The Migratory Bird Treaty Act and Fish and Game Code of California protect Swainson's hawks year-round, as well as their nests during the nesting season (March 1 through September 15). Swainson's hawk are found in the Central Valley primarily during their breeding season, a population is known to winter in the San Joaquin Valley.

Swainson's hawks prefer nesting sites that provide sweeping views of nearby foraging grounds consisting of grasslands, irrigated pasture, hay, and wheat crops. Most Swainson's hawks are migratory, wintering in Mexico and breeding in California and elsewhere in the western United States. This raptor generally arrives in the Central Valley in mid-March, and begins courtship and nest construction immediately upon arrival at the breeding sites. The young fledge in early July, and most Swainson's hawks leave their breeding territories by late August.

The site is within the nesting range of Swainson's hawks and the CNDDDB (2015) contains a few records of nesting Swainson's hawks in the greater project vicinity (Attachment B). The nearest occurrence of nesting Swainson's hawks in the CNDDDB (2015) search area is approximately 2.5 miles southeast of the site. This species has also been documented nesting along the Tuolumne River approximately 5 miles north of the site.

Swainson's hawks were not observed in or near the site during the recent survey, which was conducted during the heart of the Swainson's hawk nesting season. The formerly paved areas and weedy grassland in the site provide marginal Swainson's hawk foraging habitat. It is unlikely Swainson's hawks utilize this small patch of land adjacent to a major highway for more than very occasional foraging when there are expansive alfalfa and hay fields in the region providing higher quality foraging habitat

**BURROWING OWL:** The Migratory Bird Treaty Act and Fish and Game Code of California protect burrowing owls year-round, as well as their nests during the nesting season (February 1 through August 31). Burrowing owls are a year-long resident in a variety of grasslands as well as scrub lands that have a low density of trees and shrubs with low growing vegetation; burrowing owls that nest in the Central Valley may winter elsewhere.

The primary habitat requirement of the burrowing owl is small mammal burrows for nesting. The owl usually nests in abandoned ground squirrel burrows, although they have been known to dig their own burrows in softer soils. In urban areas, burrowing owls often utilize artificial burrows including pipes, culverts, and piles of concrete pieces. This semi-colonial owl breeds from March through August, and is most active while hunting during dawn and dusk. There are no occurrences of burrowing owls in the CNDDDB (2015) search area.

No burrowing owls or ground squirrels were observed in the site. The grassland in the site is tall and weedy and provides marginal foraging habitat for burrowing owl. While a few old ground squirrel burrows were observed within the site, none had evidence of burrowing owl occupancy (i.e. whitewash, feathers and/or pellets). The site is well within the species range and burrowing owls may fly over or forage in the site on an occasional basis. It is possible that burrowing owls could nest in the site in the future, if burrow habitat is available.

VALLEY ELDERBERRY LONGHORN BEETLE: The valley elderberry longhorn beetle is listed as a federally threatened species and its host plant is the blue elderberry shrub. The United States Fish and Wildlife Service (USFWS, 1999) *Conservation Guidelines for the Valley Elderberry Longhorn Beetle* identifies stems in excess of 1 inch diameter at ground level as potential habitat for the beetle. These guidelines direct that, if possible, elderberry shrubs should be avoided by a ground disturbance set back of at least twenty feet from the drip line of each shrub. The guidelines further direct that buffer areas between 20 and 100 feet from the driplines of the shrubs that are subject to temporary ground disturbance should be restored or re-vegetated.

As mentioned above, there are two small blue elderberry shrubs in the northeast corner of the site, near the intersection of Highway 99 and North Golden State Boulevard (Figure 3 and photograph in Attachment C). There are also several blue elderberry shrubs in the parcel just southeast of the site, including a very large shrub approximately 30 feet east of the east edge of the site. The elderberry shrubs in the site each have a few stems between 1 and 3 inches in diameter at ground level and both shrubs are only about 5 to 6 feet tall. None of the shrub's stems have bore holes that appear suggestive of past occupancy by valley elderberry longhorn beetle. These small elderberry shrubs in the site likely established in the past decade when seeds from the shrubs to the east were dropped by birds.

OTHER SPECIAL-STATUS SPECIES: Special-status birds may fly over the area on occasion, but would not be expected to nest in or immediately adjacent to the project site. The site does not provide suitable aquatic habitat for any type of fish, giant garter snake, California tiger salamander, or California red-legged frog. There are no vernal pools or seasonal wetlands in the site for vernal pool branchiopods (i.e., fairy and tadpole shrimp).

CRITICAL HABITAT: The site is not within designated critical habitat for delta smelt (USFWS, 1994), California red-legged frog (USFWS, 2006), California tiger

salamander (USFWS, 2005a), federally listed vernal pool shrimp or plants (USFWS, 2005b), valley elderberry longhorn beetle (USFWS, 1980), or Central Valley steelhead (NOAA, 2005).

## Conclusions and Recommendations

- The site is disturbed grassland vegetated with ruderal grasses and weeds. The west part of the site was developed in the past and old foundations and pavement remain. On-site habitats are biologically unremarkable.
- No potentially jurisdictional Waters of the U.S. or wetlands were observed in the project site. A small detention basin along the north edge of the site does not meet the technical and/or regulatory criteria of jurisdictional wetlands or Waters of the U.S.
- Due to high levels of disturbance and a lack of suitable habitat, it is unlikely that special-status plants occur in the site.
- No special-status wildlife species are expected to occur in or near the site on more than a very occasional or transitory basis. Swainson's hawk and burrowing owl could potentially nest in the site and may use the site for occasional foraging. However, the weedy grassland in the site provides marginal foraging habitat and use of the site by either Swainson's hawk or burrowing owl is expected to be limited.
- Although considered unlikely, valley elderberry longhorn beetle could potentially occur in the small blue elderberry shrubs in the northeast part of the site. These small shrubs show no evidence of occupancy by valley elderberry longhorn beetle and removal of the shrubs is expected to have no effect on this species. Prior to removing the

shrubs, it is recommended the applicant obtain concurrence from USFWS regarding removing the shrubs.

- Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs should be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should also occur between June 15 and April 15. During this time period, valley elderberry longhorn beetle (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area
- Pre-construction surveys for nesting Swainson's hawks within 0.25 miles of the project site are recommended if construction commences between March 1 and September 15. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination should utilize criteria set forth by CDFW (CDFG, 1994).
- Pre-construction surveys for burrowing owls in the site should be conducted if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by CDFW (CDFG, 2012).
- Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds is recommended. If active nests are found, work in the vicinity of the nest should be delayed until the young fledge.

We hope this information is useful. Please call me at (209) 745-1159 with any questions.

Sincerely,



Diane S. Moore, M.S.  
Principal Biologist

## References and Literature Consulted

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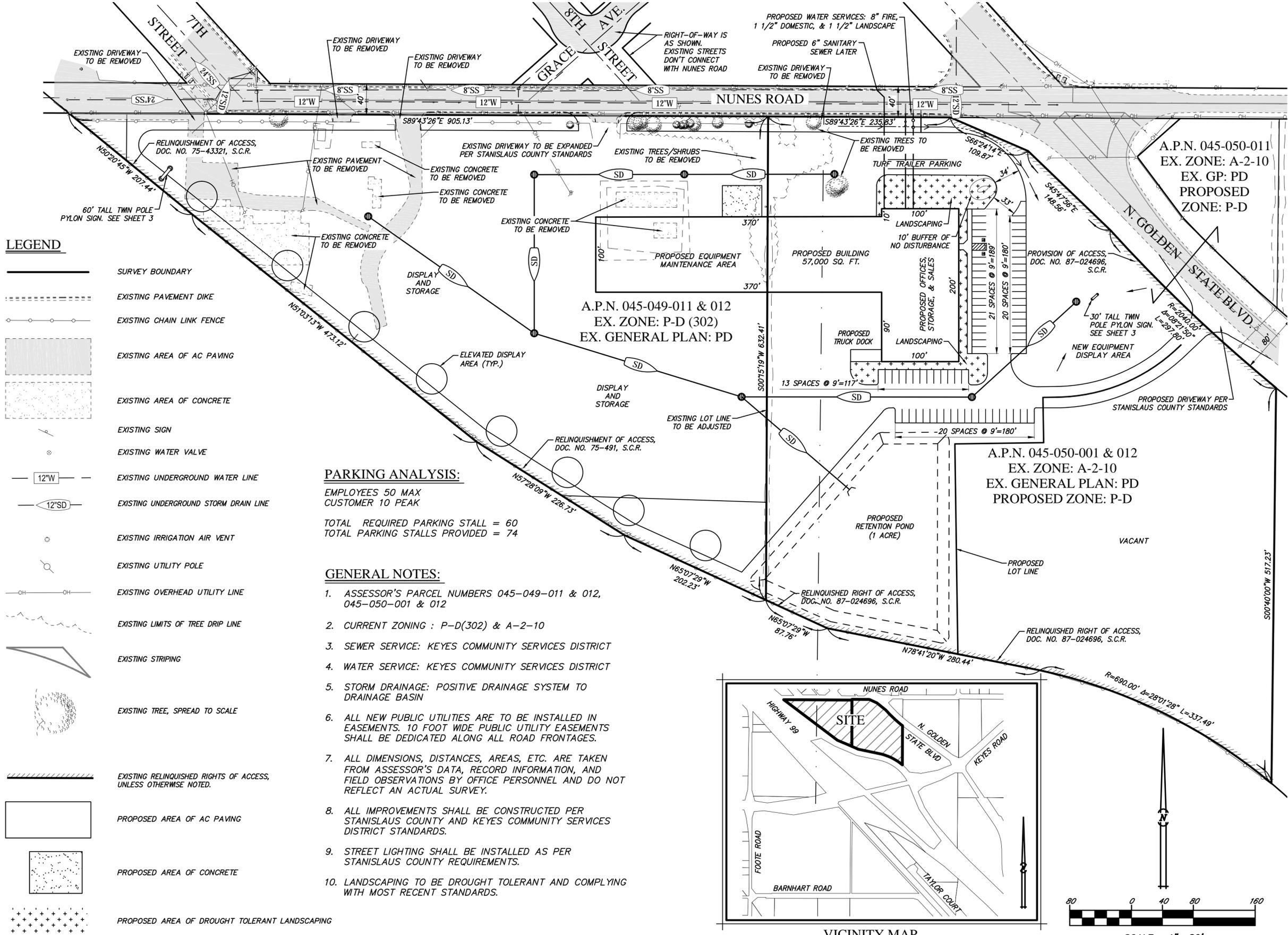
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Attachment A

Site Plan



**LEGEND**

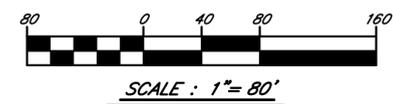
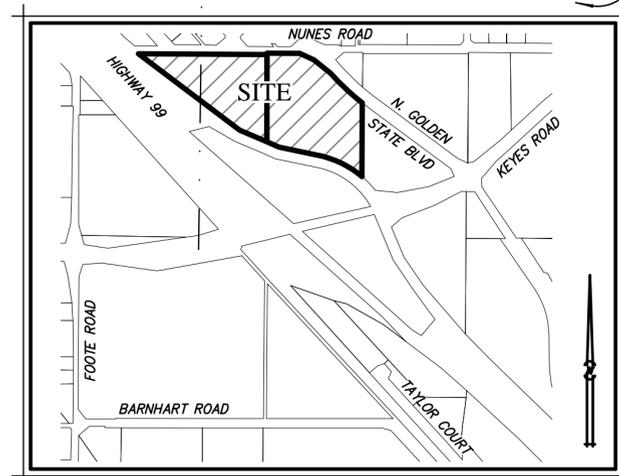
	SURVEY BOUNDARY
	EXISTING PAVEMENT DIKE
	EXISTING CHAIN LINK FENCE
	EXISTING AREA OF AC PAVING
	EXISTING AREA OF CONCRETE
	EXISTING SIGN
	EXISTING WATER VALVE
	EXISTING UNDERGROUND WATER LINE
	EXISTING UNDERGROUND STORM DRAIN LINE
	EXISTING IRRIGATION AIR VENT
	EXISTING UTILITY POLE
	EXISTING OVERHEAD UTILITY LINE
	EXISTING LIMITS OF TREE DRIP LINE
	EXISTING STRIPING
	EXISTING TREE, SPREAD TO SCALE
	EXISTING RELINQUISHED RIGHTS OF ACCESS, UNLESS OTHERWISE NOTED.
	PROPOSED AREA OF AC PAVING
	PROPOSED AREA OF CONCRETE
	PROPOSED AREA OF DROUGHT TOLERANT LANDSCAPING

**PARKING ANALYSIS:**

EMPLOYEES 50 MAX  
 CUSTOMER 10 PEAK  
 TOTAL REQUIRED PARKING STALL = 60  
 TOTAL PARKING STALLS PROVIDED = 74

**GENERAL NOTES:**

- ASSESSOR'S PARCEL NUMBERS 045-049-011 & 012, 045-050-001 & 012
- CURRENT ZONING : P-D(302) & A-2-10
- SEWER SERVICE: KEYES COMMUNITY SERVICES DISTRICT
- WATER SERVICE: KEYES COMMUNITY SERVICES DISTRICT
- STORM DRAINAGE: POSITIVE DRAINAGE SYSTEM TO DRAINAGE BASIN
- ALL NEW PUBLIC UTILITIES ARE TO BE INSTALLED IN EASEMENTS. 10 FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL ROAD FRONTAGES.
- ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM ASSESSOR'S DATA, RECORD INFORMATION, AND FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL SURVEY.
- ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER STANISLAUS COUNTY AND KEYES COMMUNITY SERVICES DISTRICT STANDARDS.
- STREET LIGHTING SHALL BE INSTALLED AS PER STANISLAUS COUNTY REQUIREMENTS.
- LANDSCAPING TO BE DROUGHT TOLERANT AND COMPLYING WITH MOST RECENT STANDARDS.



RODRICK H. HAWKINS: R.C.E. 50188	APPD
CROLIE E. LINDSAY: R.C.E. 31900 L.S. 4709	
KEVIN GENASCI: L.S. 8660	
SYM	DATE
	DESCRIPTION

RCS	3/2015
BY: RHH	
CHK: RHH	
DATE: 3/2015	
SCALE: 1"=80'	
JOB #: 3233	

**PLOT PLAN EXHIBIT**  
**REZONE**  
 4618 NUNES ROAD, KEYES  
 STANISLAUS COUNTY, CALIFORNIA

**HAWKINS & ASSOCIATES**  
**ENGINEERING, INC.**  
 436 MITCHELL RD.  
 MODESTO, CA. 95354  
 PH: (209) 575 - 4295 FX: (209) 578 - 4295



SHEET  
 1.  
 OF  
 3.

**Attachment B**

**CNDDDB Summary Report and Exhibits**

**& USFWS Species List**



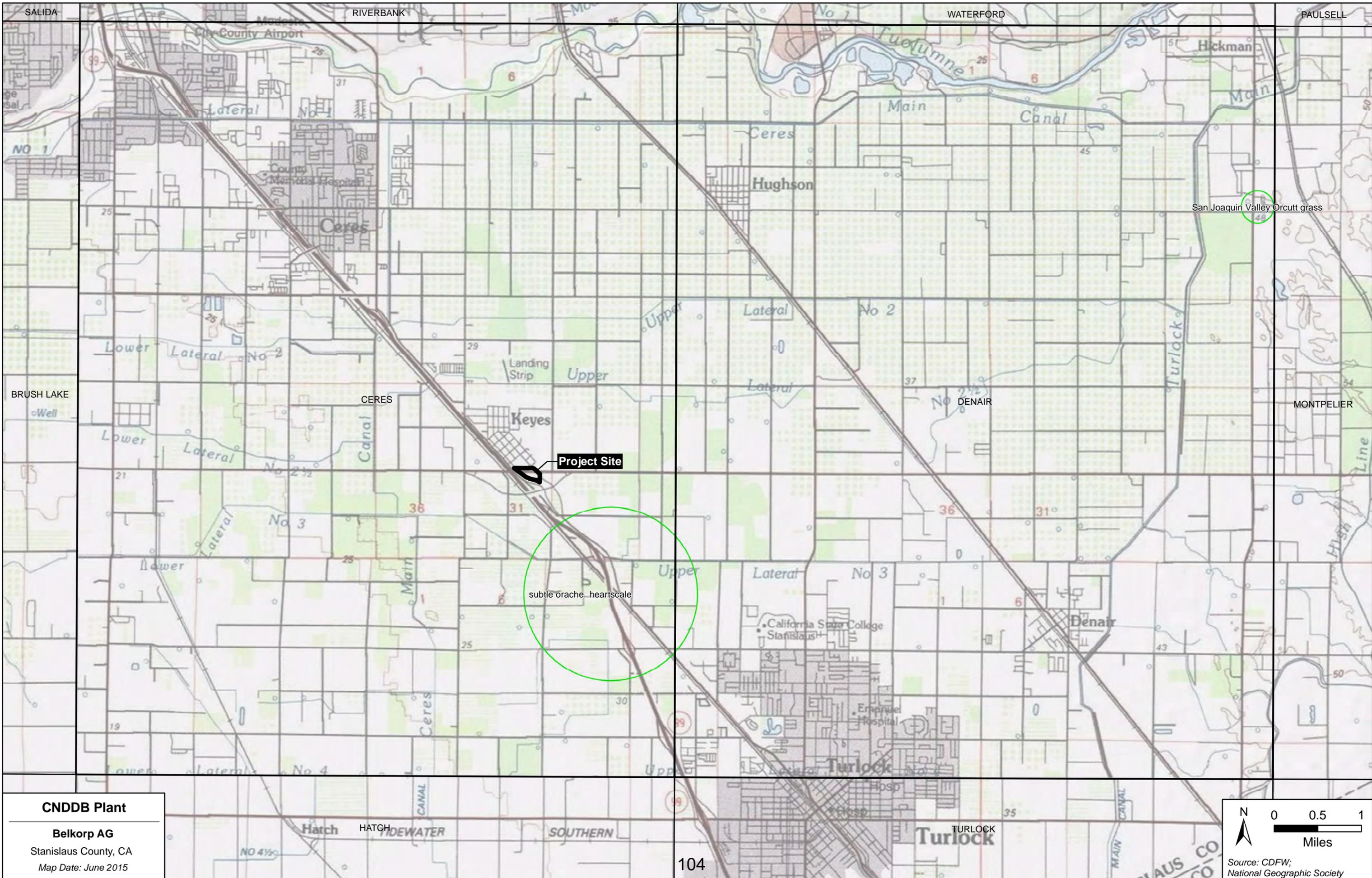
**Selected Elements by Scientific Name**  
**California Department of Fish and Wildlife**  
**California Natural Diversity Database**



**Query Criteria:** Quad is (Ceres (3712058) or Denair (3712057))

<b>Species</b>	<b>Element Code</b>	<b>Federal Status</b>	<b>State Status</b>	<b>Global Rank</b>	<b>State Rank</b>	<b>Rare Plant Rank/CDFW SSC or FP</b>
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Endangered	G2G3	S1S2	SSC
<i>Atriplex cordulata</i> var. <i>cordulata</i> heartscale	PDCHE040B0	None	None	G3T2	S2	1B.2
<i>Atriplex subtilis</i> subtle orache	PDCHE042T0	None	None	G1	S1	1B.2
<i>Buteo swainsoni</i> Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	AMACC08010	None	Candidate Threatened	G3G4	S2	SSC
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2	S2	
<i>Lasiurus cinereus</i> hoary bat	AMACC05030	None	None	G5	S4	
<i>Lytta moesta</i> moestan blister beetle	IICOL4C020	None	None	G2	S2	
<i>Mylopharodon conocephalus</i> hardhead	AFCJB25010	None	None	G3	S3	SSC
<i>Oncorhynchus mykiss irideus</i> steelhead - Central Valley DPS	AFCHA0209K	Threatened	None	G5T2Q	S2	
<i>Orcuttia inaequalis</i> San Joaquin Valley Orcutt grass	PMPOA4G060	Threatened	Endangered	G1	S1	1B.1

**Record Count: 11**



SALIDA

RIVERBANK

WATERFORD

PAULSELL

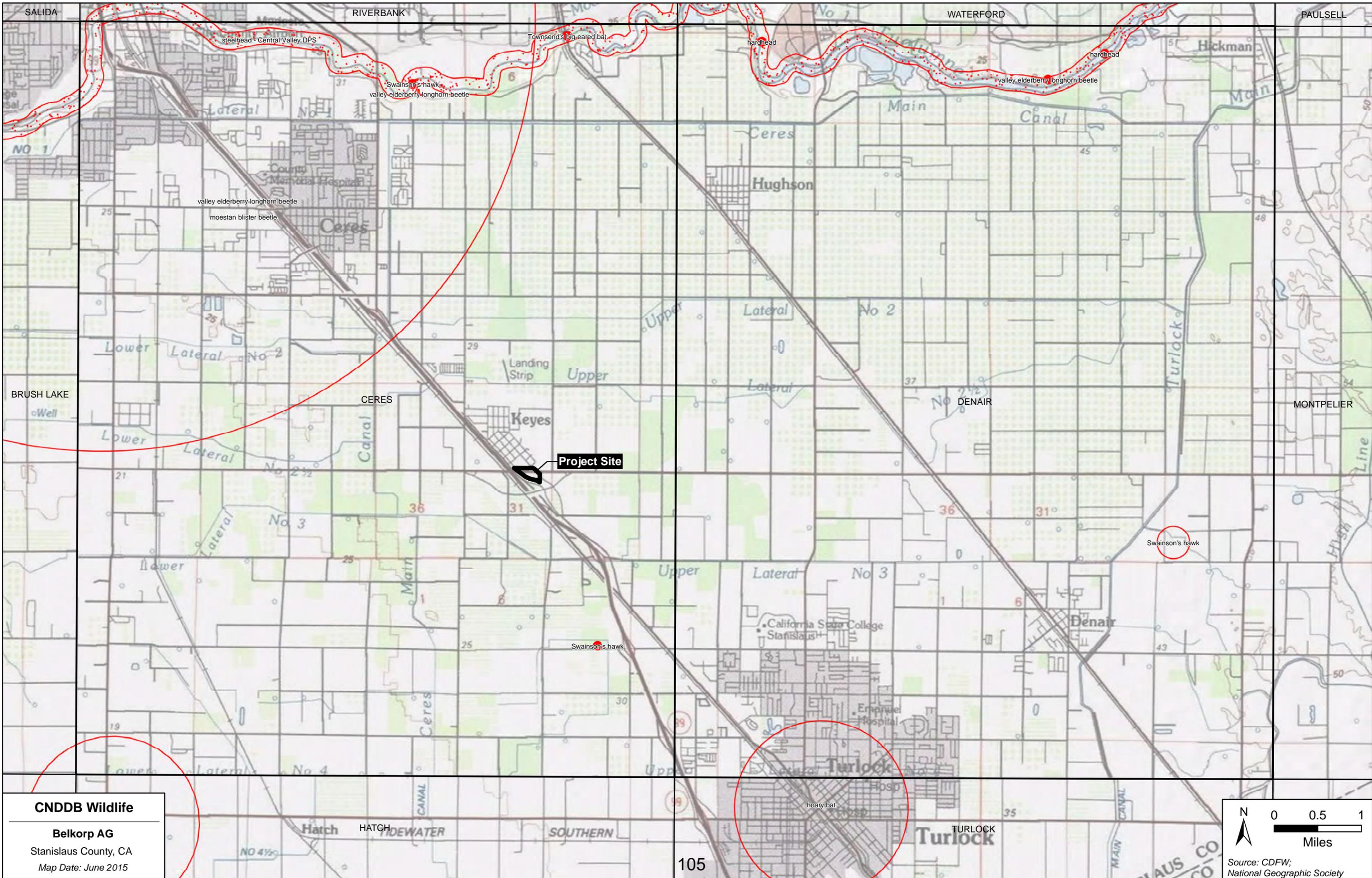
BRUSH LAKE

MONTPELIER

**CNDDDB Plant**  
**Belkorp AG**  
Stanislaus County, CA  
Map Date: June 2015

104

N  
0 0.5 1  
Miles  
Source: CDFW;  
National Geographic Society



**CNDDDB Wildlife**  
**Belkorp AG**  
Stanislaus County, CA  
Map Date: June 2015

N  
0 0.5 1  
Miles  
Source: CDFW;  
National Geographic Society



# Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the [Endangered Species Program](#) and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under [Section 7](#) of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an Official Species List from the regulatory documents section.

## Amphibians

### **California Red-legged Frog** *Rana draytonii* **Threatened**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=D02D>

### **California Tiger Salamander** *Ambystoma californiense* **Threatened**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=D01T>

## Crustaceans

### **Vernal Pool Fairy Shrimp** *Branchinecta lynchi* **Threatened**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=K03G>

### **Vernal Pool Tadpole Shrimp** *Lepidurus packardii* **Endangered**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=K048>

## Fishes

### **Delta Smelt** *Hypomesus transpacificus*

**Threatened**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=E070>

### **Steelhead** *Oncorhynchus (=Salmo) mykiss*

**Threatened**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=E08D>

## Insects

### **Valley Elderberry Longhorn Beetle** *Desmocerus californicus dimorphus*

**Threatened**

CRITICAL HABITAT

There is **final** critical habitat designated for this species.<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=I01L>

## Reptiles

### **Giant Garter Snake** *Thamnophis gigas*

**Threatened**

CRITICAL HABITAT

**No critical habitat** has been designated for this species.<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=C057>

## Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area

Attachment C

Photographs



Paved area in the northwest tip of the site, looking southeast; 06/10/15.



Weedy grassland in the southeast part of the site, looking northwest; 06/10/15.



Nunes Road along the north edge of the site, looking east from 7th Street; 06/10/15.



Landscaped strip along Highway 99, looking southeast from the northwest corner of the site; 06/10/15.



Cottonwood in the north-central part of the site, looking west; 06/10/15. A large raptor stick nest in this tree is tattered and appears to be from the 2014 nesting season.



Old foundations, palms and a pecan tree in the northwest part of the site, looking northwest; 06/10/15. Aerial photographs from the early 2000s' show development in this part of the site.



Two small blue elderberry shrubs in the northeast part of the site, looking northwest; 06/10/15.



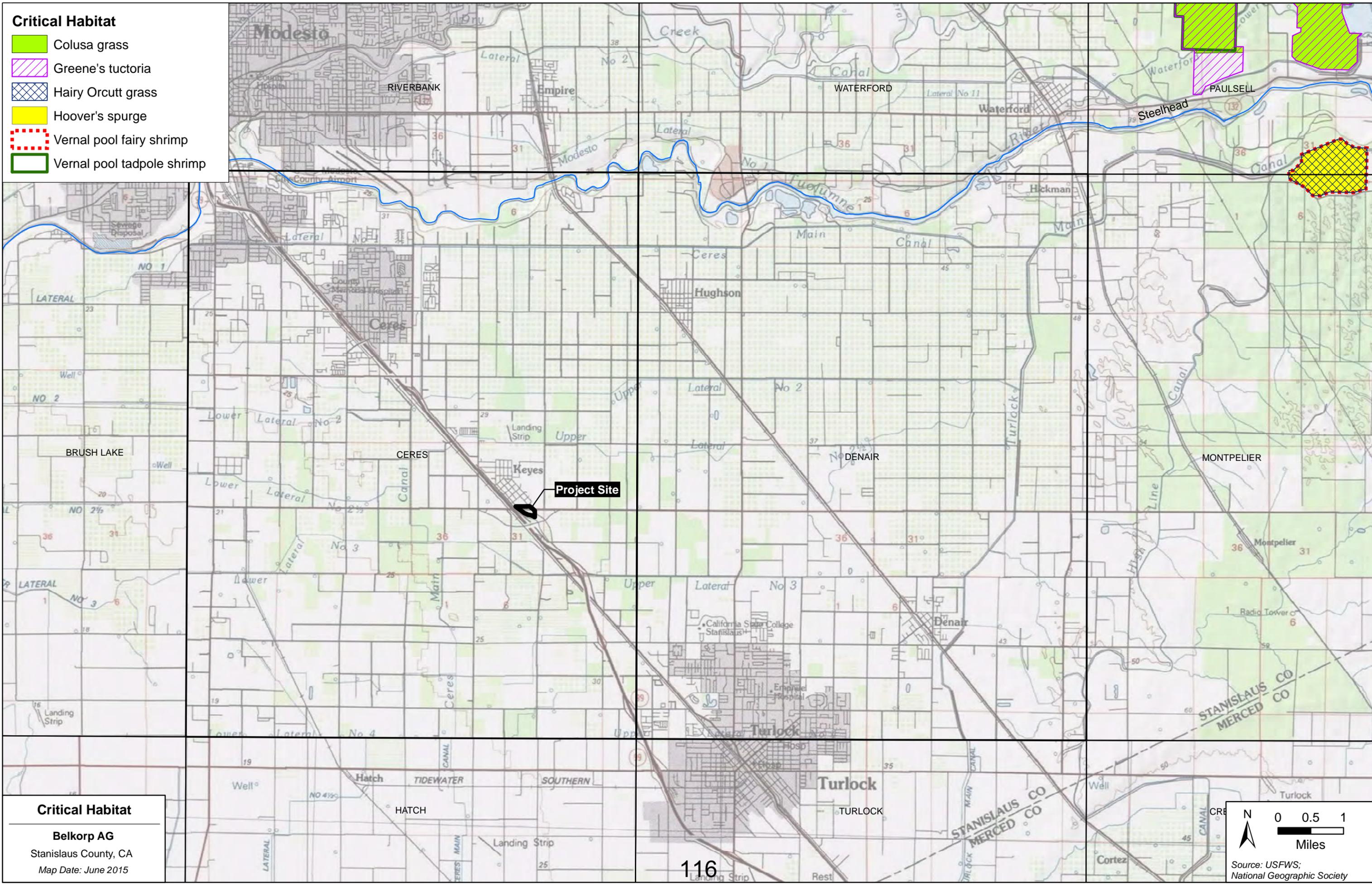
One of several large blue elderberry shrubs in the parcel just east of the site; 06/10/15. The shrub is approximately 30 feet east of the east edge of the site.



Old detention basin along Nunes Road, looking west; 06/10/15. This small basin is in the vicinity of the old foundations and was likely constructed when the site was previously developed.

Attachment D  
Designated Critical Habitat

- Critical Habitat**
- Colusa grass
  - Greene's tuctoria
  - Hairy Orcutt grass
  - Hoover's spurge
  - Vernal pool fairy shrimp
  - Vernal pool tadpole shrimp



**Critical Habitat**

**Belkorp AG**  
Stanislaus County, CA  
Map Date: June 2015

N

0 0.5 1  
Miles

Source: USFWS;  
National Geographic Society

## **ARCHAEOLOGICAL INVENTORY SURVEY**

**Belkorp Development Project,  
circa 14 acres, Stanislaus County, California.**

Prepared for

**Hawkins & Associates Engineering, Inc.**

436 Mitchell Road  
Modesto, CA 95354

Author

**Sean Michael Jensen, M.A.**

**Keywords** *for Information Center Use:*

Archaeological Inventory Survey, circa 14-acres, Stanislaus County, CEQA, USGS Keyes,  
Ca. 7.5' Quad., No Significant Historical Resources, No Unique Archaeological Resources.

April 30, 2015

*GENESIS SOCIETY - PARADISE, CALIFORNIA*

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*ARCHAEOLOGICAL - HISTORICAL - CULTURAL RESOURCE MANAGEMENT SERVICES*

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## ATTACHMENTS

- Project Location and Archaeological Survey Area Map.
- Copy of Records Search from CCIC, 9275N, dated March 23, 2015.
- Correspondence to the Native American Heritage Commission (NAHC).

# 1. INTRODUCTION

## Project Background

This report details the results of an archaeological inventory of the proposed Belkorp Development Project which involves approximately 14-acres, bound by Nunes Road on the north, South Golden State Boulevard to the east, and State Route 99 to the south-southwest, within the community of Keyes, in Stanislaus County, California. The proposed project involves construction of a new commercial facility, including construction of new structures, parking areas, access roads, placement of utilities, etc.

Since the project could involve physical disturbance to ground surface and sub-surface components in conjunction with proposed commercial development, it has the potential to impact cultural resources that may be located within the APE. In this case, the APE consists of the circa 14-acre property. Evaluation of the project’s potential to impact cultural resources must be undertaken in conformity with Stanislaus County rules and regulations, and in compliance with requirements of the California Environmental Quality Act of 1970, Public Resources Code, Section 21000, et seq. (CEQA), and The California CEQA Environmental Quality Act Guidelines, California Administrative Code, Section 15000 et seq. (Guidelines as amended).

## Scope of Work

At the most general level, compliance with CEQA requires completion of projects in conformity with the standards contained in Section 15064.5 of the CEQA Guidelines, as amended. Based on this and other relevant Sections of the Guidelines, the following specific tasks were considered an adequate and appropriate Scope of Work for the present project:

- Conduct a records search at the Central California Information Center of the California Historical Resources Information System at CSU-Stanislaus, and review state data bases and other relevant background information. The goals of the records search and data base review are to determine (a) the extent and distribution of previous archaeological surveys, (b) the locations of known archaeological sites and any previously recorded archaeological districts, and (c) the relationships between known sites and environmental variables. This step is designed to ensure that, during subsequent field survey work, all archaeological and historical sites considered significant per CEQA are discovered, correctly identified, fully documented, and properly interpreted.
- Conduct a pedestrian field survey of the project area. Based on map review, a complete coverage intensive survey was considered appropriate, given the presence of potentially high archaeological sensitivity throughout the project area. The purpose of the pedestrian survey is to ensure that any previously recorded sites identified during the records search are re-located and existing evaluations updated based on current site and field conditions. For previously undocumented sites identified which might qualify as “cultural resources” per CEQA, the field survey would involve formally recording these on DPR-523 Forms.

- Upon completion of the records search and pedestrian survey, prepare an archaeological inventory survey report that identifies project effects and recommends appropriate mitigation measures for any prehistoric or historic sites recommended significant under CEQA and which might be affected by the project.

The remainder of the present document constitutes the Final Report for this project, detailing the results of the records search and field survey and containing recommendations for treatment of significant sites that could be impacted by the project. All field survey procedures followed guidelines provided by the State Historic Preservation Office (Sacramento) and conform to accepted professional standards.

## Location

The Belkorp Development Project area involves approximately 14-acres, bound by Nunes Road on the north, South Golden State Boulevard to the east, and State Route 99 to the south-southwest, within the community of Keyes, in Stanislaus County, California. Lands affected are located within a portion of Section 31 of T4S, R10E, as shown on the USGS Keyes, California, 7.5' quadrangle (see attached *Project Location Map*).

The most important natural surface water source within the project area is the Tuolumne River which flows roughly east-west approximately 5 miles north of the project area. No permanent sources of surface water are located within the project property.

Based on a review of topographic and other maps, and notwithstanding prior impacts to surface and subsurface soil components resulting from intensive agricultural, residential and commercial development, the study area appeared to contain lands ranging from low to moderate in sensitivity for historic-era resources, and generally low in sensitivity for prehistoric resources.

## 2. RECORDS SEARCH and SOURCES CONSULTED

Several sources of information were considered relevant to evaluating the types of archaeological sites and site distribution that might be encountered within the project area. The information evaluated prior to conducting pedestrian field survey includes soil types and geomorphological features, data maintained by the Central California Information Center at CSU-Stanislaus, and review of available published and unpublished documents relevant to regional prehistory, ethnography, and early historic developments.

### Records at Central California Information Center

Prior to conducting the intensive-level field survey, a search of archaeological records maintained by the Central California Information Center at CSU-Stanislaus was conducted (CCIC File # 9275N, dated March 23, 2015). This search included the APE, and lands immediately adjacent to the APE, the findings of which included:

- **Previous Archaeological Survey:** According to the information center, none of the present APE has been subjected to formal archaeological survey. Chavez (1976) conducted a survey adjacent to the north side of the APE (CCAIC Report # ST-859).
- **Recorded Cultural Resources:** According to the Information Center, no prehistoric or historic archaeological resources have been recorded within, or immediately adjacent to, the APE.

## Other Sources Consulted

In addition to the archaeological records of Stanislaus County as maintained by the Central California Information Center, the following sources were also consulted:

- The National Register of Historic Places (1986, Supplements to 2014).
- The California Register of Historical Resources (2014).
- The California Inventory of Historic Resources (1976).
- California State Historical Landmarks (1996).
- California Points of Historical Interest (1992).
- OHP Historic Property Data File (3/20/14).
- OHP Archaeological Determination of Eligibility (4/5/12).
- The Survey of Surveys (1989).
- Caltrans State and Local Bridges Inventory.
- GLO Plat T4S, R10E, Sheet # 44-245, dated 1853-54.
- 1953 USGS Keyes, CA 7.5' quadrangle.
- 1969 USGS Keyes, CA 7.5' quadrangle (Photorevised 1987).
- Published and unpublished documents relevant to environment, ethnography, prehistory and early historic developments in the vicinity, providing context for assessing site types and distribution patterns for the project area (summarized below under ***Environmental and Cultural Context***).

## Native American Consultation

In addition to examining the records of Stanislaus County at the CCIC and reviewing published and other sources of information, consultation was undertaken with the Native American Heritage Commission (NAHC) re. sacred land listings for the property. An information request letter was delivered to the NAHC on April 28, 2015. To date, the NAHC has yet to respond.

## 3. Environmental and Cultural Context

### Environmental Context

Situated within the central San Joaquin Valley, the APE occupies relatively flat terrain which was likely subjected to agricultural development during the latter portion of the 19<sup>th</sup> century, and which has been subjected to intensive agricultural, residential and commercial activities over the past century. Elevation within the APE averages approximately 93 feet above mean

sea level. The most important natural surface water source within the project area is the Tuolumne River which flows roughly east-west approximately 5 miles north of the project area. No permanent sources of surface water are located within the project property.

Generally, environmental conditions within the Central Valley have remained stable throughout the past 8-10,000 years, although minor fluctuations in overall precipitation and temperature regime have been documented, and these undoubtedly influenced prehistoric patterns of land use and settlement.

## Cultural Context

**Prehistory:** The earliest residents of the study area are represented by the Fluted Point and Western Pluvial Lakes Traditions, which date from about 11,500 to 7,500 years ago (Moratto 2004). Within portions of the Central Valley, fluted projectile points have been found at Tracy Lake (Heizer 1938) and around the margins of Buena Vista Lake in Kern County. Similar materials have been found to the north, at Samwel Cave near Shasta Lake and near McCloud and Big Springs in Siskiyou County. These early peoples are thought to have subsisted using a combination of generalized hunting and lacustrine exploitation (Moratto 2004).

These early cultural assemblages were followed by an increase in Native population density after about 7,500 years ago. One of the most securely dated of these assemblages in north-central California is from the Squaw Creek Site located north of Redding. Here, a charcoal-based C-14 date suggests extensive Native American presence around 6,500 years ago, or 4,500 B.C. Most of the artifactual material dating to this time period has counterparts further south, around Borax (Clear) Lake and the Farmington Area a short distance east of Sacramento. Important artifact types from this time period include large wide-stemmed projectile points and manos and metates.

In the Central Valley of California in the general vicinity of the project area, aboriginal populations continued to expand between 6,500 and 4,500 years ago. Penutian-speaking Native American peoples are thought to have arrived in the area during this period, eventually displacing the earlier Hokan-speaking populations in both upland and valley zones. Presumably introduced by these later Penutian-speaking arrivals were more extensive use of bulbs and other plant foods, animal and fishing products more intensively processed with mortars and pestles, and perhaps the bow and arrow and associated small stemmed- and corner-notched projectile points. The Penutian-speaking peoples occupying the project area at the time of initial contact with European American populations were the Yokuts.

**Ethnography:** As noted above, the project area is located within land claimed by the Penutian-speaking Yokuts at the time of initial contact with European American populations *circa*. A.D. 1850 (Kroeber 1925:474-573; Wallace 1978: Figure 1). The Yokuts occupied an area extending from the crest of the Coast "Diablo" Range easterly into the foothills of the Sierra Nevada, north to the American River, and south to the upper San Joaquin River.

The basic social unit for the Yokuts was the family, although the village may also be considered a social, as well as a political and economic, unit. Villages were often located on flats adjoining streams, and were inhabited mainly in the winter as it was necessary to go out

into the hills and higher elevation zones to establish temporary camps during food gathering seasons (i.e., spring, summer and fall). Villages typically consisted of a scattering of small structures, numbering from four or five to several dozen in larger villages, each house containing a single family of from three to seven people. Larger villages, with from twelve to fifteen or more houses, might also contain an earth lodge.

As with most California Indian groups, economic life for the Yokuts revolved around hunting, fishing and the collecting of plant foods, with deer, acorns, avian, and aquatic resources representing primary staples. The collection and processing of these various food resources was accomplished with the use of a wide variety of wooden, bone and stone artifacts. The Yokuts were very sophisticated in terms of their knowledge of the uses of local animals and plants, and of the availability of raw material sources which could be used in manufacturing an immense array of primary and secondary tools and implements. However, only fragmentary evidence of their material culture remains, due in part to perishability, and in part to the impacts to archaeological sites resulting from later (historic) land uses.

**Historic Context:** Interior California was initially visited by Anglo-American fur trappers, Russian scientists, and Spanish-Mexican expeditions during the early part of the 19<sup>th</sup> Century. These early explorations were followed by a rapid escalation of European-American activities, which culminated in the massive influx fostered by the discovery of gold at Coloma in 1848.

Early Spanish expeditions arrived from Bay Area missions as early as 1804, penetrating the northwestern San Joaquin Valley (Cook 1976). By the mid-1820s, hundreds of fur trappers were annually traversing the Valley on behalf of the Hudson's Bay Company (Maloney 1945). By the late 1830s and early 1840s, several small permanent European-American settlements had emerged in the Central Valley and adjacent foothill lands, including Ranchos in the interior Coast Range, and of course the settlement at New Helvetia (Sutter's Fort) at the confluence of the Sacramento and American Rivers (Sacramento).

With the discovery of gold in the Sierra Nevada, large numbers of European-Americans, Hispanics, and Chinese arrived in and traveled through the Valley. The Valley's east-side mining communities' demands for hard commodities led quickly to the expansion of ranching and agriculture throughout the Great Central Valley and the interior valleys of the Coast Range. Stable, larger populations arose and permanent communities slowly emerged in the Central Valley, particularly along major transportation corridors. Of particular importance in this regard was the transformation brought about by the railroads.

The Southern Pacific and Central Pacific Railroads and a host of smaller interurban lines to the north and east around the cities of Sacramento, Stockton and Modesto began intensive projects in the late 1860s. By the turn of the century, nearly 3,000 miles of lines connected the cities of Modesto and Stockton with points south and north. Many of the valley's cities, including many in Stanislaus and adjacent Counties, were laid out as isolated railroad towns in the 1870s and 1880s by the Southern and Central Pacific, which not only built and settled, but continued to nurture the infant cities until settlement could be independently sustained.

One community that originated, at least in part, separate from the railroad was Ceres, which is located a short distance north of the community of Keyes and the present APE. Named

after the Roman goddess of agriculture, Ceres was founded by Daniel Whitmore in 1870 with the construction of a residence/post office in 1870. In that same year, Ephraim Hatch donated land to the Central Pacific Railroad when they constructed a right-of-way through his land (Hohenthal, et al. 1972).

In 1875, Whitmore filed a map, which was prepared by his brother R. K. Whitmore, for the planned community of Ceres. Residential lots were subsequently sold, and agricultural activities intensified within the area. In order to serve the burgeoning population, as well as the increased agricultural commodities from the area, the San Francisco & San Joaquin Valley Railroad (SF&SJV) was constructed in the region in 1895. In 1898, the Atchison Topeka & Santa Fe Railroad bought the SF&SJV (Brotherton 1981).

In order to accommodate the expanding agricultural land use in the area, water conveyance became a critical issue for the region. The Turlock Irrigation District (TID) was formed in 1887, with construction of the La Grange Dam on the Tuolumne River in 1893 reflecting a substantial effort to this end. Over the next decade, a system of canals was constructed to serve the region.

Agricultural development intensified through the end of the 19<sup>th</sup> and into the 20<sup>th</sup> Centuries, spurred initially and then supported by the railroads that provided the means for bulk product to be transported to a much larger market. By the end of the 19<sup>th</sup> Century, a very substantial portion of the Valley was being intensively cultivated, with increasing mechanization occurring throughout all of the 20<sup>th</sup> Century and substantial expansion of cultivated acreage occurring with the arrival of water from the CVP.

## **4. ARCHAEOLOGICAL SURVEY and CULTURAL INVENTORY**

### **Survey Coverage**

All of the circa 14-acre APE was subjected to intensive pedestrian survey by means of walking systematic transects, spaced at 20 meter intervals.

In searching for cultural resources, the surveyor took into account the results of background research and was alert for any unusual contours, soil changes, distinctive vegetation patterns, exotic materials, artifacts, feature or feature remnants and other possible markers of cultural sites.

Field work was undertaken on April 26, 2015 by Sean Michael Jensen. Mr. Jensen is a professional archaeologist, with 28 years experience in archaeology and history, who meets the Secretary of Interior's Standards for Professional Qualification, as demonstrated in his listing on the California Historical Resources Information System list of qualified archaeologists and historians. No special problems were encountered and all survey objectives were satisfactorily achieved.

## General Observations

According to documentation obtained by Fisco (2014a, 2014b) the western half of the present APE consisted of agricultural land and residential property from at least 1916. Between 1957 and 1967, that same portion of the property was home to a commercial sales facility, and between 1998 and 2005 had been converted to residential development. By 2012, the portion of the property was vacant. The remaining portion of the property appears to have been utilized for agriculture until around 1984. According to the property owner, a residence and barn which occupied the property were subjected to a controlled training fire undertaken by the local fire department.

Several concrete slabs, paved parking areas, and paved drives were observed throughout the property, especially concentrated within the northwestern portion of the APE. These features are the remnants of the aforementioned activities and subsequent wholesale demolition.

All of these activities (farming, ranching, commercial development, residential development, subsequent razing of all structures) have severely impacted the surface and subsurface soils within the APE. Additional disturbances include placement of buried and overhead utilities, and adjacent road construction and maintenance.

## Prehistoric Resources

No prehistoric resources were identified during the present pedestrian survey. The absence of such resources may best be explained by the absence of a permanent source of surface water within, or nearby the project area, and to the degree of disturbance to which the entire property has been subjected.

## Historic-Era Resources

No evidence of historic-era resources was observed within the APE during the present pedestrian survey. As noted above, several concrete slabs, paved parking areas, and paved drives were observed throughout the property, especially concentrated within the northwestern portion of the APE. These features are the remnants of the aforementioned activities and subsequent wholesale demolition. Consistent with contemporary standards and practices (*sec.* Caltrans), these features represent a “property type” exempt from evaluation. Consequently, these features do not achieve the threshold to qualify as a significant historical resource, and warrant no further consideration.

## 5. PROJECT EFFECTS

A project may have a significant impact or adverse effect on significant historical resources/unique archaeological resources/historic properties if the project will or could result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance or values of the historic resource would be materially impaired. Actions that would materially impair a cultural resource or historic

property are actions that would alter or diminish those attributes of a site that qualify the site for inclusion in State site registers or the National Register of Historic Places.

Based on the specific findings detailed above under *Pedestrian Survey and Inventory*, no significant historical resources/unique archaeological resources are present within the project area and no historical resources/unique archaeological resources will be affected by the undertaking, as presently proposed.

## 6. PROJECT SUMMARY

This report details the results of an archaeological inventory of the proposed Belkorp Development Project which involves approximately 14-acres, bound by Nunes Road on the north, South Golden State Boulevard to the east, and State Route 99 to the south-southwest, within the community of Keyes, in Stanislaus County, California. The proposed project involves construction of a new commercial facility, including construction of new structures, parking areas, access roads, placement of utilities, etc.

A search of State data bases, including all records and documents available at the Central California Information Center, and intensive pedestrian survey, failed to identify significant historical resources/unique archaeological resources within the 14-acre APE.

Based on the findings of the present archaeological inventory, no significant historical resources and no unique archaeological resources will be affected within the 14-acre APE. Despite these negative findings, the following general provisions are considered appropriate:

- 1) ***Consultation in the event of inadvertent discovery of human remains:*** Evidence of human burial or scattered human remains related to prehistoric occupation of the area could be inadvertently encountered anywhere within the project area during future construction activity or other actions involving disturbance to the ground surface and subsurface components. In the event of such an inadvertent discovery, the County Coroner would have to be informed and consulted, per State law. Ultimately, the goal of consultation is to establish an agreement between the most likely lineal descendant designated by the Native American Heritage Commission and the project proponent(s) with regard to a plan for treatment and disposition of any human remains and artifacts which might be found in association. Such treatment and disposition may require reburial of any identified human remains/burials within a “preserve” or other designated portion of the development property not subject to ground disturbing impacts.
- 2) ***Consultation in the event of inadvertent discovery of cultural material:*** The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that significant unidentified cultural materials could be encountered on or below the surface during the course of future development or construction activities. This caveat is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance has occurred, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.

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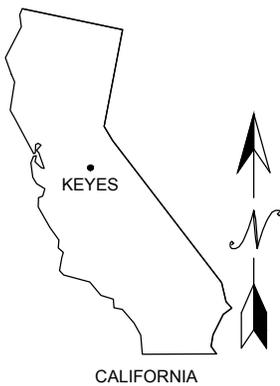
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REFERENCE: 7.5 MINUTE USGS QUADRANGLE KEYES, CALIFORNIA. DATED 1987 AND PHOTOREVISED FROM 1969



Washington  
Issaquah | Bellingham | Seattle

Oregon  
Portland

California  
Oakland | Sacramento

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**FIGURE 1**

SITE VICINITY MAP  
COCHRAN PROPERTY  
4612 NUNES ROAD  
KEYES, CALIFORNIA

FARALLON PN: 527-017

Drawn By: GPF

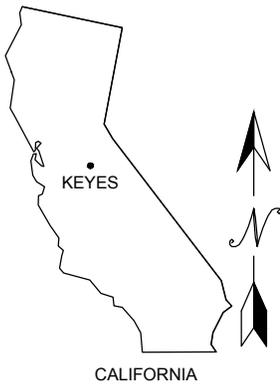
Checked By: TH

Date: 11/25/2014

Disk Reference: 527-017c



REFERENCE: 7.5 MINUTE USGS QUADRANGLE KEYES, CALIFORNIA. DATED 1987 AND PHOTOREVISED FROM 1969



Washington  
Issaquah | Bellingham | Seattle

Oregon  
Portland

California  
Oakland | Sacramento

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**FIGURE 1**

SITE VICINITY MAP  
SUCKOW PROPERTY  
STANISLAUS COUNTY APNs 045-050-001, -011, -012  
KEYES, CALIFORNIA

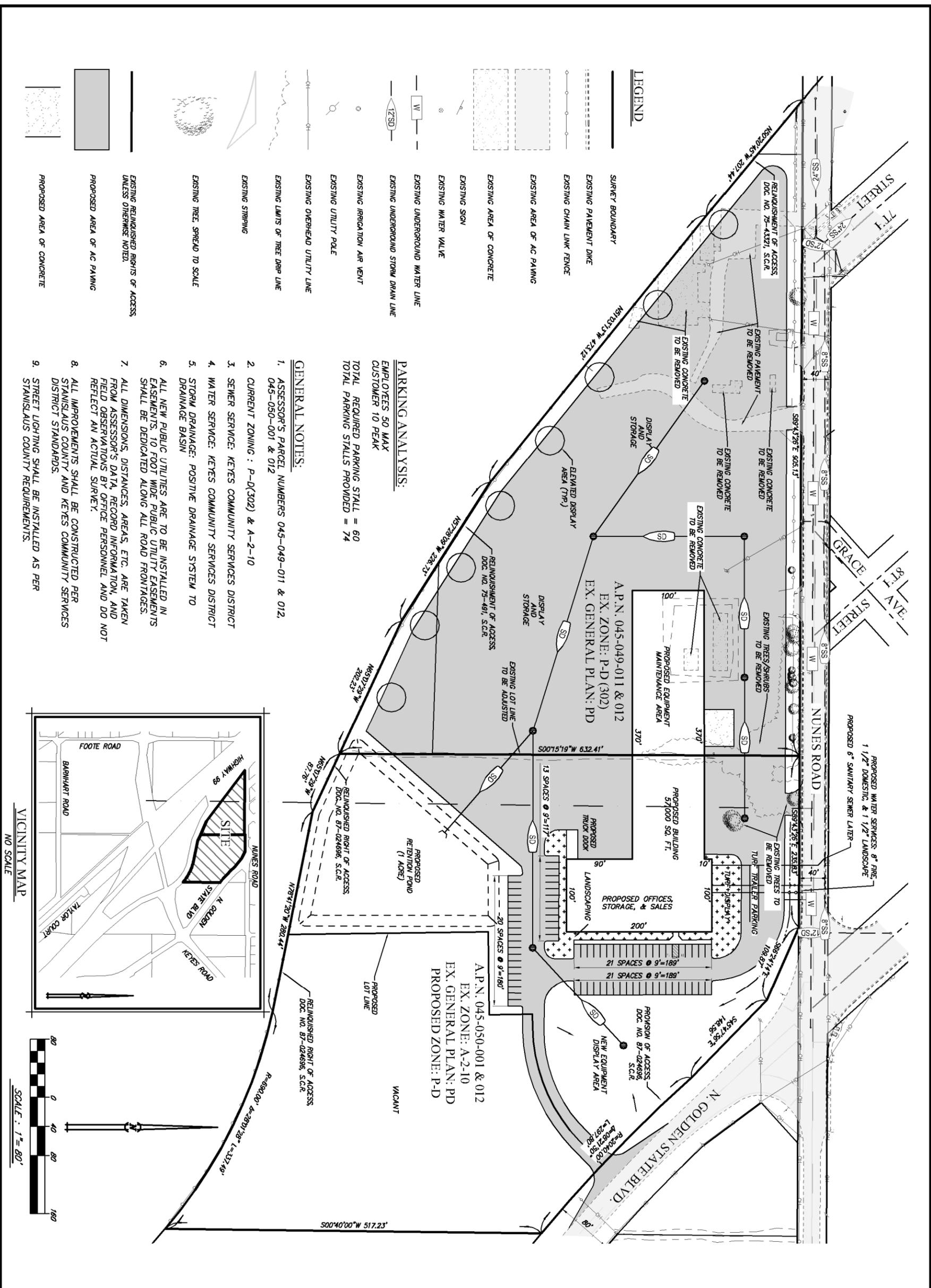
FARALLON PN: 527-017

Drawn By: GPF

Checked By: TH

Date: 11/25/2014

Disk Reference: 527-017s

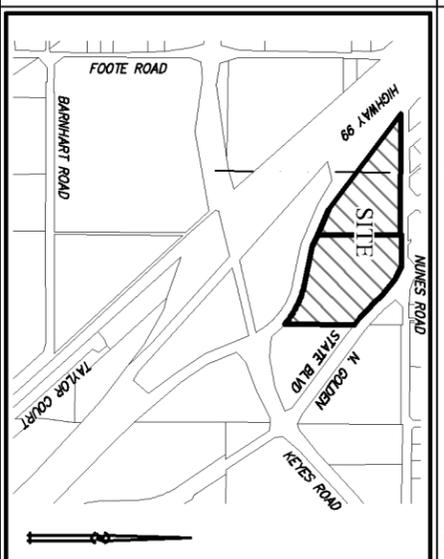


- LEGEND**
- SURVEY BOUNDARY
  - - - EXISTING PAVEMENT DIKE
  - - - EXISTING CHAIN LINK FENCE
  - ▭ EXISTING AREA OF AC PAVING
  - ▭ EXISTING AREA OF CONCRETE
  - EXISTING SIGN
  - ⊗ EXISTING WATER VALVE
  - EXISTING UNDERGROUND WATER LINE
  - EXISTING UNDERGROUND STORM DRAIN LINE
  - ⊙ EXISTING IRRIGATION AIR VENT
  - ⊙ EXISTING UTILITY POLE
  - EXISTING OVERHEAD UTILITY LINE
  - - - EXISTING LIMITS OF TREE DRIP LINE
  - EXISTING STRIPING
  - EXISTING TREE, SPREAD TO SCALE
  - ▭ EXISTING REINQUISHED RIGHTS OF ACCESS UNLESS OTHERWISE NOTED.
  - ▭ PROPOSED AREA OF AC PAVING
  - ▭ PROPOSED AREA OF CONCRETE

**PARKING ANALYSIS:**  
 EMPLOYEES 50 MAX  
 CUSTOMER 10 PEAK  
 TOTAL REQUIRED PARKING STALL = 60  
 TOTAL PARKING STALLS PROVIDED = 74

**GENERAL NOTES:**

1. ASSESSOR'S PARCEL NUMBERS 045-049-011 & 012, 045-050-001 & 012
2. CURRENT ZONING : P-D(302) & A-2-10
3. SEWER SERVICE: KEYES COMMUNITY SERVICES DISTRICT
4. WATER SERVICE: KEYES COMMUNITY SERVICES DISTRICT
5. STORM DRAINAGE: POSITIVE DRAINAGE SYSTEM TO DRAINAGE BASIN
6. ALL NEW PUBLIC UTILITIES ARE TO BE INSTALLED IN EASEMENTS, 10 FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL ROAD FRONTAGES.
7. ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM ASSESSOR'S DATA, RECORD INFORMATION, AND FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL SURVEY.
8. ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER STANISLAUS COUNTY AND KEYES COMMUNITY SERVICES DISTRICT STANDARDS.
9. STREET LIGHTING SHALL BE INSTALLED AS PER STANISLAUS COUNTY REQUIREMENTS.



SHEET  
 1.  
 OF  
 2.



**HAWKINS & ASSOCIATES ENGINEERING, INC.**  
 436 MITCHELL RD.  
 MODESTO, CA. 95354  
 PH: (209) 575 - 4295 FX: (209) 578 - 4295

**PLOT PLAN EXHIBIT**  
**REZONE/ PLAN AMENDMENT**  
 4618 NUNES ROAD, KEYES  
 STANISLAUS COUNTY, CALIFORNIA

BY: RCS  
 CHK: RHH  
 DATE: 3/2015  
 SCALE: 1"=80'  
 JOB #: 3233

RODRICK H. HAWKINS: R.C.E. 50188			
CROLIE E. LINDSAY: R.C.E. 31900 L.S. 4709			
KEVIN GENASCI: L.S. 8660			
SYM.	DATE	DESCRIPTION	APPD.



## CENTRAL CALIFORNIA INFORMATION CENTER

*California Historical Resources Information System*  
Department of Anthropology – California State University, Stanislaus  
One University Circle, Turlock, California 95382  
(209) 667-3307 - FAX (209) 667-3324

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*Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties*

**Date:** 3/23/2015

**Records Search File #:** 9275N  
**Project:** Subdivision Map, APN  
045-049-0011 and 012; and  
045-050-001 and 012

Louretta Halstead, Office Manager  
Hawkins & Associates Engineering, Inc.  
436 Mitchell Road  
Modesto, CA 95354

[lhalstead@hawkins-eng.com](mailto:lhalstead@hawkins-eng.com)

Dear Ms. Halstead:

We have conducted a records search as per your request for the above-referenced project area located on the Ceres USGS 7.5-minute quadrangle map in Stanislaus County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the *California Inventory of Historic Resources* (1976), the *California Historical Landmarks* (1990), and the California Points of Historical Interest listing (May 1992 and updates), the Directory of Properties in the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE) (Office of Historic Preservation current electronic files dated 03-20-2014), the *Survey of Surveys* (1989), the Caltrans State and Local Bridges Inventory, GLO Plats (T4S R10E, Sheet #44-245, dated 1853-54) and other pertinent historic data available at the CCIC for each specific county.

The following details the results of the records search:

**Prehistoric or historic resources within the project area:** None have been formally reported to the Information Center. For your information the 1953 edition of the Ceres USGS 7.5' quadrangle shows several buildings that would be 62 years in age (or older), considered as possible historic resources within the project area. In viewing the current Google Earth map for the project area, it is evident that the buildings have been demolished and only foundations remain.

**Prehistoric or historic resources within the immediate vicinity of the project area:** None have been formally reported to the Information Center.

**Resources that are known to have value to local cultural groups:** None have been formally reported to the Information Center.

**Previous investigations within the project area:** None have been formally reported to the Information Center.

**Previous investigations within the immediate vicinity of the project area:** Only one investigation has been conducted along the northern edge of the project area, referenced as follows:

CCIC Report #ST-00859

Chavez, D., 1976. An Archaeological Reconnaissance of the Robert's Ferry Reservoir and Water Extraction and Conveyance Systems, Stanislaus County, California: Phase II

**Recommendations/Comments:** Based on existing data in our files the project area has a moderate-high sensitivity for the possible discovery of historical resources—the 1953 map shows buildings that would be 62 years in age and considered as possible historical resources. Google Earth satellite imagery shows that only foundations remained at some point in time. Even if the foundations have been removed, there could be buried historical remains within the project area. It is recommended that survey by a qualified historical resources consultant be completed to record any potential historical remains prior to implementation of the project or issuance of any discretionary permit.

The Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at <http://chrisinfo.org>

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. The project area has not been subject to previous investigations and there are previously unrecorded historical features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

We advise you that in accordance with State law, if any historical resources are discovered during project-related activities, all work is to stop and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. If Native American remains are found the County Coroner and the Native American Heritage Commission, Sacramento (916-373-3710) are to be notified immediately for recommended procedures.

**We further advise you that if you retain the services of a historical resources consultant, the firm or individual you retain is responsible for submitting any report of findings prepared for you to the Central California Information Center, including one copy of the narrative report and two copies of any records that document historical resources found as a result of field work. If the consultant wishes to obtain copies of materials not included with this records search reply, additional copy or records search fees may apply.**

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the State Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Please sign and return the attached **Access Agreement Short Form**.

**Note:** Billing will be transmitted separately via email ([msr270@csustan.edu](mailto:msr270@csustan.edu)) by our Financial Services office (\$150.00), payable within 60 days of receipt of the invoice.

Sincerely,

E. A. Greathouse, Coordinator  
Central California Information Center  
California Historical Resources Information System

# GENESIS SOCIETY

*a Corporation Sole*

7053 MOLOKAI DRIVE  
PARADISE, CALIFORNIA 95969  
(530) 680-6170 VOX  
(530) 876-8650 FAX  
seanjensen@comcast.net

April 28, 2015

## **Native American Heritage Commission**

1550 Harbor Boulevard,  
West Sacramento, California 95691

***Subject: Lemos Parcel Project, circa 144-acres, Stanislaus County, California.***

Dear Commission:

We have been requested to conduct the archaeological survey, for the above-cited project, and are requesting any information you may have concerning archaeological sites or traditional use areas for this area. Any information you might supply will be used to supplement the archaeological and historical study being prepared for this project.

*Project Name:* Lemos Parcel Split Project, circa 144-acres  
*County:* Stanislaus  
*Map:* USGS Paulsell, 7.5'  
*Location:* Portion of Section 13 of T3S, R11E.

Thanks in advance for your assistance.

Regards,



**Sean Michael Jensen, Administrator**

*Genesis Society  
a Corporation Sole*

# Stanislaus County

## Planning and Community Development

1010 10th Street, Suite 3400  
Modesto, CA 95354

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

## Mitigation Monitoring and Reporting Program

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

April 13, 2022

1. Project title and location: Use Permit Application No. PLN2022-0078 – Sanghera Investments Inc.  
  
North Golden State Blvd, between Nunes and East Keyes Roads, east of State Highway 99, in the Community of Keyes. APN: 045-074-004.
2. Project Applicant name and address: Sanghera Investments, Inc., Haren Sanghera  
6473 E. Hatch Rd, Hughson, CA 95326
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Haren Sanghera
4. Contact person at County: Avleen K. Aujla, Assistant Planner (209) 525-6330

### MITIGATION MONITORING AND REPORTING PROGRAM:

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

#### I. AESTHETICS

- No. 1 Mitigation Measure: New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.  
  
Who Implements the Measure: Applicant  
  
When should the measure be implemented: During building design.  
  
When should it be completed: Prior to issuance of the Final Occupancy Permit.  
  
Who verifies compliance: Stanislaus County Planning and Community Development Department, Planning Division.  
  
Other Responsible Agencies: None.
- No. 2 Mitigation Measure: New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.

Who Implements the Measure: Applicant.

When should the measure be implemented: During building design.

When should it be completed: Prior to issuance of the Final Occupancy Permit.

Who verifies compliance: Stanislaus County Planning and Community Development Department, Planning Division.

Other Responsible Agencies: None.

#### **IV. BIOLOGICAL RESOURCES**

No. 3 Mitigation Measure: Pre-construction surveys for nesting Swainson’s hawks within 0.25 miles of the project site are recommended if grading or construction commences between March 1 and September 1. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination shall utilize criteria set forth by the California Department of Fish and Wildlife (CDFW) (CDFG, 1994).

Who Implements the Measure: Applicant.

When should the measure be implemented: Prior to any commencement of any grading or construction activity between March 1 and September 1 of the year.

When should it be completed: As determined by a qualified biologist when construction activities take place between March 1 and September 1 during the year.

Who verifies compliance: California Department of Fish and Wildlife (CDFW) in consultation with a qualified biologist.

Other Responsible Agencies: Stanislaus County Planning and Community Development Department, Planning Division

No. 4 Mitigation Measure: Pre-construction surveys for burrowing owls in the site should be conducted if grading or construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).

Who Implements the Measure: Applicant

When should the measure be implemented: Prior to any commencement of any grading or construction activity between February 1 and August 31 of the year.

When should it be completed: When construction activities are completed.

Who verifies compliance: California Department of Fish and Wildlife (CDFW) in consultation with a qualified biologist.

Other Responsible Agencies: Stanislaus County Planning and Community

Development Department, Planning Division.

No. 5 Mitigation Measure: Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a preconstruction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.

Who Implements the Measure: Applicant

When should the measure be implemented: Prior to any commencement of any grading, grubbing or construction activity between March 1 and July 31 of the year.

When should it be completed: When construction activities are completed.

Who verifies compliance: California Department of Fish and Wildlife (CDFW) in consultation with a qualified biologist.

Other Responsible Agencies: Stanislaus County Planning and Community Development Department, Planning Division.

#### XVI. TRANSPORTATION/TRAFFIC

No. 6 Mitigation Measure: The applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Highway Commercial per the Keyes community Plan adopted on April 18, 2000. The fees were calculated in 2003 at \$751.47 per 1,000 square feet of floor space. With the fees adjusted for inflation using the Engineering News-Record index, the April 2022 fees are \$1,422.30 per 1,000 square feet. These fees shall be paid prior to building permit issuance.

Who Implements the Measure: Applicant

When should the measure be implemented: Prior to issuance of a building permit.

When should it be completed: Prior to issuance of a building permit.

Who verifies compliance: Stanislaus County Planning and Community Development Department, Planning Division.

Other Responsible Agencies: Stanislaus County Public Works Department.

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 April 13, 2022  
Person Responsible for Implementing Mitigation Program Date



## MITIGATED NEGATIVE DECLARATION

**NAME OF PROJECT:** Use Permit Application No. PLN2021-0078 – Sanghera Investments, Inc.,

**LOCATION OF PROJECT:** North Golden State Blvd, between Nunes and East Keyes Roads, east of State Highway 99, in the Community of Keyes. APN: 045-074-004

**PROJECT DEVELOPER:** Haren Sanghera, Sanghera Investments, Inc.

**DESCRIPTION OF PROJECT:** This is a request to construct a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks and its drivers on a 5.23-acre parcel in the planned development (P-D) (332) zoning district. P-D (332) was established by rezone no. PLN2015-0032 – Belcorp ag, which was approved by the board of supervisors on November 3, 2015, to allow for the development of a variety of highway commercial uses, including truck terminals which requires a use permit prior to development.

Based upon the Initial Study, dated **April 13, 2022**, the Environmental Coordinator finds as follows:

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

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

### I. AESTHETICS

No. 1 Mitigation Measure: New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.

No. 2 Mitigation Measure: New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent “spill over” of light onto adjacent residential properties.

### IV. BIOLOGICAL RESOURCES

No. 3 Mitigation Measure: Pre-construction surveys for nesting Swainson’s hawks within 0.25 miles of the project site are recommended if grading or construction commences between March 1 and September 1. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination shall utilize criteria set forth by the California Department of Fish and Wildlife (CDFW) (CDFG, 1994).



No. 4 Mitigation Measure: Pre-construction surveys for burrowing owls in the site should be conducted if grading or construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).

No. 5 Mitigation Measure: Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a preconstruction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.

## XVI. TRANSPORTATION/TRAFFIC

No. 6 Mitigation Measure: The applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Highway Commercial per the Keyes community Plan adopted on April 18, 2000. The fees were calculated in 2003 at \$751.47 per 1,000 square feet of floor space. With the fees adjusted for inflation using the Engineering News-Record index, the April 2022 fees are \$1,422.30 per 1,000 square feet. These fees shall be paid prior to building permit issuance.

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: Avleen K. Auja, Assistant Planner

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

As Approved by the Planning Commission  
October 1, 2015  
As Approved by the Board of Supervisors  
November 3, 2015

## DEVELOPMENT STANDARDS

**REZONE APPLICATION NO. PLN2015-0032  
BELKORP AG**

### Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 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 **\$2,267.00**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.  
  
Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. The Nunes Road driveway shall not be utilized for non-emergency purposes after dusk. All traffic shall utilize the North Golden State Boulevard for entrance and exit.
6. Signs: Free-standing pylon signage shall be restricted to one 20-foot tall sign located towards the North Golden State Boulevard entrance, in the equipment display area, and one 60-foot tall sign located at the northwestern corner of the site along SR 99. Signage on the vacant portions of the project site plan shall be limited to one monument sign, not to exceed 6-feet in height, on either side of North Golden State Boulevard.

Wall signs shall be permitted for the agricultural equipment dealership as reflected in the applicants sign plans. Wall signs on other buildings shall be consistent to the signage permitted for the dealership with respect to placement, scale, and design. A sign plan for all

proposed on-site signs, pylons and wall signs, indicating the location, height, and area of the sign(s), shall be approved by the Planning Department prior to issuance of a building permit and/or installation of any signage.

7. Parking: As required by Chapter 21.76 for off street parking requirements.
8. Building height limits, building site area required, and yards required shall be as required by Section 21.48.040 of the County Zoning Ordinance.
9. Nuisance: No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration or electrical interference detectable off the site.
10. Landscaping: A landscaping plan indicating plan species, initial size, location and method of irrigation shall be approved by the planning director, or designee, prior to issuance of any building permit. All landscaping shall be in compliance with County Code and California Model Water Efficiency Landscape Ordinance and utilize "gateway treatments" in areas visible from State Route 99, Keyes Road, and Golden State Boulevard. Landscaping shall be used to "blend" the storm water facilities into the site.

The applicant, or subsequent property owner(s), 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.

11. Any buildings constructed as a result of this rezone shall utilize "Gateway" treatments and positive, high quality landscaped edges along SR 99 and major roads, consistent with the Keyes Community Plan, for this project, with design attention paid to the appearance of the rear of the buildings facing SR 99 and the Keyes Road Interchange, signage, and "Gateway" and landscape treatments. Stormwater facilities shall be softened and blended into the site via landscape treatments. Any required building or grading permits shall be reviewed by the Planning Director or designee to insure that the proposed development is consistent with area developments and the Keyes Community Plan.
12. Construction shall occur between the hours of 7 a.m. and 7 p.m. and no person shall operate any construction equipment so as to cause at or beyond the property line of any property upon which a dwelling unit is located an average should level greater than 74 decibels between the hours of 7 p.m. and 7 a.m.
13. 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.
14. 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.
15. A valid Stanislaus County business license shall be maintained for any business operating on the project site.

16. Prior to issuance of a building permit a lot line adjustment or merger shall be submitted, rearranging the underlying lot lines in such a way as to allow buildings to comply with setbacks as determined by the Title 24, Uniform Building Code.
17. Evidence of human burial or scattered human remains related to prehistoric occupation of the area could be inadvertently encountered anywhere within the project area during future construction activity or other actions involving disturbance to the ground surface and subsurface components. In the event of such an inadvertent discovery, the County Coroner shall be informed and consulted, per State law. Ultimately, the goal of consultations to establish an agreement between the most likely lineal descendant designated by the Native American Heritage Commission and the project proponent(s) with regard to a plan for treatment and disposition of any human remains and artifacts which might be found in association. Such treatment and disposition may require reburial of any identified human remains/burials within a "preserve" or other designated portion of the development property not subject to ground disturbing impacts.
18. The archaeological survey evaluation and recommendations are based on the finding of an inventory-level surface survey only. There is always the possibility that significant unidentified cultural materials could be encountered on or below the surface during the course of future development or construction activities. This caveat is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance has occurred, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.

**Department of Public Works**

19. A grading and drainage plan for the project site shall be submitted with the grading or building permit. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
  - A. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
  - B. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
  - C. The grading and drainage plan shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit and Stanislaus County storm water treatment and quality standards.
  - D. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the building permit.
  - E. The applicant of the grading/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 all inspection fees. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The plans shall not be released until such time that all plan check and inspection fees have been paid.

20. No parking, loading, or unloading of vehicles shall be permitted within the county road right-of-way.
21. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
22. An Encroachment Permit shall be obtained for any work done in Stanislaus County road right-of-way. Public Works shall approve the location and width of any new driveway approaches on any County maintained roadway.
23. Off-site improvement plans (four copies) shall be submitted and approved by Stanislaus County Public Works prior to the issuance of any building permit associated with this project.
24. The streetlights shall be annexed into the Keyes Community Services Area. The applicant shall provide all necessary documents and pay all the costs associated with the annexation process. Please be aware that this process may take approximately 4 to 6 months. The annexation of the parcel in to the Keyes Community Services Area shall be completed before the final/occupancy of any building permit associated with this project. Please contact Public Works at 525-4130.
25. Prior to the final of any grading permit, the applicant shall make road frontage improvements along the entire road frontage of the parcel(s) on Nunes Road and N. Golden State Boulevard. The improvements shall include but not be limited to street light(s), curb, gutter and sidewalk, storm drainage, matching pavement, and handicap ramps. Improvement plans shall be submitted to the Public Works Department for review and approval.
26. An acceptable financial guarantee for the road improvements shall be provided to the Department of Public Works prior to the issuance of any grading or encroachment permit. This may be deferred if the work in the right-of-way is done prior to the issuance of any grading or building permit.
27. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.
28. Nunes Road is classified as 60-foot collector roadway. The required ½ width of Nunes Road is 30 feet south of the centerline of the roadway. If 30 feet of the road right-of-way does not exist, then the remainder 30 feet shall be dedicated with an Irrevocable Offer of Dedication for the entire parcel/project frontage on Nunes Road. This includes the parcel on the southeast side of the Golden State Boulevard and Nunes Road intersection.
29. The southeast parcel that is located on the east side of N. Golden State Boulevard and Nunes Road intersection shall utilize shared driveways for access in the following locations:
  - a. The access to Golden State Boulevard shall be shared with the parcel to the east (A.P.N. 045-050-010 at 4924 E Nunes Road) and shall be located at the south property line, lining up with the proposed driveway across Golden State Boulevard.
  - b. The access to Nunes Road shall be considered temporary until the parcel to the east (A.P.N. 045-050-010 at 4924 E Nunes Road) develops and a new shared access driveway shall be developed.

Public Works shall approve all driveway/access locations.

**Department of Environmental Resources (DER)**

30. The applicant must identify the location of any existing on-site well and/or septic tank on the parcel and shall destroy them under permits from DER and in accordance with all laws and policies (Stanislaus County and California State Model Well Standards).
31. The applicant shall determine that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and Phase II study if necessary) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.
32. The applicant should contact DER regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify DER relative to the following: (Calif. H&S, Division 20)
  - A. Permits for the underground storage of hazardous substances at new locations or the modification of existing tank facilities.
  - B. Requirements for registering as a handler of hazardous materials in the County.
  - C. Submittal of hazardous materials Business Plans by handlers in excess of 55 gallons or 500 pounds of a hazardous material or of 200 cubic-feet of compressed gas.
  - D. The handling of acutely hazardous materials may require the preparation of a Risk Management Prevention Program which must be implemented prior to operation of the facility. The list of acutely hazardous materials can be found in SARA, Title III, Section §302.
  - E. Generators of hazardous waste must notify the Department relative to the (1) quantities of waste generated; (2) plans for reducing wastes generated; and (3) proposed waste disposal practices.
  - F. Permits for the treatment of hazardous waste on-site will be required from the hazardous materials division.
  - G. Medical waste generators must complete and submit a questionnaire to the department for determination if they are regulated under the Medical Waste Management Act.

**Building Permits Division**

33. Building permits are required and the project shall comply with the CA Code of Regulations, Title 24. The site and structures shall comply with handicap accessibility requirements.
34. The "Will-Serve Letter" shall be provided to the Building Permits Division when applying for a building permit associated with this project.

**Turlock Irrigation District**

35. An abandoned 30-inch diameter cast in place concrete pipeline is located along the eastern side of APN 045-050-012 as evidenced by the concrete control box located at about the mid-point of the east line. Records indicate that this pipe continued in a northwesterly direction somewhat parallel with N. Golden State Blvd before ending near the west line of APN 045-050-001. The irrigation system is still active at the aforementioned control box and back upstream to the east beyond the subject properties. Facilities no longer needed must be removed and remaining active facilities must meet current standards.
36. It will be necessary for the developer to submit plans detailing the existing irrigation facilities, relative to the proposed site improvements, in order for TID to determine specific impacts and requirements.
37. TID 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 TID 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 Improvements Agreement for the required irrigation facility modifications. There is a TID Board approved time and material fee associated with this review.
38. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least six inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties.
39. If the pipeline is to be relocated in a new alignment, then irrigation improvement plans and an Irrigation Improvements Agreement for the impacted irrigation facility modifications must be executed before TID approves a final map.
40. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.

**Keyes Community Services District (KCSD)**

41. All water service lines and sewer connections must be installed to KCSD standards and according to plans approved by the KCSD, at the expense of the owner.
42. All applicable KCSD connections, facilities, and inspection fees must be paid upon application for connections.
43. The owner must comply with all District rules and regulations.
44. This will-serve commitment will expire on March 31, 2016 unless construction has commenced by that date.
45. The "Will-Serve Letter" is valid only upon approval by the Stanislaus County Local Agency Formation Commission (LAFCO).

**Stanislaus County Local Agency Formation Commission (LAFCO)**

46. The project proposes to connect to the Keyes Community Services District (KCSD) for water and sewer services. The easterly half of the project site is currently outside the KCSD's boundaries. Therefore, in order for KCSD to provide water and sewer services to the proposed project, it will be necessary for the developer to seek LAFCO approval for annexation of the site into the KCSD.

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

47. Dischargers whose projects 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, and 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).
48. This project may require Phase I and II MS4 permits which 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.
49. If the United States Army Corps of Engineers 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 may require a Waste Discharge Requirement (WDR) permit to be issued by the 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.
50. 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.

**San Joaquin Valley Air Pollution Control District (SJVAPCD)**

51. The proposed project shall comply with District Rule 9510 (Indirect Source Review). Prior to building permit issuance, the applicant shall submit an Air Impact Assessment (AIA) application and pay any applicable off-site mitigation fees.

52. The proposed project may be subject to District Rules and Regulations, including Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance office. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm).

### **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.)**

53. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
54. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.
55. Although considered unlikely, valley elderberry longhorn beetle could potentially occur in the small blue elderberry shrubs in the northeast part of the site. These small shrubs show no evidence of occupancy by valley elderberry longhorn beetle and removal of the shrubs is expected to have no effect on this species. Prior to removing the shrubs, the applicant shall obtain concurrence from U.S. Fish and Wildlife Service regarding removing the shrubs.
56. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs should be protect with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, valley elder berry longhorn beetle (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.
57. Pre-construction surveys for nesting Swainson's hawks within 0.25 miles of the project site are recommended if construction commences between March 1 and September 1. If active nests are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).
58. Pre-construction surveys for burrowing owls in the site should be conducted if construction commences between February 1 and August 31. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).

59. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. Should vegetation removal or construction commence during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.
60. The applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Highway Commercial per the Keyes community Plan adopted on April 18, 2000. The fees were calculated in 2003 at \$751.47 per 1,000 square-feet of floor space. With the fees adjusted for inflation using the Engineering News-Record index, the July 2015 fees are \$1137 per 1,000 square feet. These fees will be paid prior to building permit issuance.

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*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.*



**Katie Quintero**  
Director  
[kquintero@turlock.ca.us](mailto:kquintero@turlock.ca.us)

**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

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156 S. BROADWAY, SUITE 120 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5542 EXT 2215 | FAX 209-668-5107 | TDD 1-800-735-2929

April 14, 2022

Avleen K. Aujla  
Assistant Planner  
Stanislaus County Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**SUBJECT: Use Permit Application No. PLN2021-0078 (Sanghera Investments, Stanislaus County APN 045-074-004)**

Dear Ms. Aujla:

Thank you for providing the City of Turlock the opportunity to comment on the proposed truck terminal project on Stanislaus County Assessor Parcel 044-018-003.

### **PROJECT DESCRIPTION**

The applicant is requesting to construct a truck terminal for the fueling, parking, loading and unloading for company owned trucks and its drivers. The parcel is zoned Planned Development 332 (PD 332) which is approved for the development of a variety of Highway Commercial uses, including truck terminals. The applicant proposes to construct a two-story 6,500 square foot office, shop, and driver amenities building, a 3,900 square foot truck dock building, and a 94 square foot security guard kiosk. The project proposes to be served by the Keyes Community Services District for public water and sewer.

### **RECOMMENDED CONDITIONS OF APPROVAL**

The project is located outside the City's Sphere of Influence but within a one-mile buffer of the City Limits. In accordance with Policy Twenty-Six of the Stanislaus County General Plan, the City is requesting the project be held to City standards and design guidelines.

The City requests that the following conditions of approval be incorporated into the permit:

1. The Keyes CSD sewer is handled by the City of Turlock and therefore the facilities shall be installed in accordance with City Standards to ensure there is not an impact to the City of Turlock sewer system.

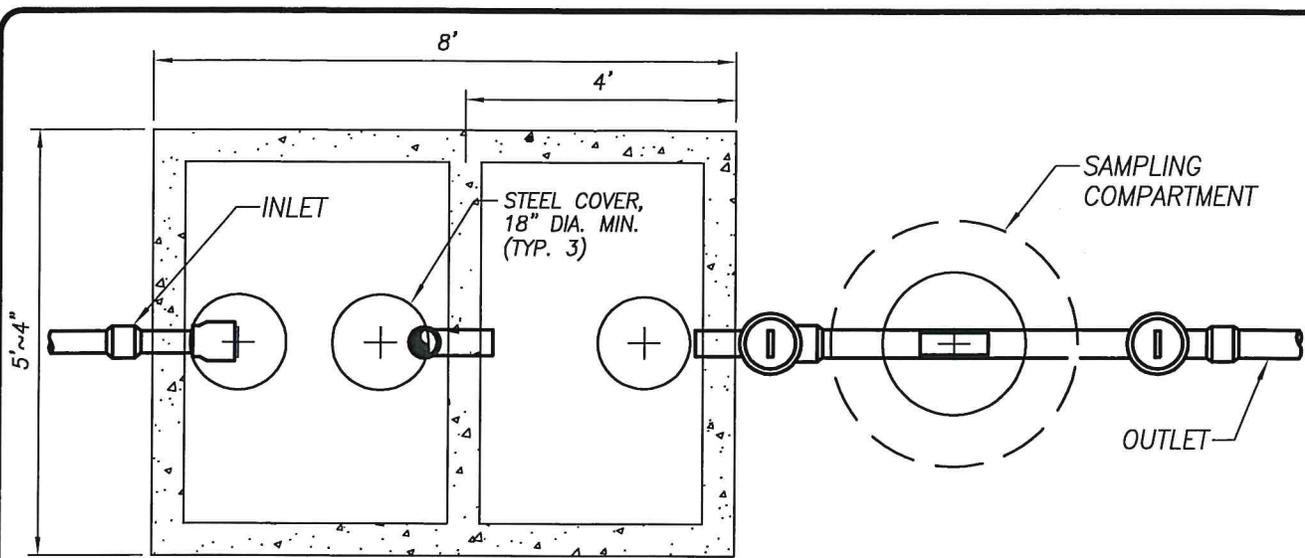
2. The project shall meet the requirements for property installation and maintenance of interceptors. A sand and oil interceptor shall be designed and installed in accordance with Turlock Standard Specifications & Drawings S-9 (See attachment).
3. A grease interceptor may be required depending upon the type of cooking facilities installed in the break room. Any grease interceptor shall be designed and installed in accordance with Turlock Standard Specifications & Drawings S-8 (See attachment).
4. The Turlock General Plan identifies Golden State Boulevard as an expressway. Expressways shall have a minimum 20-foot wide landscaped area be installed along the frontage.
5. A minimum 10-foot wide landscaped area shall be installed along the State Route 99 right of way. The landscaped area shall include a mix of trees, shrubs and drought tolerant plants to provide screening of the truck parking areas.
6. Pave all driveways, drive aisles, including truck drive aisles, and parking areas. Any parking lot areas for employee and customer parking shall be developed in accordance with Turlock Municipal Code Section 9-2-214 and the City of Turlock Standards. The parking lot shall have paving, drainage, wheel stops, curbing, lighting and space marking. In all parking lots with a capacity of five (5) parking spaces or more, a minimum of one (1) shade tree for every five (5) spaces shall be provided in landscape islands within the parking lot. Tree spacing shall be such that every designated parking space is within thirty (30') feet of the trunk of a tree.
7. Install commercial driveway approaches.

Please contact me if you have any questions regarding these comments at (209) 668-5542 x2215. City staff is available to meet with the applicant, if desired.

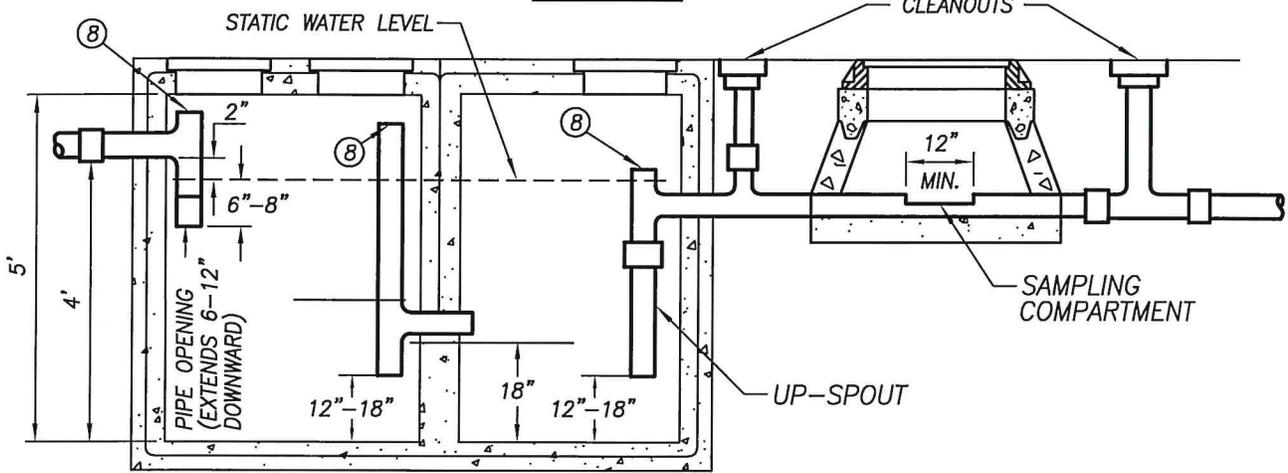
Sincerely,



Katie Quintero  
Director Development Services



PLAN VIEW



SECTION VIEW

**NOTES:**

1. DIMENSIONS SHOWN ARE FOR MINIMUM SIZE TRAP (750 GALLON).
2. WHEN A LARGER SIZE IS REQUIRED, THE UNIT SHALL BE DESIGNED BY A REGISTERED CIVIL ENGINEER AND APPROVED BY THE CITY ENGINEER.
3. CONCRETE SHALL BE MINIMUM 3000 PSI AT 28 DAYS.
4. A SAMPLING COMPARTMENT IS REQUIRED, THE CITY ENGINEER MAY WAIVE THE REQUIREMENT IF A HARDSHIP EXISTS.
5. COVERS SHALL BE STEEL AND SHALL BE GAS TIGHT.
6. ALL WASTE SHALL ENTER TRAP THROUGH THE INLET PIPE ONLY.
7. REINFORCEMENT SHALL BE ADEQUATE FOR TRAFFIC CONDITIONS IN AREA WHERE TRAP IS LOCATED.
8. TEES SHALL BE ACCESSIBLE FOR CLEANING THROUGH THE ACCESS COVERS.

**TYPICAL GREASE INTERCEPTOR**



DRAWN BY: JSH

CHECK BY: NBB

SCALE: NONE

**CITY OF TURLOCK**

APPROVED BY:

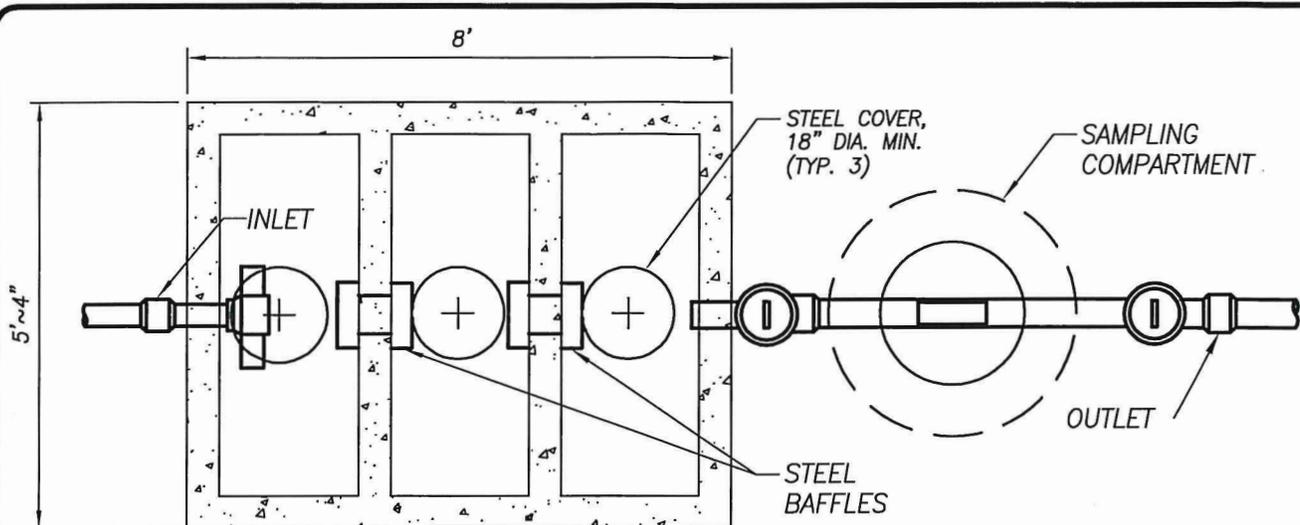
CITY ENGINEER - MICHAEL G. PITCOCK - RCE 52694

DRAWING NO.

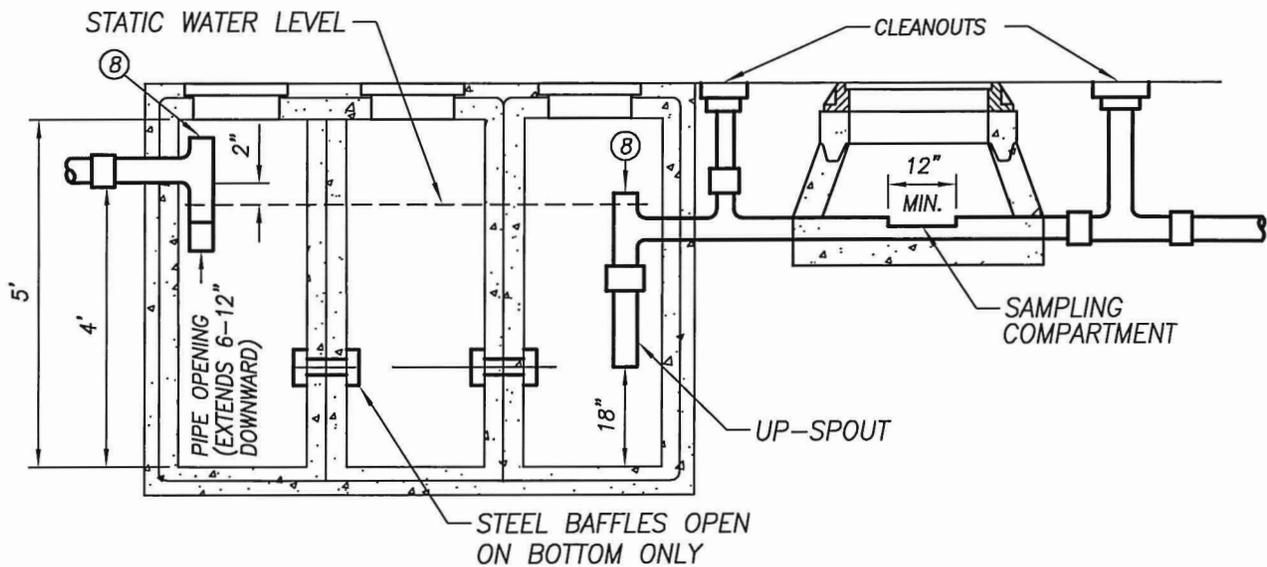
**S-8**

COUNCIL APPROVAL

**DEC, 2015**



PLAN VIEW



SECTION VIEW

NOTES:

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8. TEES SHALL BE ACCESSIBLE FOR CLEANING THROUGH THE ACCESS COVERS.

TYPICAL SAND AND OIL INTERCEPTOR



DRAWN BY: JSH

CHECK BY: NBB

SCALE: NONE

CITY OF TURLOCK

APPROVED BY:

CITY ENGINEER - MICHAEL G. PITCOCK - RCE 52694

DRAWING NO.

S-9

COUNCIL APPROVAL

DEC, 2015

**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: USE PERMIT APPLICATION NO. PLN2021-0078 - SANGHERA INVESTMENTS, INC.**

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X		X							
CA OPR STATE CLEARING HOUSE	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X		X				X		X
CITY OF: TURLOCK	X	X	X		X							
COMMUNITY SERVICES DIST: KEYES	X	X	X		X							
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: KEYES	X	X	X		X							
GSA: WEST TURLOCK SUB-BASIN	X	X	X		X							
IRRIGATION DISTRICT: TURLOCK	X	X	X		X							
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES					X							
MUNICIPAL ADVISORY COUNCIL: KEYES	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
POSTMASTER: KEYES	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X		X		X		X		X
SCHOOL DISTRICT 1: KEYES UNION	X	X	X		X							
SCHOOL DISTRICT 2: TURLOCK UNIFIED	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN CO DER	X	X	X	X				X		X		X
STAN CO ERC	X	X	X	X				X		X		X
STAN CO HAZARDOUS MATERIALS	X	X	X	X			X		X			X
STAN CO PARKS & RECREATION	X	X	X		X							
STAN CO PUBLIC WORKS	X	X	X	X				X		X		X
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 3: CHIESA	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
StanCOG	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							