

STANISLAUS COUNTY PLANNING COMMISSION

September 7, 2023

STAFF REPORT

USE PERMIT & PARCEL MAP APPLICATION NO. PLN2022-0078
GILLUM

REQUEST: TO LEGALIZE AN EXISTING HORSE EXERCISING FACILITY, AND TO SUBDIVIDE A 161.56± ACRE PARCEL, INTO THREE PARCELS AND A REMAINDER, IN THE GENERAL AGRICULTURE (A-2-40) ZONING DISTRICT.

APPLICATION INFORMATION

Applicant:	Larry and Judy Gillum
Property owner:	Larry and Judy Gillum
Agent:	Bill Morris, Morris Engineering; George Rose, Western Asset Recovery, Inc
Location:	17480 26 Mile Road, between Sonora and Carter Roads, in the Oakdale area
Section, Township, Range:	32-1-10 and 33-1-10
Supervisorial District:	District 1 (Supervisor B. Condit)
Assessor's Parcel:	001-011-039
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	162± acres Proposed Parcel 1: 40± acres Proposed Parcel 2: 42± acres Proposed Parcel 3: 40± acres Remainder: 40± acres
Water Supply:	Private well
Sewage Disposal:	Private septic system
General Plan Designation:	Agriculture
Community Plan Designation:	N/A
Existing Zoning:	General Agriculture (A-2-40)
Sphere of Influence:	N/A
Williamson Act Contract No.:	1972-1078
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Two mobile homes, a 15-stall horse stable, a 14-pen horse paddock, an equipment shed, a shade structure, a hay storage barn, an arena and round pens, unirrigated grazing land, a pond, and Little Johns Creek.
Surrounding Land Use:	Scattered single family dwellings, orchard, and unirrigated rangeland in all directions; Little Johns Creek to the east and west; San Joaquin County to the west; and Woodward Reservoir and the City of Oakdale 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 recommend approval of this project, Exhibit A provides an overview of all the findings required for project approval.

PROJECT DESCRIPTION

This project is a request to legalize horse training and exercising activities, and to subdivide a 161.56± acre parcel, in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 42± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is being requested to allow use of the 40± acre remainder for horse training activities in conjunction with an existing cattle and sheep ranching operation on the site (See B-9 of Exhibit B – *Maps, Parcel Map, Site Plan, and Elevations*). If approved, all existing structures and site improvements will be located within the remainder while proposed Parcels 1,2, and 3 will consist of unirrigated rangeland. The project site is currently enrolled in Williamson Act Contract No. 1972-1078 and each of the proposed parcels, including the remainder, will remain under contract if approved.

Currently, the site is used as a commercial sheep and cattle ranch. The on-site stable and paddock are currently used to board the parcel's existing tenants' 35 horses, which are trained on-site within the arenas and round pens. The horses are trained to maneuver livestock and for general recreational riding by the tenants. Up to 150 cattle and 100 sheep are grazed on the project site at any given time. The facility is not open to the public, nor are horses boarded on-site commercially. No employees report to the site as the facility is owned and operated exclusively by the tenants. Vehicle trips related to the ranch are minimal, with deliveries of hay and feed occurring once per month and no customer trips. Veterinary trips occur as needed; however, typically they occur no more than once per month.

Pursuant to County Code Section 21.20.030(C)(a), a Tier Three Use Permit is required in the A-2 zoning district for private or public "roping arenas and similar facilities for the training, exercising or exhibiting of horses, dogs or other animals." Accordingly, a use permit is being requested in conjunction with the proposed parcel map. If the project is approved, the grazing of the tenant's livestock, and all accessory horse training, exercising, and boarding activities will be contained within the proposed remainder.

SITE DESCRIPTION

The project site is located at 17480 26 Mile Road, between Sonora and Carter Roads, in the Oakdale area. The site is currently developed with the following: two mobile homes, 1,352 and 700 square feet in size; an 8,640 square-foot 15-stall stable; a 9,800 square-foot 14-pen horse paddock; a 2,700 square-foot equipment shed; a 1,575 square-foot shade structure; a 1.25± acre penned area with a chute for cattle sorting; a 1± acre area consisting of an arena and round pens; and a 3,500 square-foot hay storage barn. The residences are served by a private well and septic

system. The remaining portion of the site is vacant, consisting of unirrigated pasture. Little John's Creek runs southwest from the northeast corner of the project site, through all proposed parcels. A pond is located on the remainder. The site does not currently have access to irrigation water via either irrigation district water or from an agricultural well.

Surrounding land uses include scattered single-family dwellings and accessory structures, irrigated orchard, and unirrigated rangeland in all directions. In addition to running through the site, Little Johns Creek runs to the east and west, and Woodward Reservoir and the City of Oakdale is located to the south.

ISSUES

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

According to County records, several of the on-site agricultural accessory structures were constructed without the necessary building permits. Specifically, Assessor Records identify that the hay barn, equipment shed, shade structure, and horse paddock were constructed on the parcel between approximately 2003 and 2004; however, the County has no records of building permits for any of the structures. Additionally, a 1,440 square-foot addition to the previously permitted horse stable was constructed without a building permit, expanding the structure to its current size of 8,640 square feet. As a condition of approval, all applicable building permits for unpermitted structures and additions shall be issued and finalized within six months of project approval; however, the time frame may be extended by the Planning Director provided sufficient evidence is provided illustrating the need for a time extension to be granted.

Proposed Parcel 1 (40± acres) is a corner lot which fronts on both 26 Mile Road and Carter Road. Proposed Parcel 2 (42± acres) is an irregular shaped parcel which will have direct frontage onto 40-foot-wide County-owned Carter Road, which abuts the project site on the south side. Proposed Parcel 3 (40± acres) is an L-shaped parcel which fronts on County-owned and maintained 26 Mile Road and 33-foot-wide County-owned Sonora Road. The remainder (40± acres) has direct access onto Sonora Road, via an existing paved driveway located at the northeast corner. As part of review of the proposed parcels and their configurations, the Department of Public Works provided a referral response identifying Carter Road as presently underimproved with no foreseeable plans for improvement. Additionally, Public Works has identified that the proposed parcels will be restricted from taking any new access onto 26 Mile Road due to the limited visibility resulting from the curvature of the roadway along the project site frontage, presenting a safety issue. This restriction will limit access for Parcel 1 to Carter Road, access for Parcel 3 to Sonora Road, and access for the remainder to Sonora Road (where there is an existing driveway). This restriction has been incorporated into the project as Condition of Approval No. 20 and will be required to be added to the recorded parcel map as a note. Although Sonora Road is identified as "abandoned" on the tentative map, this segment of Sonora Road was not formally vacated by Public Works and is still a public roadway. In accordance with County standards, the Department of Public Works will need to approve the location of any new driveways via an encroachment permit.

No other issues have been identified as a part of this request. Standard conditions of approval, along with those discussed in this section and the mitigation measures discussed in the "Environmental Review" section of this report, have been added to the project.

GENERAL PLAN CONSISTENCY

The site is currently designated “Agriculture” in the Stanislaus County General Plan; this designation is consistent with the site’s General Agriculture (A-2-40) zoning district. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas and, as such, should generally be zoned with 40 to 160 acre minimum parcel sizes. This application proposes to create two 40± acre parcels, a 42± acre parcel, and 40± acre remainder, which would be consistent with the 40 acre minimum lot size standard.

The project site is located within the Valley Home Municipal Advisory Council (MAC) boundaries; however, it is not within the sphere of influence of a sanitary sewer district, domestic water district, or community services district, and accordingly is not required to meet Stanislaus County General Plan’s Land Use Element Sphere of Influence (SOI) Policy 27, which requires referral to the applicable district board for comment regarding the ability of the district to provide services. However, as a courtesy the project was referred to the MAC for comment, and no response has been received to date.

The proposed project is supported by the goals, objectives, and policies of the various elements of the General Plan. Specifically, with respect to the use permit request, the Agricultural Element encourages vertical integration of agriculture by organizing uses requiring use permits into three tiers based on the type of uses and their relationship to agriculture. Tier Three uses as described by the Stanislaus County Zoning Ordinance which are not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area and, in accordance with the Objective 2.2 of Goal Two of the Agricultural Element, directed away from the “most productive agricultural areas” unless it can be shown that the character of the use is such that the land may reasonably be returned to agricultural use in the future. In this case, the horse training and exercising is directly in support of on-site ranching operations within the remainder parcel. Additionally, the use permit project site is not located on the County’s most productive agricultural areas.

Appendix A of the Stanislaus County General Plan Agricultural Element includes guidelines for the implementation of agricultural buffers applicable to new and expanding non-agricultural uses within or adjacent to the A-2 zoning district. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift and trespassing resulting from the interaction of agricultural and non-agricultural uses. These guidelines state that all projects shall incorporate a minimum 150-foot-wide buffer setback; projects, which propose people-intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot-wide buffer setback. The policy also requires a 6-foot-tall fence of uniform construction to be installed along the perimeter of the developed area to prevent trespassing onto adjacent agricultural lands. While the proposed parcel map is not subject to these guidelines, the buffer requirements are applicable to the establishment of the proposed horse training use within the proposed remainder parcel.

Alternatives may be approved provided the Planning Commission finds that the alternative provides equal or greater protection than the existing buffer standards. Permitted uses within a buffer area shall include: Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people-intensive uses. It is the opinion of staff that the proposed use does not fall under the category of a “people-intensive outdoor use” due to the ranching operation consisting of three employees; however, the Planning Commission shall have the ultimate determination on whether the use is people-intensive. The existing corrals and

training pens where horse exercising and training will occur within the proposed remainder is located over 300 feet from adjacent properties, as well as from the proposed property lines of Parcel 3. Due to the nature of the horse training operation being an extension of the on-site ranching business, the proposed use functions more similarly to a Tier One use, which are normally exempt from agricultural buffer requirements unless the project is considered people-intensive. In the event that the Planning Commission determines that an agricultural buffer shall be incorporated, the applicant is requesting an alternative to the required fencing consisting of the existing perimeter wire and wood cattle fencing installed along the perimeter of the horse boarding and exercising facility on the remainder parcel. This proposed project and associated agricultural buffer have been reviewed by the Stanislaus County Agricultural Commissioner's Office, which has not identified any issues with the buffer as proposed.

The project site is currently enrolled in Williamson Act Contract No. 1972-1078. As allowed by Government Code, Stanislaus County has adopted Uniform Rules to clearly identify the contract terms for every landowner of agricultural land within an agricultural preserve. These rules are locally adopted and subject to compliance with all applicable State regulations. The Williamson Act establishes minimum parcel sizes for lands enrolled under contract requiring parcels to be 40 acres in size in the case of non-prime agricultural land and 10 acres in size in the case of prime agricultural land. The proposed parcels and the remainder all meet the Williamson Act 40 acre minimum for non-prime agricultural land and the County's 40 acre minimum zoning requirement.

Additionally, Stanislaus County General Plan Agricultural Element Policy 2.8 specifies that the subdivision of agricultural land consisting of unirrigated farmland, unirrigated grazing land, or land enrolled under a Williamson Act contract, into parcels of less than 160 acres in size shall be allowed provided a "no-build" restriction on the construction of any residential development on newly created parcel(s) is observed until one or both of the following criteria is met:

- Ninety percent or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For lands which are not irrigated by surface water, on-site irrigation infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place.
- Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation.

At this time, none of the proposed parcels meets criteria allowing for residential development, and, as such, the "no-build" restriction has been added as a condition of approval. The no-build restriction has not been applied to the remainder due to it already being developed with two single-family dwellings. If residential development on the proposed parcels were allowed, current zoning regulations would allow proposed Parcels 1, 2, and 3 to be developed with two dwelling units and one junior accessory dwelling unit (JADU). The second dwelling unit may be either a single-family dwelling or an accessory dwelling unit (ADU). The remainder parcel would be allowed one JADU in addition to the two existing mobile homes.

A discussion of the Williamson Act Principles of Compatibility, as they relate to the use permit request, is provided in the Zoning Ordinance Consistency section below. The project was referred to the Department of Conservation (DOC) for review regarding the Williamson Act which responded with no comments regarding the Williamson Act.

ZONING & SUBDIVISION ORDINANCE CONSISTENCY

The site is currently zoned General Agriculture (A-2-40), 40 acre minimum. Section 21.20.030(C) of the Stanislaus County Zoning Ordinance allows horse training and exercising as a Tier Three Use Permit. Tier Three uses are defined as uses not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area. Tier Three uses may be allowed when the Planning Commission makes the following findings:

1. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
2. The parcel on which such use is requested is not located in one of the County's "most productive agricultural areas," as that term is used in the Agricultural Element of the General Plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future.

In addition to the Tier Three findings, the Planning Commission must make the following finding in order to approve any use permit:

1. 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 Agricultural Element of the Stanislaus County General Plan provides that in determining "most productive agricultural area," factors to be considered include but are not limited to soil types and potential for agricultural production; and availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; existing uses and their contributions to the agricultural sector of the economy. "Most productive agricultural area" does not include any land within LAFCO-approved Spheres of Influence (SOI) of cities or community services districts and sanitary districts serving unincorporated communities. Although the site is not within a LAFCO-approved SOI, it is staff's opinion that the project site is not considered one of the County's "most productive agricultural areas" due to it not being comprised of irrigated farmland, soils qualifying for a rating of 80 through 100 in the California Revised Storie Index Rating, or land which is classified as Class I or Class II in the Natural Resources Conservation Service land use capability classification.

As required by California Government Code Section 51238.1, prior to approval of a discretionary use on Williamson Act contracted land, the decision-making body must also find that the proposed uses are consistent with the Williamson Act Principles of Compatibility. These three principles stipulate that the use will not significantly compromise the long-term agricultural capability of the contracted lands; the use will not significantly displace or impair agricultural production on contracted lands, but may be deemed compatible if directly related to production of commercial agriculture including activities such as harvesting, processing, or shipping; and the use will not result in significant removal of adjacent contracted land from agricultural or open-space use. Although the horse boarding and training is not considered production agricultural in and of itself, in the case of this request, the horses raised and trained on-site are utilized accessory and in conjunction with a commercial cattle and sheep ranching operation, which in staff's opinion, is

similar to Tier One uses which are directly related to and aid in production of commercial agriculture and are considered consistent with Williamson Act Contracts. Accordingly, County staff does not believe that conflicts would arise from the use of the existing horse boarding and training operation with agricultural uses in the vicinity, as they are found to be similar in nature.

Any further development resulting from this project will be consistent with existing uses in the surrounding area permitted in the A-2 zoning district. As discussed in the General Plan Consistency section, proposed Parcels 1, 2, and 3 are subject to a “no build” restriction on the construction of residential development until specific criteria are met.

Due to the horse exercising activities being accessory to on-site production agriculture, staff believes the establishment of the use on the remainder parcel as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity, which are also in agricultural or rangeland use. There is no indication that this project, as proposed and conditioned, will 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 the general welfare of the County.

With respect to the proposed subdivision, the General Agriculture (A-2-40) zoning district requires a minimum lot size of 40 gross acres for the creation of new parcels pursuant to Section 21.20.050 – *Division of Land* of the Stanislaus County Zoning Ordinance. All proposed parcels and remainder will meet the minimum 40 gross acre parcel size requirement, if the project is approved.

The proposed parcels meet the Subdivision Ordinance’s access and design criteria required for the creation of new parcels. Staff also finds both the proposed parcel map and use permit to be in conformance with the Stanislaus County zoning ordinance. Staff believes the proposed horse exercising activities and subdivision are consistent with all required findings and Williamson Act Principals of Compatibility.

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 G - *Environmental Review Referrals*). The California Department of Fish and Wildlife (CDFW) provided a referral response stating that wildlife surveys for various species, including nesting birds, Swainson’s Hawk, Crotch bumble bee, Tricolored blackbird, and California Tiger Salamander, shall take place prior to future ground disturbing activities in order to mitigate potential significant impacts to these biological resources on the project site. CDFW identified avoidance buffers, Incidental Take Permits (ITP), or halting of construction or grading as strategies to mitigate potential impacts in the event that survey results identified the presence of sensitive wildlife species. Additionally, to mitigate any potential impacts to Little Johns Creek, the applicant shall obtain a Lake and Streambed Alteration (LSA) Agreement prior to commencing any activity which obstructs or impacts the creek. These comments have been incorporated into the project as mitigation measures in order to bring the project’s potential impacts to biological resources to less than significant. A Mitigated Negative Declaration has been prepared for approval prior to action on the project itself as the project will not have a significant effect on the environment (see Exhibit F - *Mitigated Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C - *Conditions of Approval and Mitigation Measures*).

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 **\$2,821.00** 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: Kristen Anaya, Associate Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps, Parcel Map, Site Plan, and Elevations
- Exhibit C - Conditions of Approval and Mitigation Measures
- Exhibit D - Initial Study, dated July 19, 2023, with Attachments
- Exhibit E - Mitigation Monitoring and Reporting Program
- Exhibit F - Mitigated Negative Declaration
- Exhibit G - Environmental Review Referrals

Findings and Actions Required for Project Approval

1. Adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with 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 designation of "Agriculture" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
 - b. The establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity;

The parcel on which such use is requested is not located in one of the County's "most productive agricultural areas," as that term is used in the Agricultural Element of the General Plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future.

- c. The alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards.
- d. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.
- e. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.
- f. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.
- g. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
- h. The proposed parcel map is consistent with applicable general and specific plans as specified in Section 65451 of California Code, Government Code.
- i. The design or improvement of the proposed parcel map is consistent with applicable general and specific plans.

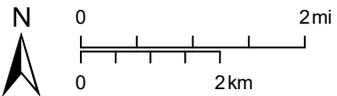
- j. The site is physically suitable for the type of development.
 - k. The site is physically suitable for the proposed density of development.
 - l. The designs of the parcel map or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.
 - m. The design of the parcel map or type of improvements is not likely to cause serious public health problems.
 - n. The design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
 - o. The proposed parcel map is consistent with the restrictions and conditions of the existing Williamson Act contract.
 - p. The proposed parcels are of a size suitable to sustain agricultural uses.
 - q. The proposed parcel map will not result in residential development not incidental to the commercial agricultural use of the land.
4. Approve Use Permit and Parcel Map Application No. PLN2022-0078 – Gillum.

GILLUM
UP & PM
PLN2022-0078

AREA MAP

LEGEND

-  Project Site
-  City
-  Road
-  River



Source: Planning Department GIS

Date: 8/8/2022

11

SAN JOAQUIN
COUNTY

CALAVERAS
COUNTY

COUNTY BOUNDARY

4

Milton Rd

Site

26 Mile Rd

Sonora Rd

Valley Home Rd

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PLN2022-0078

GENERAL PLAN MAP

LEGEND

 Project Site

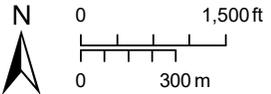
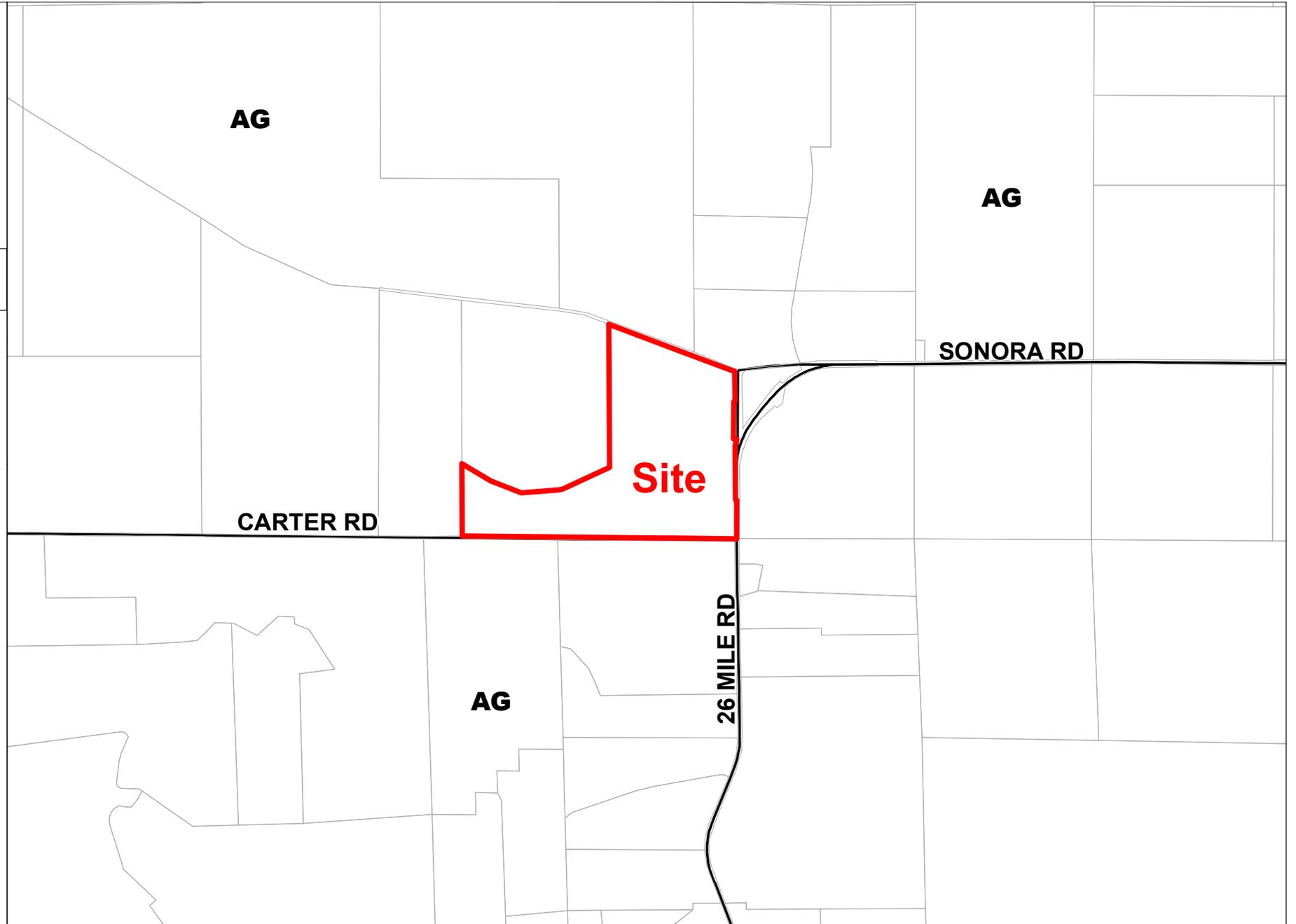
 Parcel

 Road

General Plan

 Agriculture

12



Source: Planning Department GIS

Date: 8/8/2022

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UP & PM
PLN2022-0078

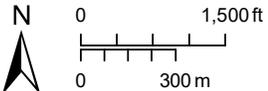
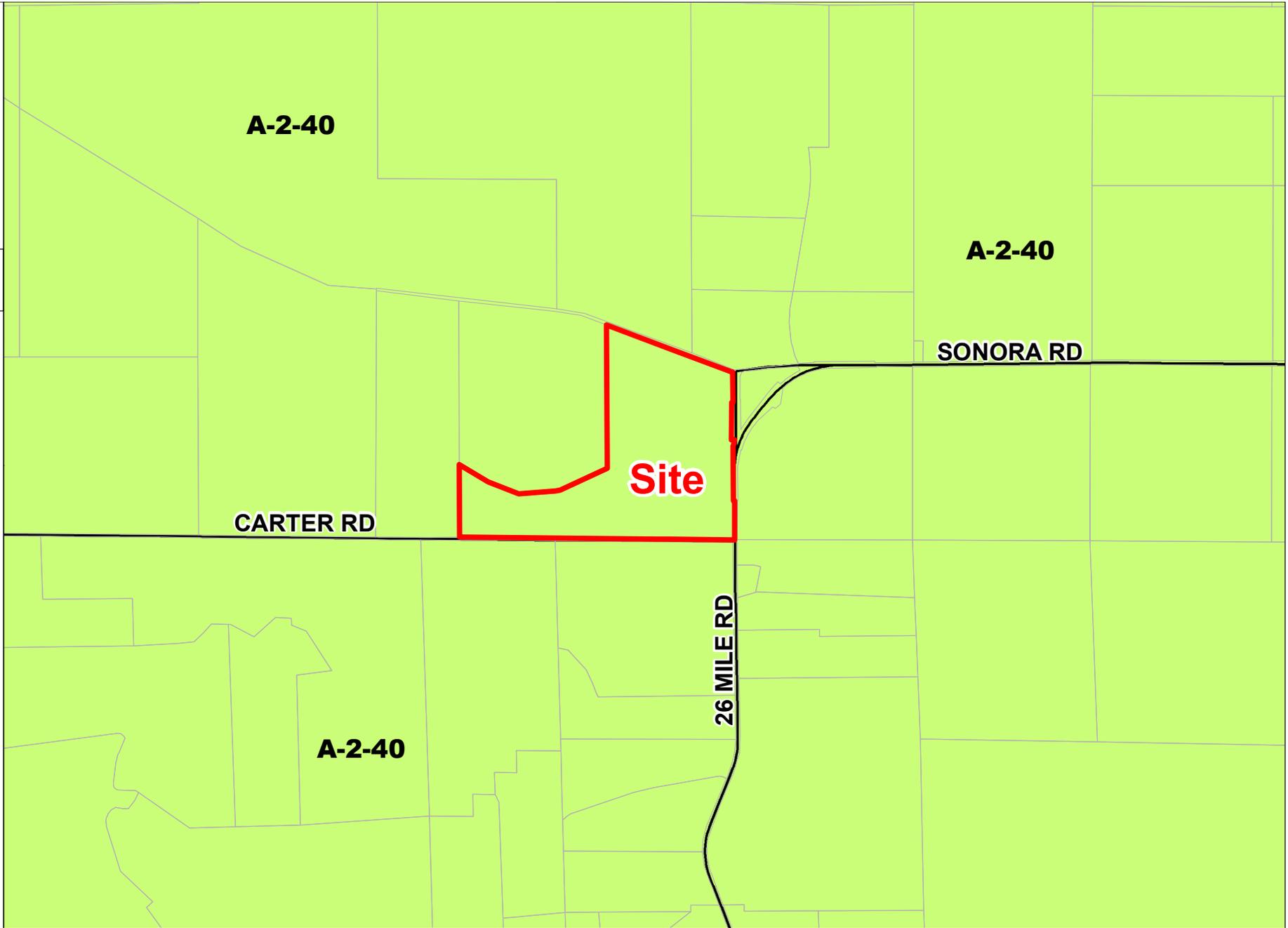
ZONING MAP

LEGEND

-  Project Site
-  Parcel
-  Road

- Zoning Designation**
-  General Agriculture 40 Acre

13



Source: Planning Department GIS

Date: 8/8/2022

GILLUM

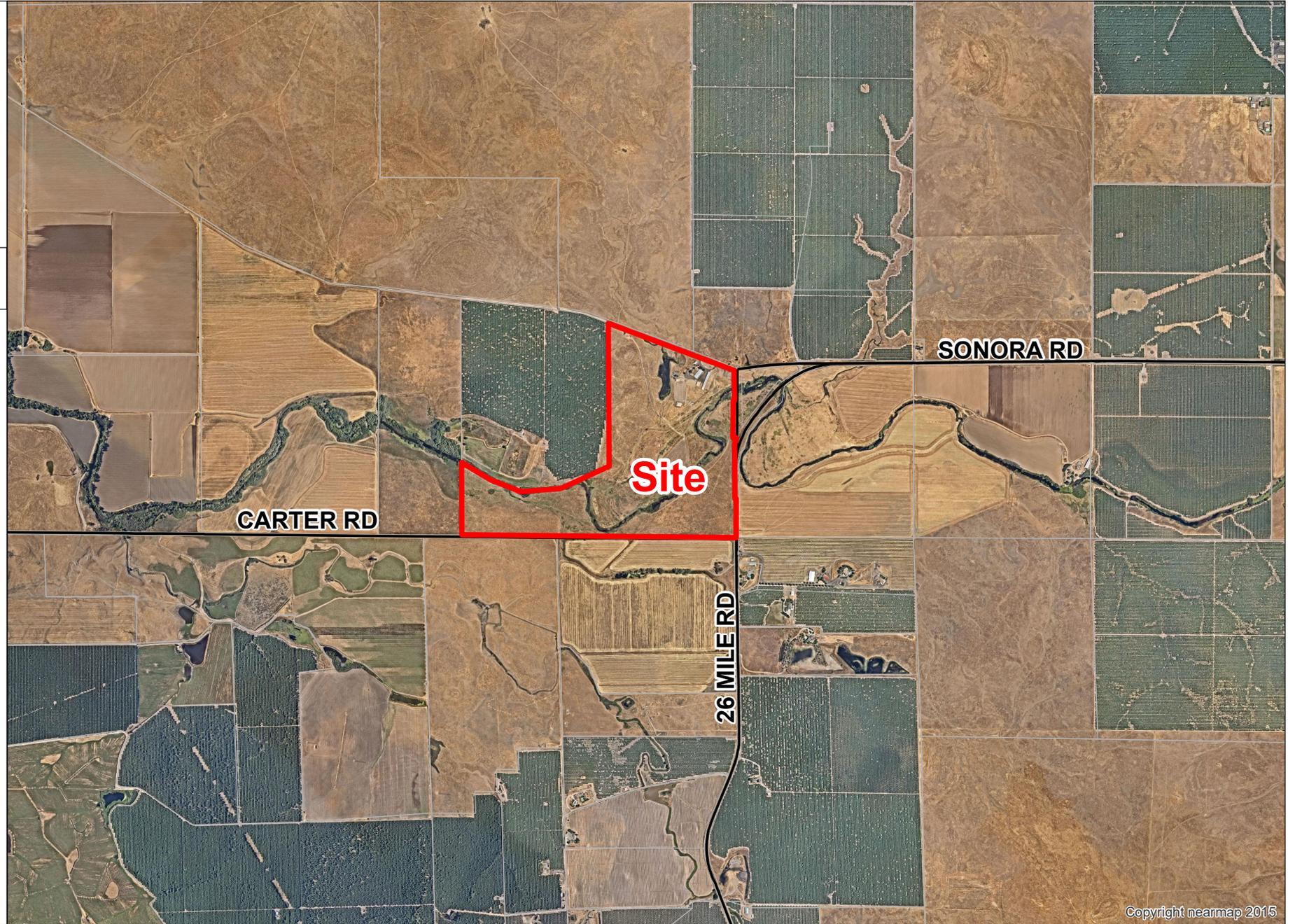
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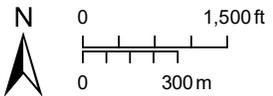
2022 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road



14



Source: Planning Department GIS

Date: 8/8/2022

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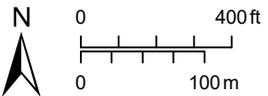
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PLN2022-0078

2022 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road

15



Source: Planning Department GIS

Date: 8/8/2022



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UP & PM

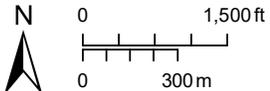
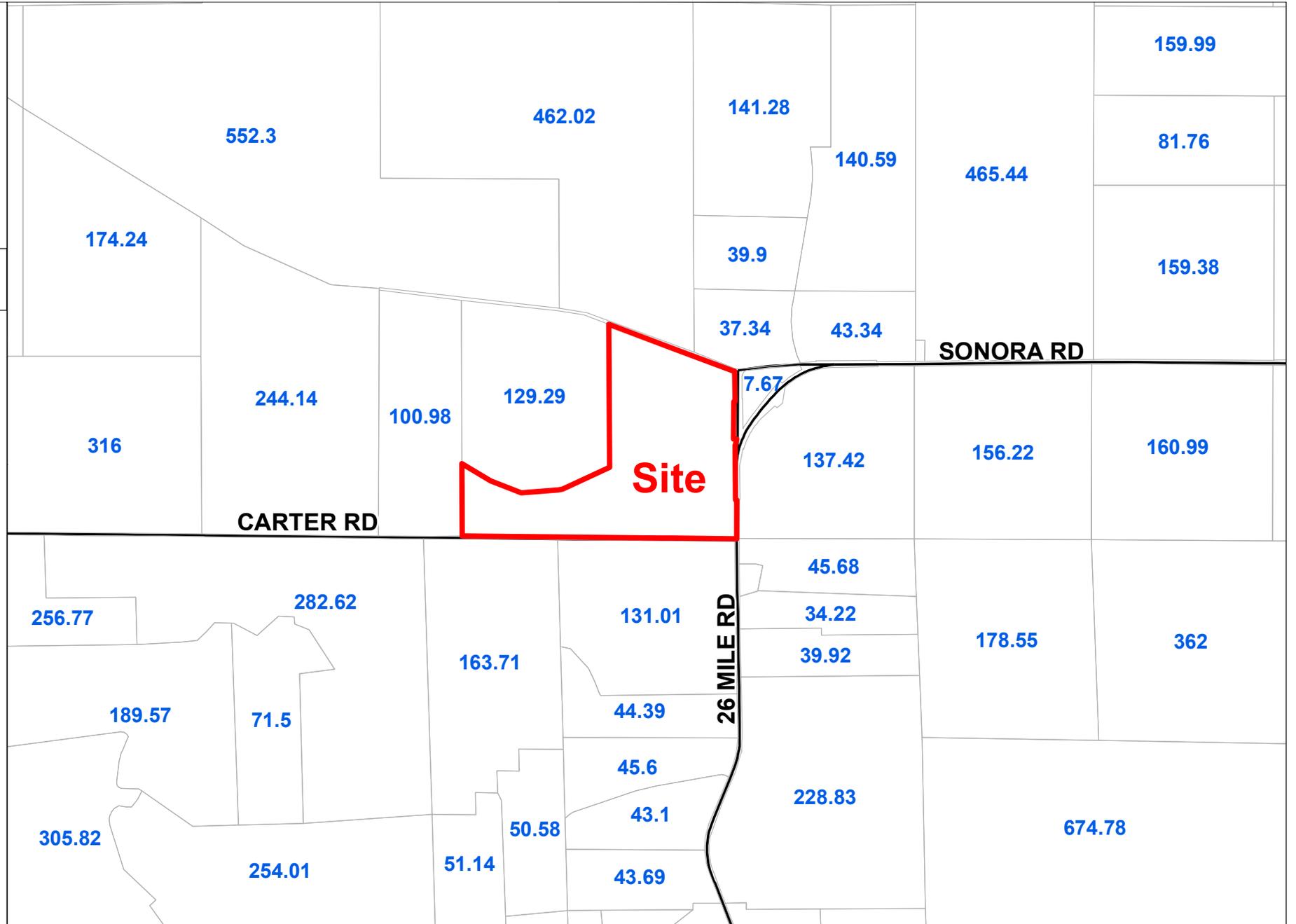
PLN2022-0078

ACREAGE MAP

LEGEND

-  Project Site
-  Parcel/Acres
-  Road

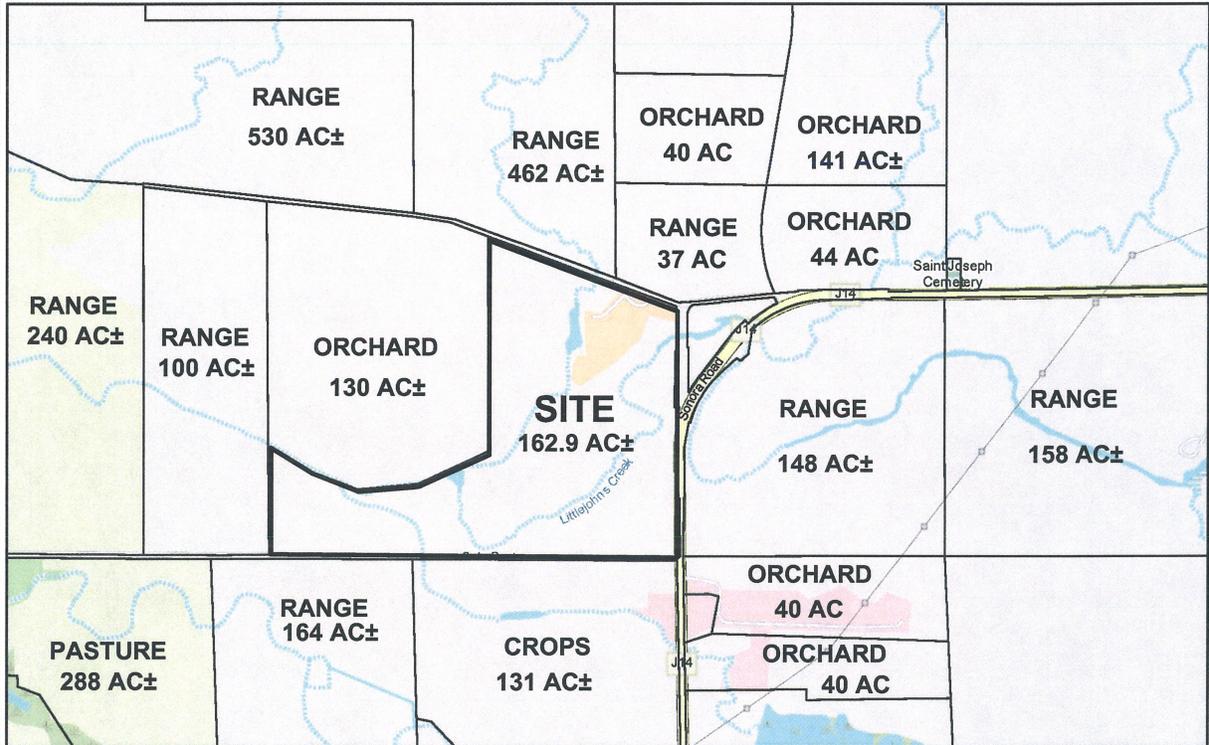
16



Source: Planning Department GIS

Date: 8/8/2022

AREA MAP



MORRIS
ENGINEERING & SURVEYING, INC.

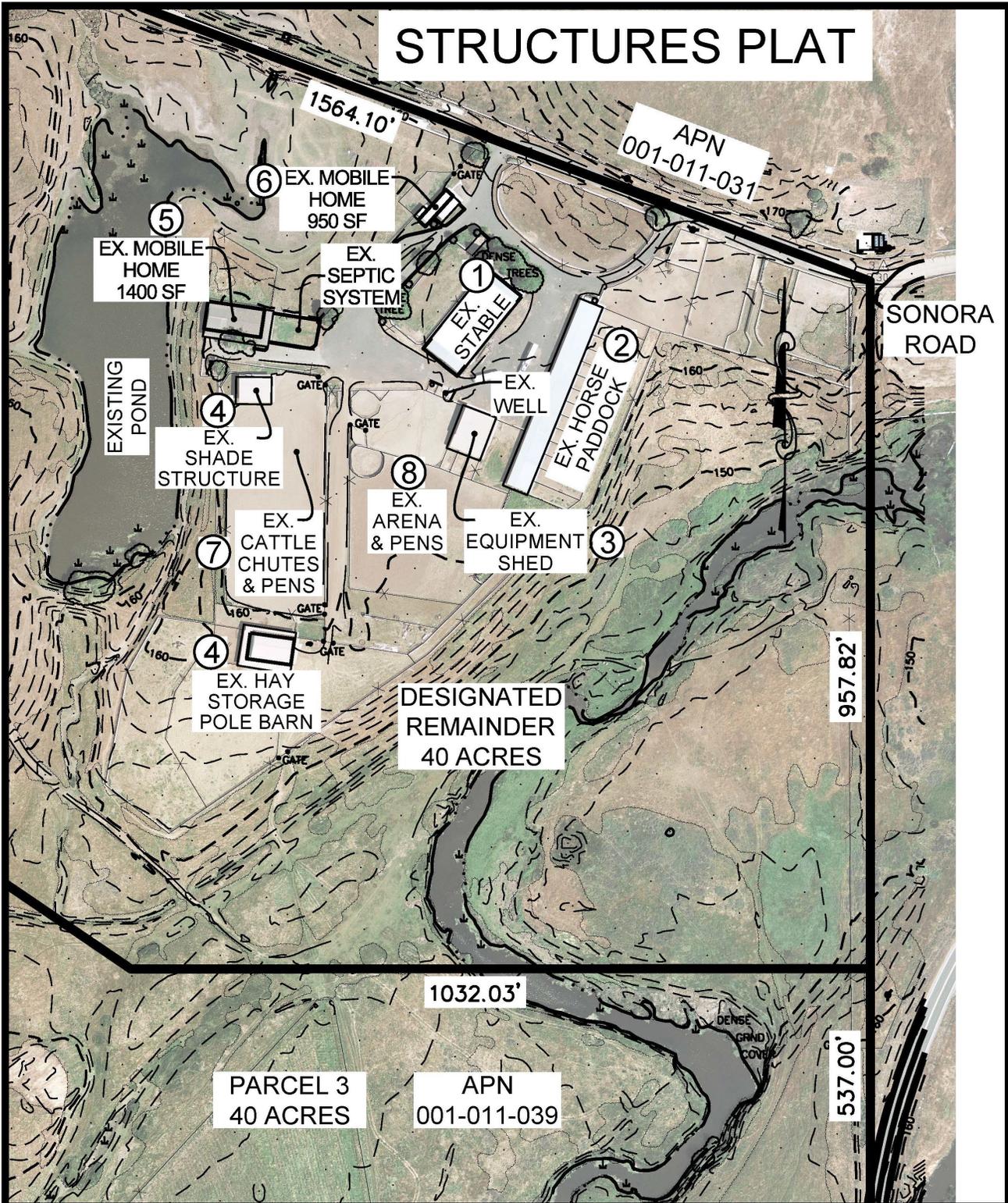


334 S. YOSEMITE AVENUE, SUITE D
OAKDALE, CA 95361
(209) 845-9175 ✉ BILL@MORRIS-ENG.COM

SCALE: 1" = 20'
DRAWN: PLM
CHECKED: WDM
JOB NO.: 22-119
SHEET: 1 OF 1

LANDS OF GILLUM
17480 26 MILE ROAD
OAKDALE, CA

STRUCTURES PLAT



MORRIS
ENGINEERING & SURVEYING, INC.



334 S. YOSEMITE AVENUE, SUITE D
OAKDALE, CA 95361
(209) 845-9175 ✉ BILL@MORRIS-ENG.COM

SCALE: 1" = 200'
DRAWN: PLM
CHECKED: WDM
JOB NO.: 22-119
SHEET: 1 OF 1

APN 001-011-039
LANDS OF GILLUM
17480 26 MILE ROAD
OAKDALE, CA



1. Stable: Entrance



1. Stable: Horse Stalls (East Side)



1. Stable: Cattle and Sheep Hospital Pen (West Side)



2. Horse Paddock



3. Equipment Shed



4. Shade Structure – Cattle Chutes



7. Cattle Sorting Pens



7. Cattle Chute (Front Area)
9. Hay Storage Pole Barn (Back Area)

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

CONDITIONS OF APPROVAL

USE PERMIT AND PARCEL MAP APPLICATION NO. PLN2022-0078 GILLUM

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 **\$2,821.00**, 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. Prior to issuance of a building permit for every new dwelling, the applicant shall pay a fee of \$339.00 per dwelling for the County's Sheriff's Department.
5. 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.

6. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
7. Pursuant to Sections 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate stream-bed alteration agreements, permits, or authorizations, if necessary.
8. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval; any adopted Mitigation Measures; and a project area map.
9. The recorded parcel map shall contain the following statement:

"All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with the agricultural operations, such as noise, odors, flies, dust, or fumes. Stanislaus County has determined that such inconveniences shall not be considered to be a nuisance if agricultural operations are consistent with accepted customs and standards."
10. A "No Build" restriction on the construction of any residential development shall be observed on Parcels 1-3 until the following criteria are met:
 - A. Ninety percent or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For land which is not irrigated by surface water, on-site irrigation infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place; or
 - B. Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation.
11. At no time shall commercial horse boarding, training, or exercising occur on-site without additional land use entitlement review and approval, and evaluation of its consistency with the Williamson Act Contract.
12. Within 6 months of project approval or prior to recording of the map, whichever comes first, building permits for all unpermitted structures and additions shall be obtained and finalized. In the event the use permit expires, prior to recording the map, all corrals/arenas for the purposes of exercising the horses shall be removed and associated training, exercising, or roping activities shall cease. An extension may be approved by the Planning Director via a Staff Approval Permit, provided sufficient evidence is provided illustrating the need for a time extension to be granted.

Department of Public Works

13. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
14. All structures not shown on the parcel map shall be removed prior to the parcel map being recorded.
15. All structures shown on the parcel map that are on lot lines shall be removed prior to the parcel map being recorded.
16. Prior to the recording of the parcel map the new parcels shall be surveyed and fully monumented.
17. Prior to the recording of the parcel map an irrevocable offer of dedication shall be required for Carter Road and 26 Mile Road. If an irrevocable offer of dedication is done through the map, the Owner's Statement shall make explicitly clear what is being offered at that time.
18. 26 Mile Road is classified as a 80-foot Major Collector. The required ½ width of 26 Mile Road is 40 feet west of the centerline of the roadway. The developer shall dedicate frontage along 26 Mile Road to meet the 40 feet ½ width west of the centerline as an Irrevocable Offer of Dedication.
19. Carter Road is classified as a 60-foot local road. The required ½ width of Carter Road is 30 feet north of the centerline of the roadway. The existing right of way is 20 feet north of the centerline. The remaining 10 feet north of the centerline shall be dedicated as an Irrevocable Offer of Dedication. The Department of Public Works has no foreseeable plans for improvements on 40-foot unimproved Carter Road.
20. At the intersection of Carter Road and 26 Mile Road a right-of-way chord is required in accordance with Stanislaus County Public Works Standards and Specifications Detail 3-C1. The chord shall be dedicated as an Irrevocable Offer of Dedication.
21. No new access from any parcel shall be granted to 26 Mile Road. This restriction shall be added as a note to the parcel map prior to recording.

Department of Environmental Resources

22. The existing on-site wastewater treatment systems, serving the existing dwellings shall be contained within the boundaries of the proposed remainder parcel.
23. The applicant shall demonstrate and secure any necessary permits for the destruction and relocation of all on-site wastewater treatment systems (OWTS) impacted by this project, under the direction of the Stanislaus County Department of Environmental Resources (DER).
24. Any new building requiring an on-site wastewater treatment system (OWTS) shall be designed according to the type and/or maximum occupancy of the proposed structure.

25. All applicable County Local Agency Management Program (LAMP) standards and required setbacks shall be met.

Central Valley Regional Water Quality Control Board

26. Prior to issuance of a building permit, applicant/developer shall be responsible for contacting the Central Valley Regional Water Quality Control Board and obtaining any necessary permits.

San Joaquin Valley Air Pollution Control District

27. The proposed project may be subject to SJVAPCD Rules and Regulations, including: District Rules 2010 and 2201 (Air Quality Permitting for Stationary Sources), Rule 4102 (Nuisance), Rule 4550 (Conservation Management Practices), Rule 4570 (Confined Animal Facilities), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Prior to issuance of a grading or building permit, the applicant shall contact the District's Small Business Assistance Office to determine if any SJVAPCD permits or if any other District rules or permits are required, including but not limited to an Authority to Construct (ATC).

Mitigation Measures

28. Prior to ground-disturbing activities, a qualified wildlife biologist shall assess the project site and vicinity (i.e. up to a 1.3 mile radius survey range, which is the observed California Tiger Salamander [CTS] dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommend surveys follow the United States Fish and Wildlife Service's (USFWS) "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (2003). If a negative finding cannot be obtained or a 50-foot no-disturbance buffer around all small mammal burrows cannot be implemented, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) shall be required to comply with California Endangered Species Act (CESA) prior to any ground-disturbing activities.
29. Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist with knowledge of Swainson's Hawk (SWHA) natural history and behaviors, following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000). If a negative finding cannot be obtained a ½ mile no-disturbance buffer cannot be implemented around an active nest(s), take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.
30. Ground-disturbing activities should be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, a survey for suitable habitat shall be conducted by a qualified wildlife biologist with knowledge of Tricolored blackbird (TRBL) natural history and behaviors. If suitable habitat is present, CDFW recommends a qualified wildlife biologist conduct focused surveys for

nesting TRBL and then repeat those surveys no more than 10 days prior to the start of ground-disturbing activities. If impacts to TRBL cannot be avoided following CDFW’s “Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015” (CDFW 2015), the project proponent may need to acquire an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.

31. Prior to ground-disturbing activities occurring during the overwintering period (October through February), a survey shall be conducted by a qualified biologist to determine whether Crotch bumble bee (CBB) is present within the project site. The applicant/developer shall consult with CDFW to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take.
32. Prior to ground-disturbing activities, a qualified biologist shall conduct a survey using survey methodology described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). In the event that burrowing owls are found impacts to occupied burrows shall be avoided via implementation and ongoing maintenance of a disturbance-free buffer in accordance with the following table, consistent with CDFW’s Staff Report on Burrowing Owl Mitigation (CDFG 2012), unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

33. Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist within 10 days prior to the start of ground or vegetation disturbing activities to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the project site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet shall be provided around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-

disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

34. Prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake, the project proponent shall notify CDFW to determine whether a Lake or Streambed Alteration Agreement (LSA Agreement) is required. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. If an LSA Agreement is needed, CDFW is required to comply with CEQA in the issuance of an LSA Agreement.

*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*



CEQA INITIAL STUDY

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

- 1. **Project title:** Parcel Map and Use Permit Application No. PLN2022-0078 – Gillum (SCH # 2023030326)
- 2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
- 3. **Contact person and phone number:** Kristen Anaya, Associate Planner
(209) 525-6330
- 4. **Project location:** 17480 26 Mile Road, between Sonora and Carter Roads, in the Oakdale area (APN: 001-011-039).
- 5. **Project sponsor’s name and address:** Larry and Judy Gillum
21303 West Restin Road
Wittman, AZ 85361
- 6. **General Plan designation:** Agriculture
- 7. **Zoning:** General Agriculture (A-2-40)
- 8. **Description of project:**

Request to subdivide a 161.56± acre parcel in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 41.56± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is also being requested to allow use of the 40± acre remainder for horse training activities in conjunction with an existing cattle and sheep ranching operation on the site. The project site is currently enrolled in Williamson Act Contract No. 1972-1078 and each of the proposed parcels will remain under contract if approved.

The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. According to County records, several of the on-site agricultural accessory structures have been constructed between 1990 and 2010, without building permits. As a condition of approval, building permits will be required to be obtained for all unpermitted structures and additions. The mobile homes are served by an existing septic system and domestic well. The remaining balance of the site is vacant, consisting of unirrigated pasture. If the proposed parcel map is approved, all existing structures will be contained within the proposed remainder. Little John’s Creek runs southwest from the northeast corner of the project site, through all proposed parcels. Proposed Parcel 2 will have direct frontage onto County-maintained Carter Road, which abuts the project site on the south side. Proposed Parcel 3 fronts on County-maintained 26 Mile Road, with Proposed Parcel 1 fronting on both 26 Mile Road and Carter Road. The remainder has direct access onto Sonora Road, via an existing paved driveway located at the northeast corner.

No residential development is proposed at this time; however, should all development criteria outlined in Stanislaus County Code Section 21.20 be met in the future, each parcel will be eligible to develop up to two dwelling units and one

junior accessory dwelling unit (JADU) each. The second dwelling unit may be either a single-family dwelling or an accessory dwelling unit (ADU).

The site is currently used for the existing tenants' sheep and cattle ranch, with the existing arenas and round pens used in the training of their 35 horses to maneuver livestock and for general recreation. Up to 150 cattle and 100 sheep are grazed on-site at any given time. The facility is not open to the public, nor are horses boarded on-site commercially. Pursuant to County Code Section 21.20.030(C)(a), a Tier Three Use Permit is required in the A-2 zoning district for private or public "roping arenas and similar facilities for the training, exercising or exhibiting of horses, dogs or other animals.". Accordingly, a use permit is being requested in conjunction with the proposed parcel map in order to obtain the required land use permits for the existing non-residential structures, arenas, on-site horse training and exercising activities accessory to the ranching operation. No employees report to the site as the facility is owned and operated exclusively by the tenants. Vehicle trips related to the ranch are minimal, with deliveries of hay and feed occurring once per month and no customer trips. Veterinary trips occur as needed; however, no more than once per month. If the project is approved, the use permit will remain with the proposed remainder only.

- 9. Surrounding land uses and setting:** Scattered single family dwellings and accessory structures, irrigated orchard, and unirrigated rangeland in all directions. Little Johns Creek to the east and west; Woodward Reservoir to the southeast.
- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Department of Public Works
Department of Environmental Resources
- 11. Attachments:**

 - I. Records Search by the Central California Information Center, dated June 29, 2022

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & 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 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 Kristen Anaya, Associate Planner

July 13, 2023
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). 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. Community standards generally do not dictate the need or desire for an architectural review of agricultural or residential subdivisions. Aesthetics associated with the project site are not anticipated to change as a result of this project. The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. The mobile homes are served by an existing septic system and domestic well. The remaining balance of the site is vacant, consisting of unirrigated pasture. The existing structures consist of manufactured homes and steel and wood agricultural structures, which are similar to scattered rural buildings in the project area vicinity. The proposed project is a request to subdivide a 161.56± acre parcel in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 41.56± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is also being requested to legalize horse training activities on within the 40± acre remainder in conjunction with an existing cattle and sheep ranching operation. Although no construction is proposed, if the project is approved, one single-family dwelling, an accessory dwelling unit, and junior accessory dwelling unit could be developed on each of the proposed Parcels. Any future residential development resulting from this project will be reviewed for conformance with the General Agriculture (A-2-40) zoning regulations.

The surrounding area consists of scattered rural residences, agricultural and residential accessory structures, irrigated orchard, and unirrigated rangeland in all directions. Little Johns Creek meanders east to west, intersecting the project site. Woodward Reservoir is located to the southeast.

No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance (Title 21); the Stanislaus County General Plan; and Support Documentation¹.

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

Discussion: The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. The mobile homes are served by an existing septic system and domestic well. The remaining balance of the site is vacant, consisting of unirrigated pasture. The site is currently used for the existing tenants’ sheep and cattle ranch, with the existing arenas and round pens used in the training of their 35 horses to maneuver livestock and for general recreation. Up to 150 cattle and 100 sheep are grazed on-site at any given time. The facility is not open to the public, nor are horses boarded on-site commercially. Pursuant to County Code Section 21.20.030(C)(a), a Tier Three Use Permit is required in the A-2 zoning district for private or public “roping arenas and similar facilities for the training, exercising or exhibiting of horses, dogs or other animals.” Accordingly, a use permit is being requested in conjunction with the proposed parcel map order to obtain the required land use permits for the existing non-residential structures, arenas, on-site horse training and exercising activities accessory to the ranching operation.

The California Department of Conservation’s Farmland Mapping and Monitoring Program list the project site’s soil as comprised of Grazing Land and Confined Animal Agriculture. The United States Department of Agriculture Natural

Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that 50.5% of the property is comprised of Hicksville loam (0 to 2 percent slopes, occasionally flooded), which has a California Revised Storie Index rating 70; 25% of the project site is comprised of Pentz-Peters association (2 to 15 percent slopes), which has a Storie Index rating of 28; 13% of Archerdale clay loam (0 to 2 percent slopes) which has a Storie Index rating of 77; 10% of Pentz-Peters association (2 to 50 percent slopes), which has a Storie Index rating 22; and 1.5% of Hicksville gravelly loam (0 to 2 percent slopes, occasionally flooded), which has a Storie Index rating 70. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an Index rating of 61 to 80 as good soil to be used for irrigated agriculture, and soils with an Index rating of 21 to 40 as poor soils to be used in irrigated agriculture. Grade 1 soils are deemed prime farmland by Stanislaus County's Uniform Rules. The project site is not in the boundaries or Local Agency Formation Commission's (LAFCO)-adopted sphere of influence (SOI) of an irrigation district, nor does it utilize the existing on-site well for irrigation water.

The project site and all parcels in the vicinity are zoned General Agriculture (A-2-40). In the immediate vicinity is irrigated orchard to the northwest, irrigated pasture to the east and south, and unirrigated rangeland to the north, east, and west. The project site is enrolled in Williamson Act Contract No. 72-1078 and all subsequent parcels including the remainder will remain enrolled under contract if the project is approved. The Stanislaus County Williamson Act Uniform Rules identify uses which are related to production of agricultural commodities and compatible uses. The requested Tier 3 Use is to legalize horse training and exercising activities and associated on-site structures, for the training of the current tenant's horses which are used in conjunction with a bona fide agricultural ranching operation. The project was referred to the California Department of Conservation who has not identified issues with the proposed project to date. The parcels to the west, north, east, and south are also enrolled under active Williamson Act contracts.

The project is a request to subdivide agricultural land consisting of unirrigated grazing land, and land enrolled under a Williamson Act contract into parcels of less than 160 acres in size. Accordingly, as required by Stanislaus County General Agriculture zoning regulations and General Plan Agricultural Element Policy 2.8, a condition of approval implementing a "no-build" restriction on the construction of any residential development on newly created parcels is observed until one or both of the following criteria is met has been added to the project:

- Ninety percent or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For land which is not irrigated by surface water, on-site irrigation infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place.
- Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation. Production agriculture is defined as agriculture for the purpose of producing any and all plant and animal commodities for commercial purposes.

No residential development is proposed at this time; however, should the no-build criteria be met, the zoning regulations will allow up to two dwelling units and one junior accessory dwelling unit (JADU) on each of the proposed parcels. The second dwelling unit may be either a single-family dwelling or an accessory dwelling unit (ADU). Additionally, while no new construction is included in the project request, a Tier Three Use Permit is requested to legalize an existing horse training and exercising facility currently operating on the property in conjunction with an existing sheep and cattle ranch, which is a permitted agricultural use. Several of the existing on-site agricultural structures were constructed without building permits; therefore, a condition of approval will be added to the project to require building permits to be obtained for the structures.

Appendix VII-A of the Stanislaus County General Plan Agricultural Element – "Buffer and Setback Guidelines" requires that discretionary projects incorporate physical separation such as a topographic feature, a stand of trees, berm, fencing, or similar feature when non-agricultural development is proposed in or adjacent to agriculturally zoned parcels. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift resulting from the interaction of agricultural and non-agricultural uses. The Appendix requires that projects include a 150-foot-wide buffer setback and a 6-foot-high fence along the perimeter of the site. All structures and corrals accessory to the on-site horse training and exercising activities, which require a Tier 3 Use Permit, provide at least 150 feet of distance from the edge of the structure(s) to the nearest property lines. Specifically, there is approximately 160 feet of distance from the existing horse barn to the nearest property line of the parcel to the north; 420 feet of distance from the horse paddock to the nearest

property line of the parcel to the east, 980 feet of distance from the corrals to the existing orchard to the west, and 1,900 feet of distance from the corrals to the property line of the parcel to the south. The Buffer and Setback Guidelines allow the applicant to propose an alternative to the buffer setback subject to Planning Commission approval. Given the proposed use is accessory to a bona fide agricultural ranching operation, the applicant is requesting an alternative to the agricultural buffer requirements for a 6-foot-tall fence. This project was referred to the Stanislaus County Agricultural Commissioner's Office who did not identify any concerns with the proposed buffer. In light of the site's proposed buffer and the parcel engaged in production agricultural which contributes to the agricultural sector of the economy, the impact to the adjacent agricultural uses is not anticipated to be greater as a result of this project.

Based on this information, Staff believes that the proposed project will not conflict with any agriculturally zoned land or Williamson Act Contracted land, nor will the project result in the conversion of unique farmland, or farmland of statewide importance.

Mitigation: None.

References: Application Materials; Stanislaus County Williamson Act Uniform Rules; Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan and Support Documentation¹.

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:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) 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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people?)			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, impacting air quality.

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions. No construction

is proposed as part of this project; however, if approved, each proposed parcel will be allowed to build an accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit. Should future construction occur as a result of this project, construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations within a project's vicinity. 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. The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. The remaining balance of the site is vacant, consisting of unirrigated pasture. The site is currently used for the existing tenants' sheep and cattle ranch, with the existing arenas and round pens used in the training of their horses to maneuver livestock and for general recreation. No construction is proposed; however, any construction activities that occur as a result of this project would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

The project was referred to SJVAPCD, and no response has been received to date. The District's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District's New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below, which is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Any project falling below the thresholds identified by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. While horse training facilities and riding arenas are not an identified land use type within this screening criteria, the proposed use is less intensive than the recreational categories consisting of golf courses, city parks, arenas, and recreational swimming pool. The facility is not open to the public, nor are horses boarded on-site commercially. No employees report to the site as the facility is owned and operated exclusively by the tenants. Vehicle trips related to the ranch are minimal, with deliveries of hay and feed occurring once per month and no customer trips. Veterinary trips occur as needed; however, no more than once per month. The proposed use generates fewer one-way vehicle trips and heavy heavy-duty truck trips than the recreational land use type categories with the most restrictive screening thresholds: 1,100 average daily one-way vehicle trips and 20 one-way daily heavy heavy-duty truck trips. Additionally, the District's threshold of significance for residential projects is identified as less than the following number of trips per-day based on vehicle type: 15 one-way heavy-duty truck trips and 800 one-way trips for all fleet types not considered to be heavy-duty trucks. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 11 existing trips per-day (2 single-family dwelling units x 5.11 = 10.22), and 31 additional trips per-day as a result of project approval (3 single-family dwelling and 3 accessory dwelling units x 5.11 = 30.66) if the Proposed Parcels 1, 2, and 3 are fully developed after project approval. As this is below the District's threshold of significance, no significant impacts to air quality are anticipated.

It appears the project would not be a significant impact to any sensitive receptors.

For these reasons, the proposed project is considered to be consistent with all applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less-than significant impact.

Mitigation: None.

References: Application Materials; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Governor's Office of Planning and Research Technical Advisory, December 2018; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) Guidance, November 13, 2020; and the Stanislaus County General Plan and Support Documentation¹.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on 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 Farmington Quad of the California Natural Diversity Database (CNDDDB). The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. These existing improvements are concentrated within the northeast corner of the project site, with the remaining balance of the site being vacant, consisting of unirrigated pasture. No construction or grading is proposed under this request, nor will any trees be removed as part of this request. The surrounding area consists of scattered rural residences, agricultural and residential accessory structures, irrigated orchard, and unirrigated rangeland in all directions. Little Johns Creek meanders east to west, intersecting the project site.

There are several species which are state or federally listed, threatened or identified as species of special concern or a candidate of special concern within the Farmington California Natural Diversity Database Quad. These species include the California tiger salamander, Swainson’s hawk, tricolored blackbird, and Greens tructoria. Other species of concern within or near the Farmington Quad consist of the Crotch bumble bee and burrowing owl. There are no reported sightings of any of the aforementioned species on the project site or within a mile of the project site according to the CNDDDB. There is record of tricolored blackbird approximately 1.66 miles east of the project site, and of Swainson’s hawk approximately 3 miles northwest of the project site, both of which are presumed extant. No other sightings or records of these species have been noted within a 3-mile vicinity. The project was referred to the U.S. Department of Fish and Wildlife (USFW) and the California Department of Fish and Wildlife (CDFW). CDFW staff provided a referral response indicating that there may be potential impacts to special status species within the Quad from future ground-disturbing activities resulting from the project. CDFW staff requested that a qualified biologist conduct a survey of the project site and vicinity to mitigate potential impacts on special status species, including burrowing owl, crotch bumble bee, Swainson’s hawk, tricolored blackbird, California

tiger salamander, and nesting birds. For certain species depending on the survey results, CDFW provided temporal limits on construction and ground-disturbance, provisions to consult CDFW staff, implementation of avoidance buffers, or application for Incidental Take Permits (ITP), if warranted. These comments have been incorporated into the project as mitigation measures.

The project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant with mitigation incorporated.

Mitigation Measure No. 1: Prior to ground-disturbing activities, a qualified wildlife biologist shall assess the project site and vicinity (i.e. up to a 1.3 mile radius survey range, which is the observed California Tiger Salamander [CTS] dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommend surveys follow the United States Fish and Wildlife Service’s (USFWS) “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (2003). If a negative finding cannot be obtained or a 50-foot no-disturbance buffer around all small mammal burrows cannot be implemented, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) shall be required to comply with California Endangered Species Act (CESA) prior to any ground-disturbing activities.

Mitigation Measure No. 2: Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist with knowledge of Swainson’s Hawk (SWHA) natural history and behaviors, following the survey methods developed by the Swainson’s Hawk Technical Advisory Committee (SWHA TAC 2000). If a negative finding cannot be obtained and a ½ mile no-disturbance buffer cannot be implemented around an active nest(s), take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Mitigation Measure No. 3: Ground-disturbing activities should be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, a survey for suitable habitat shall be conducted by a qualified wildlife biologist with knowledge of Tricolored blackbird (TRBL) natural history and behaviors. If suitable habitat is present, CDFW recommends a qualified wildlife biologist conduct focused surveys for nesting TRBL and then repeat those surveys no more than 10 days prior to the start of ground-disturbing activities. If impacts to TRBL cannot be avoided following CDFW’s “Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015” (CDFW 2015), the project proponent may need to acquire an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.

Mitigation Measure No. 4: Prior to ground-disturbing activities occurring during the overwintering period (October through February), a survey shall be conducted by a qualified biologist to determine whether Crotch bumble bee (CBB) is present within the project site. The applicant/developer shall consult with CDFW to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take.

Mitigation Measure No. 5: Prior to ground-disturbing activities, a qualified biologist shall conduct a survey using survey methodology described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). In the event that burrowing owls are found impacts to occupied burrows shall be avoided via implementation and ongoing maintenance of a disturbance-free buffer in accordance with the following table, consistent with CDFW’s Staff Report on Burrowing Owl Mitigation (CDFG 2012), unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Mitigation Measure No. 6: Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist within 10 days prior to the start of ground or vegetation disturbing activities to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the project site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet shall be provided around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance

Mitigation Measure No. 7: Prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake, the project proponent shall notify CDFW to determine whether a Lake or Streambed Alteration Agreement (LSA Agreement) is required. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. If an LSA Agreement is needed, CDFW is required to comply with CEQA in the issuance of an LSA Agreement.

References: Referral response from the California Department of Fish and Wildlife, date March 27, 2023; California Department of Fish and Wildlife’s Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation¹.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource 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: A records search for the project site formulated by the Central California Information Center (CCIC) indicated that there may be discovery of historical resources such as standing buildings 45 years or older. The CCIC recommended that a qualified historical resources consultant evaluate and formally record any building to be removed if it is 45 years old or older. The CCIC recommended review for the possibility of identifying prehistoric or historic-era archaeological resources if ground disturbance is considered a part of the current project. If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. No records were found that indicated the site contained any prehistoric, historic, or archeologic resources previously identified on-site. The report concluded that conditions of approval be placed on the project that if any historical resources are discovered during project-related activities, all work is to stop, and a qualified professional is 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 are to be notified immediately for recommended procedures. If human remains are uncovered, all work within 100 feet of the find should halt in compliance with Section 15064.5(e) (1) of the California Environmental Quality Act (CEQA) Guidelines and Public Resources Code Section 7050.5. Conditions of approval will be added to the project to ensure these requirements are met.

It does not appear this project will result in significant impacts to any archaeological or cultural resources. The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. No construction or grading is proposed under this request. The County does not use age as an indication of historic resources. None of the buildings on-site are federally or state registered as historic structures and are not located within a historic zoning district. No construction is proposed; however, if approved, each proposed parcel could develop up to one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU). Conditions of approval will be placed on the project, requiring that future construction activities shall be halted if any resources are found, until appropriate agencies are contacted, and an archaeological survey is completed.

Mitigation: None.

References: Central California Information Center Report for the project site, dated June 29, 2022; Stanislaus County General Plan and Support Documentation¹.

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.

No construction is proposed; however, if approved, each proposed parcel will be allowed to build an accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit. Any future construction activities shall be in compliance with all SJVAPCD regulations and with Title 24, Green Building Code, which includes energy efficiency requirements. No lighting is proposed as part of this project. Several of the existing on-site agricultural structures were constructed without building permits; therefore, a condition of approval will be added to the project to require building permits to be obtained for the structures, which will be required to meet current Building Code standards including Title 24.

According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 11 existing trips per-day (2 single-family dwelling units x 5.11 = 10.22) and 31 additional trips per-day as a result of full build-out of potential residential development on the newly-created parcels (6 single-family dwelling units x 5.11 = 30.66). Additionally, no employees report to the site as the existing sheep and cattle ranch operations, and accessory horse training and private boarding facility is owned and operated exclusively by the tenants. Vehicle trips related to the ranch are minimal, with deliveries of hay and feed occurring once per month and no customer trips. Veterinary trips occur as needed; however, no more than once per month. As required by CEQA Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. The VMT increase associated with the

proposed project is less than significant as the number of additional vehicle trips will not exceed 110 per-day. As the proposed vehicle trips are well below the District’s threshold of significance, no significant impacts to GHGs related to VMT are anticipated.

The project site is not located within an irrigation district’s boundaries or Local Agency Formation Commission-adopted Sphere of Influence. Electrical service is provided by Pacific Gas & Electric (PG&E). The project was referred to PG&E who did not comment on the request.

It does not appear that 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; CEQA Guidelines; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Governor’s Office of Planning and Research Technical Advisory, December 2018; San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) Guidance, November 13, 2020; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the property is made up of Hicksville loam (0 to 2 percent slopes, occasionally flooded), Pentz-Peters association (2 to 15 percent slopes), Archerdale clay loam (0 to 2 percent slopes), Pentz-Peters association (2 to 50 percent slopes) Hicksville gravelly loam. 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.

No construction is proposed; however, if approved, each proposed parcel will be allowed to build an accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit. Additionally, any future structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. An early consultation referral response received from the Department of Public Works who commented, requesting that the recorded parcel map be prepared by a licensed land surveyor or civil engineer, that all structures not shown on the parcel map be demolished before recordation, that the new parcels be fully surveyed and monumented, and that irrevocable offers of dedication be provided. They also notified the applicant that no access may be taken from 26 Mile Road. Likewise, any addition or expansion of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. The project was referred to DER staff who commented, requesting that the on-site wastewater treatment systems be contained within the boundaries of the proposed remainder parcel, and that all new OWTS be designed according to the type and/or maximum occupancy of the proposed structure and meet all Local Agency Management Program standards. These comments have been added as conditions of approval.

The project site is not located near an active fault or within a high earthquake zone. Portions of the project site are elevated; however, landslides are not likely due to the relatively minimally sloped terrain of the area.

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

Mitigation: None.

References: Referral response from the Department of Environmental Resources (DER), dated March 24, 2023; Referral response from the Stanislaus County Department of Public Works dated May 1, 2023; Stanislaus County General Plan and Support Documentation¹.

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 (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) 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.

Proposed Parcels 1, 2, and 3 could be developed with one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU) on each parcel if approved. The proposed remainder is currently developed with two single-family dwellings and may be developed with one JADU. A JADU would not count as a separate dwelling unit, as the JADU consists of converted living space within the primary home. Direct emissions of GHGs from the operation of the proposed project are primarily due to passenger vehicle trips and heavy truck trips. Therefore, the project would result in an increase in direct annual emissions of GHGs during operation as the project is expected to increase the number of vehicle trips by 42 vehicle trips due to existing and potential residential development as previously mentioned in Section III – *Air Quality*. Additionally, no employees report to the site as the existing sheep and cattle ranch operations, and accessory horse training and private boarding facility is owned and operated exclusively by the tenants. Vehicle trips related to the ranch are minimal, with deliveries of hay and feed occurring once per month and no customer trips. Veterinary trips occur as needed. As required by CEQA Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. The VMT increase associated with the proposed project is less than significant as the number of additional vehicle trips will not exceed 110 per-day. As the proposed vehicle trips are well below the District’s threshold of significance, no significant impacts to GHGs related to VMT are anticipated.

No construction is proposed; however, a building permit will be required to be obtained for the unpermitted agricultural structures. Any development must comply with Title 24 Building Code Regulations which include measures for energy-efficient buildings that require less electricity and reduce fuel consumption, which in turn decreases GHG emissions. This project was referred to the San Joaquin Valley Air Pollution Control District (Air District); however, no response has been received to date. Staff will include a condition of approval requiring the applicant to comply with all appropriate District rules and regulations should future construction occur on the proposed parcels. Consequently, GHG emissions associated with this project are considered to be less-than significant.

Mitigation: None.

References: Application information; Governor’s Office of Planning and Research Technical Advisory, December 2018; Stanislaus County General Plan and Support Documentation¹.

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: The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. The project was referred to the Hazardous Materials Division of the Stanislaus County Department of Environmental Resources (DER) which responded with no comment on the project. The project was also referred to the Environmental Review Committee (ERC), which responded with no comments. The proposed use is not recognized as a generator and/or consumer of hazardous materials, therefore, no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

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. The project site consists of agricultural and residential development and unirrigated rangeland, and is immediately surrounded by production agriculture, scattered rural residences, and unirrigated rangeland. All structures and corrals accessory to the on-site horse training and exercising activities, which require a Tier 3 Use Permit, provide at least 150 feet of distance from the edge of the structure(s) to the nearest property lines in accordance with the Stanislaus County Agricultural buffer requirements. Given the proposed use is accessory to a bona fide agricultural ranching operation, the applicant is requesting an alternative to the agricultural buffer requirements for a 6-foot-tall fence, consisting of no solid fencing barrier between the project site and adjoining parcels. The project was referred to the Stanislaus County Agricultural Commissioner's Office who did not identify any concerns with the project or proposed buffer. The groundwater is not known to be contaminated within the area of the project site.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The site is located in a State Responsibility Area (SRA) for fire protection and is served by Oakdale Rural Protection District. The project was referred to the District which did not comment on the project.

The project site is not within the vicinity of any airstrip or wildlands.

Mitigation: None.

References: Referral response from the Stanislaus County Environmental Review Committee (ERC) dated March 27, 2023; Department of Toxic Substances Control's data management system (EnviroStar), accessed on July 7, 2023; Stanislaus County General Plan and Support Documentation¹.

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?				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion: The project site is served for water and wastewater by an existing on-site well and on-site wastewater treatment system (OWTS). 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 (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. All flood zone requirements are addressed by the Building Permits Division during the building permit process.

The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. The remaining balance of the site is vacant, consisting of unirrigated pasture. The proposed project is a request to subdivide a 161.56± acre parcel in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 41.56± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is also being requested to legalize horse training activities on within the 40± acre remainder parcel in conjunction with an existing cattle and sheep ranching operation. Although no construction is proposed, if the project is approved, one single-family dwelling, an accessory dwelling unit, and junior accessory dwelling unit could be developed on each of the proposed parcels. Additionally, building permits will be required to be obtained for the unpermitted accessory structures. The current absorption patterns of water upon this property will not be altered as part of this project; however, should new structures be built, current Public Works standards require all of a project’s storm water be maintained on-site.

The project was referred to Central Valley Regional Water Quality Control Board (CVRWQCB) who responded requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements be obtained or met prior to operation. Conditions of approval will be added to the project requiring the applicant comply with this request prior to issuance of a building permit.

If the parcel map is approved, all existing on-site development will be contained within the new parcel boundaries of the proposed remainder, including a domestic well and septic system. No new domestic or irrigation wells are proposed with this project. However, if the project is approved, new development of Proposed Parcels 1, 2, and 3 may include installation

of new wells. DER regulates the issuance of new well permits. Groundwater extraction is subject to compliance with the Eastside San Joaquin Groundwater Sustainability Agency’s Groundwater Sustainability Management Plan which was adopted in March 2023.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California’s groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the Eastside San Joaquin Groundwater Basin Association GSA which is a part of the Eastern San Joaquin Sub-basin. Stanislaus County adopted a Groundwater Ordinance in November 2014 (Chapter 9.37 of the County Code, hereinafter, the “Ordinance”) that codifies requirements, prohibitions, and exemptions intended to help promote sustainable groundwater extraction in unincorporated areas of the County. The Ordinance prohibits the unsustainable extraction of groundwater and makes issuing permits for new wells, which are not exempt from this prohibition, discretionary. For unincorporated areas covered in an adopted GSP pursuant to SGMA, the County can require holders of permits for wells it reasonably concludes are withdrawing groundwater unsustainably to provide substantial evidence that continued operation of such wells does not constitute unsustainable extraction and has the authority to regulate future groundwater extraction.

To implement the 2014 Stanislaus County Groundwater Ordinance (Chapter 9.37 of the Stanislaus County Code), the County has developed its’ Discretionary Well Permitting and Management Program to prevent the unsustainable extraction from new wells subject to the Stanislaus County Groundwater Ordinance. The Eastside San Joaquin GSA, is tasked with ensuring compliance with the Sustainable Groundwater Management Act (SGMA) through a Groundwater Sustainability Plan which was adopted in March 2023. Private groundwater pumping quantities on an individual well basis are largely unknown, though aggregate estimates for private pumping are often included in planning documents (e.g., AWMPs, UWMPs, groundwater management plans). The new and existing domestic wells are not anticipated to have a significant effect on groundwater supplies. All development requests shall be reviewed to ensure that sufficient evidence has been provided to document the existence of a water supply sufficient to meet the short and long-term water needs of the project without adversely impacting the quality and quantity of existing local water resources.

Additionally, any future installation of new private septic systems will require review and approval by DER and must adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setbacks from wells to prevent negative impacts to groundwater quality. These requirements were reflected in DER’s referral response and will be added to the project.

The project was referred to the Stanislaus County Environmental Review Committee, which responded with no comments for the proposed project.

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

Mitigation: None.

References: Referral Response from Department of Environmental Resources, dated March 24, 2023; Referral response from the Regional Water Quality Control Board, dated March 27, 2023; Referral response from Environmental Review Committee, dated March 27, 2023; Eastside San Joaquin Groundwater Sustainability Plan; Stanislaus County General Plan and Support Documentation¹.

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?			X	
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?			X	

Discussion: The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams. The project site is zoned General Agriculture (A-2-40). This is a request to subdivide a 161.56± acre parcel in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 41.56± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is also being requested to allow use of the 40± acre remainder for horse training activities in conjunction with an existing cattle and sheep ranching operation on the site. The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. The mobile homes are served by an existing septic system and domestic well. The remaining balance of the site is vacant, consisting of unirrigated pasture. If the proposed parcel map is approved, all existing structures will be contained within the proposed remainder. Little John's Creek runs southwest from the northeast corner of the project site, through all proposed parcels. Proposed Parcel 2 will have direct frontage onto County-maintained Carter Road, which abuts the project site on the south side. Proposed Parcel 3 fronts on County-maintained 26 Mile Road, with Proposed Parcel 1 fronting on both 26 Mile Road and Carter Road. The remainder has direct access onto Sonora Road, via an existing paved driveway located at the northeast corner.

The site is currently used for the existing tenants' sheep and cattle ranch, with the existing arenas and round pens used in the training of their 35 horses to maneuver livestock and for general recreation. Up to 150 cattle and 100 sheep are grazed on-site at any given time. The facility is not open to the public, nor are horses boarded on-site commercially. Pursuant to County Code Section 21.20.030(C)(a), a Tier Three Use Permit is required in the A-2 zoning district for private or public "roping arenas and similar facilities for the training, exercising or exhibiting of horses, dogs or other animals.". Accordingly, a use permit is being requested in conjunction with the proposed parcel map order to obtain the required land use permits for the existing non-residential structures, arenas, on-site horse training and exercising activities accessory to the ranching operation. Additionally, as a condition of approval, building permits will be required for the agricultural accessory structures which were constructed without building permits.

The proposed subdivision complies with the minimum parcel size requirement of 40 acres for newly created parcels. If approved, Proposed Parcel 2 will front on County-maintained Carter Road, Proposed Parcel 1 will front on both County-maintained Carter and 26 Mile Roads, and Proposed Parcel 3 and the Remainder will front on Sonora Road and County-maintained 26 Mile Road. The project was referred to the Department of Public Works who prohibited any access onto 26 Mile Road. As a condition of approval, this restriction, as well as a requirement for Public Works' review approval of new driveways and access for the proposed parcels, will need to be added to the final map prior to recordation.

The project site is surrounded by scattered rural residences, agricultural and residential accessory structures, irrigated orchard, and unirrigated rangeland in all directions. Little Johns Creek meanders east to west and intersects the project site. Woodward Reservoir is located to the southeast. The project site and all parcels in the vicinity are zoned General Agriculture (A-2-40). In the immediate vicinity is irrigated orchard to the northwest, irrigated pasture to the east and south, and unirrigated rangeland to the north, east, and west. The project site is enrolled in Williamson Act Contract No. 72-1078 and all three proposed parcels and remainder parcel will remain enrolled under contract if the project is approved. The Stanislaus County Williamson Act Uniform Rules identify uses which are related to production of agricultural commodities and compatible uses. The requested Tier 3 Use is to legalize horse training and exercising activities and associated on-site structures, for the training of the current tenant's horses which are used in conjunction with a bona fide agricultural ranching operation. The project was referred to the California Department of Conservation who has not identified issues with the proposed project to date. The parcels to the west, north, east, and south are also enrolled under active Williamson Act contracts.

The project is a request to subdivide agricultural land consisting of unirrigated grazing land, and land enrolled under a Williamson Act contract into parcels of less than 160 acres in size. Accordingly, as required by Stanislaus County General Agriculture zoning regulations and General Plan Agricultural Element Policy 2.8, a condition of approval implementing a "no-build" restriction on the construction of any residential development on newly created parcels is observed until one or both of the following criteria is met has been added to the project:

- Ninety percent or more of the parcel shall be in production agriculture use with its own on-site irrigation infrastructure and water rights to independently irrigate. For land which is not irrigated by surface water, on-site irrigation

infrastructure may include a self-contained drip or sprinkler irrigation system. Shared off-site infrastructure for drip or sprinkler irrigation systems, such as well pumps and filters, may be allowed provided recorded long-term maintenance agreements and irrevocable access easements to the infrastructure are in place.

- Use of the parcel includes a confined animal facility (such as a commercial dairy, cattle feedlot, or poultry operation) or a commercial aquaculture operation. Production agriculture is defined as agriculture for the purpose of producing any and all plant and animal commodities for commercial purposes.

No construction is proposed at this time; however, if approved, each of the proposed parcels would be permitted to accommodate the construction of one single-family dwelling, one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU). Additionally, a building permit will be required to be obtained for the shed. Any further residential development resulting from this project will be reviewed for conformity with the General Agriculture (A-2) zoning regulations.

Appendix VII-A of the Stanislaus County General Plan Agricultural Element – “Buffer and Setback Guidelines” requires that discretionary projects incorporate physical separation such as a topographic feature, a stand of trees, berm, fencing, or similar feature when non-agricultural development is proposed in or adjacent to agriculturally zoned parcels. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift resulting from the interaction of agricultural and non-agricultural uses. The Appendix requires that projects include a 150-foot-wide buffer setback and a 6-foot-high fence along the perimeter of the site. All structures and corrals accessory to the on-site horse training and exercising activities, which require a Tier 3 Use Permit, provide at least 150 feet of distance from the edge of the structure(s) to the nearest property lines. Specifically, there is approximately 160 feet of distance from the existing horse barn to the nearest property line of the parcel to the north; 420 feet of distance from the horse paddock to the nearest property line of the parcel to the east, 980 feet of distance from the corrals to the existing orchard to the west, and 1,900 feet of distance from the corrals to the property line of the parcel to the south. The Buffer and Setback Guidelines allow the applicant to propose an alternative to the buffer setback subject to Planning Commission approval. Given the proposed use is accessory to a bona fide agricultural ranching operation, the applicant is requesting an alternative to the agricultural buffer requirements for a 6-foot-tall fence. This project was referred to the Stanislaus County Agricultural Commissioner’s Office who did not identify any concerns with the proposed buffer. In light of the site’s proposed buffer and the parcel engaged in production agricultural which contributes to the agricultural sector of the economy, the impact to the adjacent agricultural uses is not anticipated to be greater as a result of this project.

The proposed use will not physically divide an established community and/or conflict with any habitat conservation plan or natural community conservation plan. This project is not known to conflict with any adopted land use plan, policy, or regulation of any agency with jurisdiction over the project. No significant impacts associated with land use and planning are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Referral response from Department of Public Works, dated May 1, 2023; Stanislaus County Subdivision Ordinance (Title 20); Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

XII. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XIII. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
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?			X	
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 55 dBA Ldn (or CNEL) as the normally acceptable level of noise for residential uses and 75 dBA Ldn for agricultural uses. No construction is proposed; however, a building permit will be required to be obtained for the agricultural accessory structures which were placed on the parcel without building permits. On-site grading and construction resulting from this project may result in a temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise.

The site is not located within an airport land use plan. Noise impacts associated with the proposed project are considered to be less-than significant

Mitigation: None.

References: Application information; Stanislaus County Noise Control Ordinance (Title 10); Stanislaus County General Plan, Chapter IV – Noise Element; Stanislaus County General Plan and Support Documentation¹.

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. If approved, the remainder will continue to be improved with two existing mobile homes (1,352 and 700 square feet in size). Proposed Parcels 1, 2, and 3 may be developed with a single-family dwelling, one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU).

Any development resulting from this project will be consistent with existing uses in the surrounding area and building densities permitted in the General Agriculture (A-2-40) zoning district.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

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:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion: The County has adopted Public Facilities Fees (PFF), School as well as Fire Facility Fees on behalf of the appropriate district, to address impacts to public services. Any new dwellings as a result of the proposed subdivision will be required to pay the applicable Public Facility Fees through the building permit process. The Sheriff’s Department also uses a standardized fee for new dwellings that will be incorporated into the Conditions of Approval. No construction is proposed; however, all applicable adopted public facility fees will be required to be paid at the time of building permit issuance at a later date should construction occur as a result of this project.

The project was referred to the appropriate public service agencies, as well as the Stanislaus County Environmental Review Committee (ERC) which responded with no comments on the project.

The existing manufactured homes are served by well and septic system.

The project was also referred to the Oakdale Rural Protection District who did not respond to the project. The Stanislaus County Fire Prevention Bureau reviews building permit applications and will ensure District standards are met.

The project site is not located within an irrigation district’s boundaries or Local Agency Formation Commission-adopted Sphere of Influence. Electrical service is provided by Pacific Gas & Electric (PG&E). The project was referred to PG&E who did not comment on the request.

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

Mitigation: None.

References: Application Materials; Referral response from the Environmental Review Committee, dated March 27, 2023; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: If the project is approved, the proposed remainder will be improved with: two mobile homes Proposed Parcels 1, 2, and 3 will be vacant. Each Proposed Parcel may be developed with a single-family dwelling, one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU) in addition to the existing single-family dwellings. The proposed project may result in a minor increase in the use of the nearest recreational facilities, which is Woodward Reservoir; however, the project will not result in the need for new or expanded recreational facilities, nor does the proposed project meet the County’s criteria for parkland dedication or in lieu fees. The project was referred to Parks and Recreation as part of the Early Consultation; however, no comments have been received to date.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project is a request to subdivide a 161.56± acre parcel in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 41.56± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is also being requested to allow use of the 40± acre remainder for horse training activities in conjunction with an existing cattle and sheep ranching operation on the site. If approved, Proposed Parcels 1 and 2 will front on County-maintained Carter Road. Proposed Parcels 2, 3 and the Remainder will front on County-maintained 26 Mile Road. Both Proposed Parcel 3 and the Remainder will also front on Sonora Road.

As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). The State of California – Office of Planning and Research (OPR) has issued guidelines regarding

VMT significance under CEQA. According to the technical advisory from OPR, as mentioned in Section VIII – Greenhouse Gas Emissions, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than-significant transportation impact. Proposed Parcels 1, 2, and 3 could be developed with one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU) on each parcel if approved. The proposed Remainder is currently already developed with two single-family dwellings and may be developed with one JADU. A JADU would not count as a separate dwelling unit, as the JADU consists of converted living space within the primary home. The facility is not open to the public, nor are horses boarded on-site commercially. No employees report to the site as the facility is owned and operated exclusively by the tenants. Vehicle trips related to the ranch are minimal, with deliveries of hay and feed occurring once per month and no customer trips. Veterinary trips occur as needed. According to the Federal Highway Administration the average daily vehicle trips per household is 5.11, which would equal approximately 11 existing trips per-day (2 single-family dwelling units x 5.11 = 10.22), and 31 additional trips per-day as a result of project approval (3 single-family dwelling and 3 accessory dwelling units x 5.11 = 30.66) if the proposed Parcels 1, 2, and 3 are developed after project approval. The VMT increase associated with the proposed project is less than significant as the number of additional vehicle trips will not exceed 110 per-day. As the proposed vehicle trips are well below the District's threshold of significance, no significant impacts to GHGs related to VMT are anticipated.

Level of service (LOS) is a standard measure of traffic service along a roadway or at an intersection for vehicles. It ranges from A to F, with LOS A being best and LOS F being worst. As a matter of policy, Stanislaus County strives to maintain LOS D or better for motorized vehicles on all roadway segments and a LOS of C or better for motorized vehicles at all roadway intersections. When measuring levels of service, Stanislaus County uses the criteria established in the Highway Capacity Manual published and updated by the Transportation Research Board. Carter Road, which fronts the project site is classified as a 60-foot-wide local road. 26 Mile Road is classified as an 80-foot-wide Major Collector. The LOS threshold for both Local Roads and Major Collectors to operate at a LOS C is 1,700 vehicles per-lane, per-day.

It is not anticipated that the project would substantially affect the level of service on 26 Mile Road or Carter Road. The project was referred to Public Works who requested that the recorded parcel map be prepared by a licensed surveyor or engineer, that all structures not shown on the map be demolished prior to recording, that all new parcels be surveyed and fully monumented, and that irrevocable offers of dedication be provided for Carter and 26 Mile Roads. Their referral response also included a notice to the applicant that Carter Road is presently unimproved and there are no foreseeable plans to make improvements to the road, and provided a prohibition on any access being taken from 26 Mile Road. As a condition of approval, this restriction, as well as a requirement for Public Works' review approval of new driveways and access for the proposed parcels, will need to be added to the final map prior to recordation. At the time each new parcel develops, the proposed driveway and access will be reviewed and approved by the Department of Public Works prior to issuance of a building or encroachment permit

All development on-site will be required to pay applicable County PFF fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance or policy.

Mitigation: None.

References: Application Materials; Referral response from Department of Public Works, dated May 1, 2023; E-mail correspondence from Department of Public Works, dated June 20, 2023; Federal Highway Administration, Summary of Travel Trends: 2017 National Household Travel Survey; Governor's Office of Planning and Research Technical Advisory, December 2018; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

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: It does not appear this project will result in significant impacts to any tribal cultural resource. The existing 161.56 ± acre parcel is currently improved with: two mobile homes (1,352 and 700 square feet in size), an 8,640 square-foot 15-stall stable, a 9,800 square-foot 14-pen horse paddock, a 2,700 square-foot equipment shed, a 1,575 square-foot shade structure, a 1.25± acre penned area with a chute for cattle sorting, a 1± acre area consisting of an arena and round pens, and a 3,500 square-foot hay storage barn. The remaining balance of the site is vacant, consisting of unirrigated pasture. The surrounding area consists of scattered rural residences, agricultural and residential accessory structures, irrigated orchard, and unirrigated rangeland in all directions. Little Johns Creek meanders east to west, intersecting the project site. Woodward Reservoir is located to the southeast. As discussed in Section V – Cultural Resources of this report, the records search indicated there may be unidentified features involved in the project area that are 45 years or older and considered as historical resources requiring further study. The Central California Information Center (CCIC) recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources if ground disturbance is considered a part of the current project. The CCIC recommendations as mentioned in the “Cultural Resources” section of this report will be applied to the project.

In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing.

It does not appear that this project will result in significant impacts to any tribal cultural resources.

Mitigation: None.

References: Application information; Central California Information Center Report for the project site, dated June 29, 2022; Stanislaus County General Plan and Support Documentation¹.

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 adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
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 is currently served by a domestic well for water service and an on-site wastewater treatment system for wastewater service. Although no construction is proposed, each parcel will require its own independent well and septic system for any future development resulting from the proposed parcel split. The project was referred to the Department of Environmental Resources who replied with comments requesting that the existing OWTS be contained within the proposed parcel lines. Any future construction will be reviewed under the Building Permit process and must be reviewed and approved by DER. Conditions of approval will be added to the project to reflect this requirement.

The site is served by Pacific Gas & Electric (PG&E) for electrical service and propane for gas service. The project was referred to PG&E who did not provide comments on the project to date. The Central Valley Regional Water Quality Control Board (CVRWQCB) provided an Early Consultation Referral response requesting that the applicant coordinate with their agency to determine if any permits or Water Board requirements be obtained/met prior to operation. Conditions of approval will be added to the project requiring the applicant comply with this request prior to issuance of a building permit.

A referral response was received from the Stanislaus County Environmental Review Committee (ERC) who had no comments on the project.

Impacts to utilities and service systems are considered to be less than significant.

Mitigation: None.

References: Application materials; Referral response from Stanislaus County Environmental Review Committee, dated March 27, 2023; Referral response from Department of Environmental Resources, dated March 24, 2023; Referral response from Regional Water Quality Control Board, dated March 27, 2023; Stanislaus County General Plan and Support Documentation¹.

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. The project site is in a non-urbanized area with no wildlands located in the vicinity of the project site. In addition, the project site is not located within a designated high or very high fire hazard severity zone, or near lands classified as very high fire hazard severity zones. The terrain of the site is slightly elevated, and the site has access to a County maintained road. Access is proposed to be taken off Carter Road for Proposed Parcels 1 and 2, and off Sonora Road for Proposed Parcel 3 and the remainder. Prior to issuance of a building permit for any structure, driveway locations are subject to review and approval by the Department of Public Works and the Stanislaus County Fire Protection Bureau. The site is located in a State Responsibility Area (SRA) for fire protection and is served by Oakdale Rural Fire Protection District. The project was referred to the District who has not provided comments 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. No construction is proposed; however, if approved, each proposed parcel may be developed with one single-family dwelling, one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU). Additionally, building permits will be required to be obtained for the currently unpermitted accessory structures. Should future construction occur, building permits are reviewed by 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.

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

Mitigation: None.

References: Application information; California Fire Code Title 24, Part 9; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The 161.56± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and is zoned General Agriculture (A-2-40).

Request to subdivide a 161.56± acre parcel in the General Agriculture (A-2-40) zoning district, into three parcels and a remainder. The three proposed parcels will consist of two 40± acre parcels, and a 41.56± acre parcel. The remainder is proposed to be 40± acres in size. A use permit is also being requested to allow use of the 40± acre remainder for horse training activities in conjunction with an existing cattle and sheep ranching operation on the site. The resultant proposed Parcels and Remainder will maintain consistency with the density and intensity allowed with the Agriculture designation of the General Plan as well as the uses permitted in the A-2-40 zoning district.

The project site and all parcels in the vicinity are zoned General Agriculture (A-2-40). In the immediate vicinity is irrigated orchard to the northwest, irrigated pasture to the east and south, and unirrigated rangeland to the north, east, and west. The project site is enrolled in Williamson Act Contract No. 72-1078 and all three proposed parcels and remainder parcel will remain enrolled under contract if the project is approved. The Stanislaus County Williamson Act Uniform Rules identify uses which are related to production of agricultural commodities and compatible uses. The requested Tier 3 Use is to legalize horse training and exercising activities and associated on-site structures, for the training of the current tenant's horses which are used in conjunction with a bona fide agricultural ranching operation. The project was referred to the California Department of Conservation who has not identified issues with the proposed project to date. The parcels to the west, north, east, and south are also enrolled under active Williamson Act contracts. With biological resources mitigation in place requiring pre-construction surveys and appropriate measures taken to reduce the impacts to less than significant, the proposed use and subdivision is not anticipated to contribute to any cumulative impacts to the environment within the project area.

Any development of the project site or surrounding area would be subject to the permitted uses of the applicable zoning district the property is located within or would require additional land use entitlements and environmental review.

No cumulative impacts are anticipated as a result of this project. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Initial Study; Stanislaus County General Plan and Support Documentation¹.

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

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



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

Date: 6/29/2022

Records Search File #: 12224N

Project: Larry & Judy Gillum Tentative Parcel
Map; 17480 26 Mile Road, Oakdale, CA
95361; APN 001-011-039

William D. Morris
Morris Engineering and Surveying, Inc.
334 S. Yosemite Avenue, Suite D
Oakdale, CA 95361
209-845-9175

On behalf of:
Larry & Judy Gillum
21303 W. Restin Road, Wittman, AZ 85361
209-840-1577

bill@morris-eng.com
jwgillum@aol.com

Dear Mr. Morris and Mr. & Mrs. Gillum:

We have conducted a non-confidential extended records search as per your request for the above-referenced project area located on the Bachelor Valley and Farmington USGS 7.5-minute quadrangle maps 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 following:

National Register of Historic Places (NRHP)
California Register of Historical Resources (CRHR)
California Inventory of Historic Resources (1976)
California Historical Landmarks
California Points of Historical Interest listing
Office of Historic Preservation Built Environment Resource Directory (BERD) and the
Archaeological Determinations of Eligibility (ADOE)
Survey of Surveys (1989)
Caltrans State and Local Bridges Inventory
General Land Office Plats
Other pertinent historic data available at the CCaIC for each specific county

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- There are no formally recorded prehistoric or historic archaeological resources or historic buildings or structures within the project area.
- The General Land Office Survey Plat for T1N R10E (dated 1855) shows the “Stockton and Sonora Stage Road” (aka Sonora Road) on the north side of Section 33 and the

project area.

- The Official Map of the County of Stanislaus, California (dated 1906) shows J. B. Ford as the landowner in Sections 32 and 33, T1N R10E.
- The 1916 edition of the Bachelor Valley 7.5' references the Sonora Road on the north side of the project in Section 33, T1N R10E and St. Joseph's Church immediately northeast of the project in Section 34.
- The 1942 edition of the Farmington 7.5' shows both the Sonora Road on the north side of the project and Carter Road on the south.

Prehistoric or historic resources within the immediate vicinity of the project area: There are formally recorded prehistoric archaeological resources within the immediate vicinity of the project area. We advise you that both prehistoric and historic archaeological resources as well as historic buildings and structures have been recorded elsewhere within the Bachelor Valley-Farmington vicinity.

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

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

Recommendations/Comments:

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. Since the area has not been subject to project-specific previous investigations and there are recorded resources nearby, there may be unidentified 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.

If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

If the proposed project contains buildings or structures that meet the minimum age requirement (45 years in age or older) it is recommended that the resource/s be assessed by a professional familiar with architecture and history of the county. Review of the available historic building/structure data has included only those sources listed above and should not be considered

comprehensive.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at <http://chrisinfo.org>

If archaeological resources are encountered during project-related activities, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

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. Thank you for providing the signed **Access Agreement Short Form**.

Note: Billing will be transmitted separately via email from the Financial Services office (\$150.00), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice

from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

<https://commerce.cashnet.com/ANTHROPOLOGY>

Sincerely,

E. A. Greathouse

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

* Invoice Request sent to: ARBilling@csustan.edu, CSU Stanislaus Financial Services

Stanislaus County

Planning and Community Development

Mitigation Monitoring and Reporting Program

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

JULY 13, 2023

- 1. Project title and location: Parcel Map and Use Permit Application No. PLN2022-0078 – Gillum

17480 26 Mile Road, between Sonora and Carter Roads, in the Oakdale area (APN: 001-011-039).
- 2. Project Applicant name and address: Larry and Judy Gillum
21303 West Restin Road
Wittman, AZ 85361
- 3. Person Responsible for Implementing Mitigation Program: Larry and Judy Gillum
- 4. Contact person at County: Kristen Anaya, Associate Planner (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

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

IV. BIOLOGICAL RESOURCES

No. 1 Mitigation Measure: Prior to ground-disturbing activities, a qualified wildlife biologist shall assess the project site and vicinity (i.e. up to a 1.3 mile radius survey range, which is the observed California Tiger Salamander [CTS] dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommend surveys follow the Unites States Fish and Wildlife Service’s (USFWS) “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (2003). If a negative finding cannot be obtained or a 50-foot no-disturbance buffer around all small mammal burrows cannot be implemented, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) shall be required to comply with California Endangered Species Act (CESA) prior to any ground-disturbing activities.

- Who Implements the Measure:** Applicant
- When should the measure be implemented:** Prior to issuance of a building or grading permit
- When should it be completed:** Prior to construction or grading
- Who verifies compliance:** Department of Planning & Community Development, in consultation with a qualified wildlife biologist and California Department of Fish & Wildlife

Other Responsible Agencies: California Department of Fish & Wildlife

No. 2 Mitigation Measure: Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist with knowledge of Swainson's Hawk (SWHA) natural history and behaviors, following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000). If a negative finding cannot be obtained a ½ mile no-disturbance buffer cannot be implemented around an active nest(s), take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Who Implements the Measure: Applicant

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

When should it be completed: Prior to construction or grading

Who verifies compliance: Department of Planning & Community Development, in consultation with a qualified wildlife biologist and California Department of Fish & Wildlife

Other Responsible Agencies: California Department of Fish & Wildlife

No. 3 Mitigation Measure: Ground-disturbing activities should be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, a survey for suitable habitat shall be conducted by a qualified wildlife biologist with knowledge of Tricolored blackbird (TRBL) natural history and behaviors. If suitable habitat is present, CDFW recommends a qualified wildlife biologist conduct focused surveys for nesting TRBL and then repeat those surveys no more than 10 days prior to the start of ground-disturbing activities. If impacts to TRBL cannot be avoided following CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW 2015), the project proponent may need to acquire an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.

Who Implements the Measure: Applicant

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

When should it be completed: Prior to construction or grading

Who verifies compliance: Department of Planning & Community Development, in consultation with a qualified wildlife biologist and California Department of Fish & Wildlife

Other Responsible Agencies: California Department of Fish & Wildlife

No. 4 Mitigation Measure: Prior to ground-disturbing activities occurring during the overwintering period (October through February), a survey shall be conducted by a qualified biologist to determine whether Crotch bumble bee (CBB) is present within the project site. The applicant/developer shall consult with CDFW to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take.

Who Implements the Measure: Applicant

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

When should it be completed: Ongoing as determined by CDFW

Who verifies compliance: Department of Planning & Community Development, in consultation with a qualified wildlife biologist and California Department of Fish & Wildlife

Other Responsible Agencies: California Department of Fish & Wildlife

No. 5 Mitigation Measure: Prior to ground-disturbing activities, a qualified biologist shall conduct a survey using survey methodology described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). In the event that burrowing owls are found impacts to occupied burrows shall be avoided via implementation and ongoing maintenance of a disturbance-free buffer in accordance with the following table, consistent with CDFW’s Staff Report on Burrowing Owl Mitigation (CDFG 2012), unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Who Implements the Measure: Applicant

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

When should it be completed: Ongoing as determined by a qualified biologist

Who verifies compliance: Department of Planning & Community Development, in consultation with a qualified wildlife biologist and California Department of Fish & Wildlife

Other Responsible Agencies: California Department of Fish & Wildlife

No. 6 Mitigation Measure: Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist within 10 days prior to the start of ground or vegetation disturbing activities to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the project site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet shall be provided around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-

disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Who Implements the Measure:	Applicant
When should the measure be implemented:	Prior to issuance of a building or grading permit
When should it be completed:	Ongoing until breeding season has ended or as determined by qualified biologist
Who verifies compliance:	Department of Planning & Community Development, in consultation with a qualified wildlife biologist and California Department of Fish & Wildlife
Other Responsible Agencies:	California Department of Fish & Wildlife

No. 7 Mitigation Measure: Prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake, the project proponent shall notify CDFW to determine whether a Lake or Streambed Alteration Agreement (LSA Agreement) is required. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. If an LSA Agreement is needed, CDFW is required to comply with CEQA in the issuance of an LSA Agreement.

Who Implements the Measure:	Applicant
When should the measure be implemented:	Prior to issuance of a building or grading permit
When should it be completed:	Prior to construction or grading
Who verifies compliance:	California Department of Fish & Wildlife
Other Responsible Agencies:	Department of Planning & Community Development

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.

Person Responsible for Implementing Mitigation Program

July 17, 2023

Date



MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Use Permit and Parcel Map Application No. PLN2022-0078 - Gillum

LOCATION OF PROJECT: 17480 26 Mile Road, between Sonora and Carter Roads, in the Oakdale area

PROJECT DEVELOPER: Larry and Judy Gillum

DESCRIPTION OF PROJECT: Request to legalize an existing horse exercising facility, and to subdivide a 161.56± acre parcel, into three parcels and a remainder, consisting of two 40± acre parcels, a 41.56± acre parcel, and a 40± acre remainder, in the General Agriculture (A-2-40) zoning district.

Based upon the Initial Study, dated **July 19, 2023**, 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:

1. Prior to ground-disturbing activities, a qualified wildlife biologist shall assess the project site and vicinity (i.e. up to a 1.3 mile radius survey range, which is the observed California Tiger Salamander [CTS] dispersal distance) that contains potentially suitable habitat, to evaluate potential for CTS. CDFW recommend surveys follow the United States Fish and Wildlife Service's (USFWS) "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (2003). If a negative finding cannot be obtained or a 50-foot no-disturbance buffer around all small mammal burrows cannot be implemented, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) shall be required to comply with California Endangered Species Act (CESA) prior to any ground-disturbing activities.
2. Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist with knowledge of Swainson's Hawk (SWHA) natural history and behaviors, following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000). If a negative finding cannot be obtained a ½ mile no-disturbance buffer cannot be implemented around an active nest(s), take authorization through the acquisition of an ITP,

pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

3. Ground-disturbing activities should be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, a survey for suitable habitat shall be conducted by a qualified wildlife biologist with knowledge of Tricolored blackbird (TRBL) natural history and behaviors. If suitable habitat is present, CDFW recommends a qualified wildlife biologist conduct focused surveys for nesting TRBL and then repeat those surveys no more than 10 days prior to the start of ground-disturbing activities. If impacts to TRBL cannot be avoided following CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW 2015), the project proponent may need to acquire an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.
4. Prior to ground-disturbing activities occurring during the overwintering period (October through February), a survey shall be conducted by a qualified biologist to determine whether Crotch bumble bee (CBB) is present within the project site. The applicant/developer shall consult with CDFW to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take.
5. Prior to ground-disturbing activities, a qualified biologist shall conduct a survey using survey methodology described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). In the event that burrowing owls are found impacts to occupied burrows shall be avoided via implementation and ongoing maintenance of a disturbance-free buffer in accordance with the following table, consistent with CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012), unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

6. Prior to ground-disturbing activities, a survey shall be conducted by a qualified biologist within 10 days prior to the start of ground or vegetation disturbing activities to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the project site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist



continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet shall be provided around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

7. Prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake, the project proponent shall notify CDFW to determine whether a Lake or Streambed Alteration Agreement (LSA Agreement) is required. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. If an LSA Agreement is needed, CDFW is required to comply with CEQA in the issuance of an LSA Agreement.

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: Kristen Anaya, Associate Planner

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

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: UP & PM PLN2022-0078 - GILLUM

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF CONSERVATION: Land Resources / Mine Reclamation	X	X	X									
CA DEPT OF FISH & WILDLIFE	X	X	X	X								
CA DEPT OF FORESTRY (CAL FIRE)		X	X									
CA DEPT OF HOUSING & COMMUNITY DEV												
CA DEPT OF TRANSPORTATION DIST 10												
CA DEPT OF WATER RESOURCES												
CA OPR STATE CLEARINGHOUSE	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X								
CA STATE LANDS COMMISSION												
CEMETERY DISTRICT												
CENTRAL VALLEY FLOOD PROTECTION	X	X	X		X							
CITY OF:												
COMMUNITY SERVICES / SANITARY DIST:												
COOPERATIVE EXTENSION	X	X	X		X							
COUNTY OF: SAN JOAQUIN	X	X	X		X							
CROP DUSTERS												
FIRE PROTECTION DIST: OAKDALE RURAL	X	X	X		X							
FLOOD CONTROL DISTRICT:												
GSA: EASTSIDE SAN JOAQUIN	X	X	X		X							
HOSPITAL DISTRICT: OAK VALLEY	X	X	X		X							
IRRIGATION DISTRICT:												
MOSQUITO DISTRICT: EASTSIDE	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL												
MUNICIPAL ADVISORY COUNCIL: VALLEY H	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
PIPELINES												
POSTMASTER:												
PUBLIC UTILITIES COMMISSION												
RAILROAD:												
SAN JOAQUIN VALLEY APCD	X	X	X	X		X				X	X	
SAN LUIS/DELTA-MENDOTA WATER AUTH												
SCHOOL DISTRICT 1: VALLEY HOME JOINT	X	X	X		X							
SCHOOL DISTRICT 2:												
STAN ALLIANCE												
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO ALUC												
STAN CO ANIMAL SERVICES	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN CO CSA												
STAN CO DER	X	X	X	X		X				X	X	
STAN CO ERC	X	X	X		X							
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X		X
STAN CO PARKS & RECREATION												
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: UP & PM PLN2022-0078 - GILLUM

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
STAN CO RISK MANAGEMENT												
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 1: B. CONDIT	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
StanCOG												
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS		X	X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							
TRIBAL CONTACTS (CA Government Code §65352.3)												
TUOLUMNE RIVER TRUST												
US ARMY CORPS OF ENGINEERS	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							
US MILITARY AGENCIES (SB 1462) (5 agencies)												
USDA NRCS												
WATER DISTRICT:												

UP & PM PLN2022-0078

GILLUM

**Planning Commission
September 7, 2023**



Overview

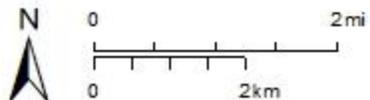
- Tier Three Use Permit to legalize existing horse training activities
- Subdivide a 162 acre parcel into:
 - Three 40± acre parcels
 - A 40-acre Remainder

**GILLUM
UP PM
PLN2022-0078**

AREA MAP

LEGEND

-  Project Site
-  City
-  Road
-  River



SAN JOAQUIN
COUNTY

CALAVERAS
COUNTY

COUNTY BOUNDARY

Site

4

Milton Rd

26 Mile Rd

Sonora Rd

Valley Home Rd

**GILLUM
UP PM
PLN2022-0078**

GENERAL PLAN MAP

LEGEND

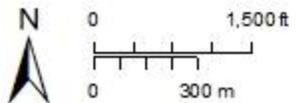
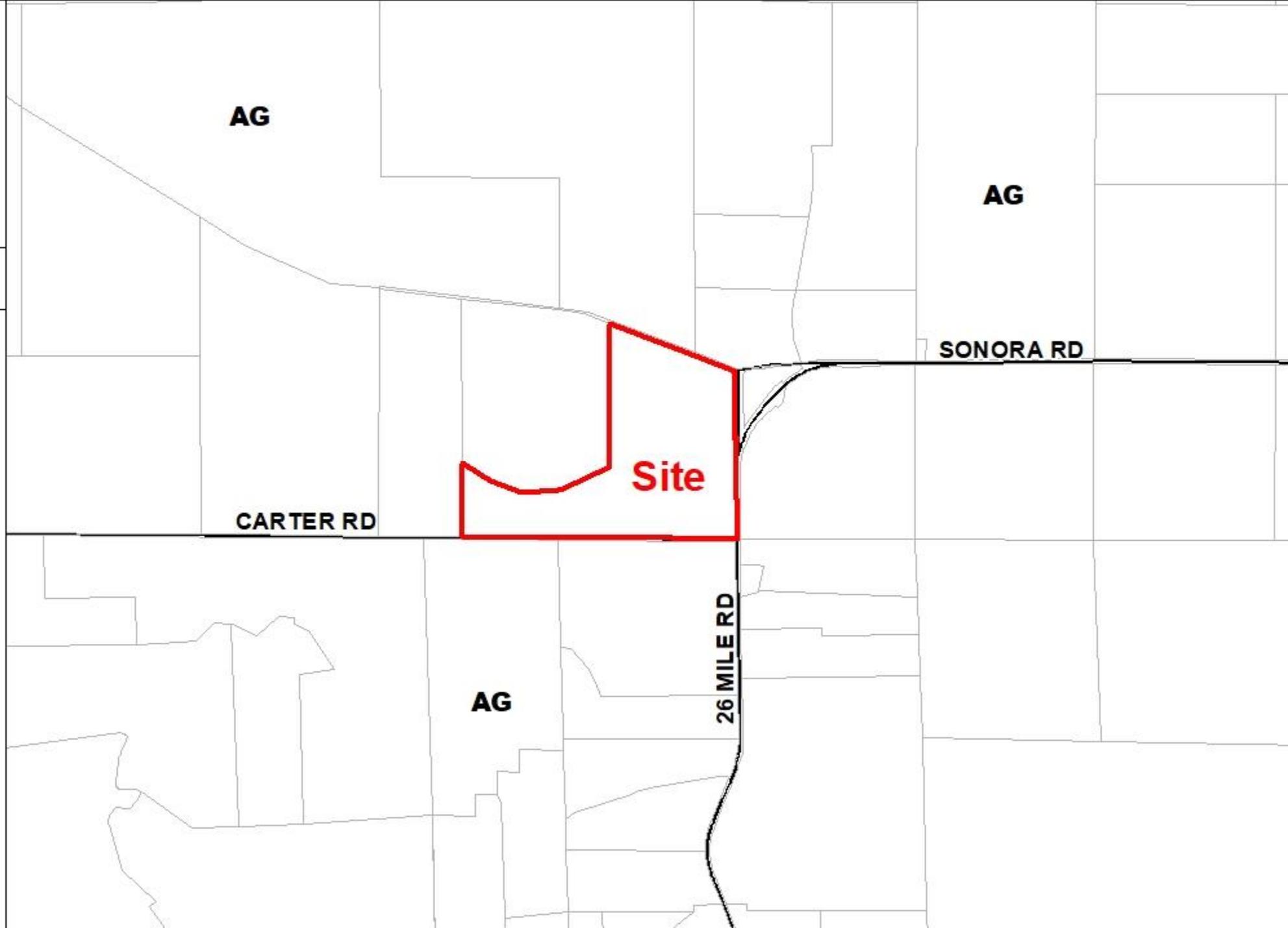
 Project Site

 Parcel

 Road

General Plan

 Agriculture



GILLUM
UP PM
PLN2022-0078

ZONING MAP

LEGEND

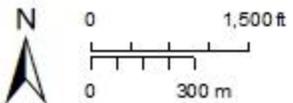
 Project Site

 Parcel

 Road

Zoning Designation

 General Agriculture 40 Acre

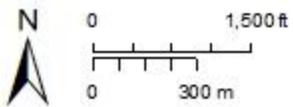
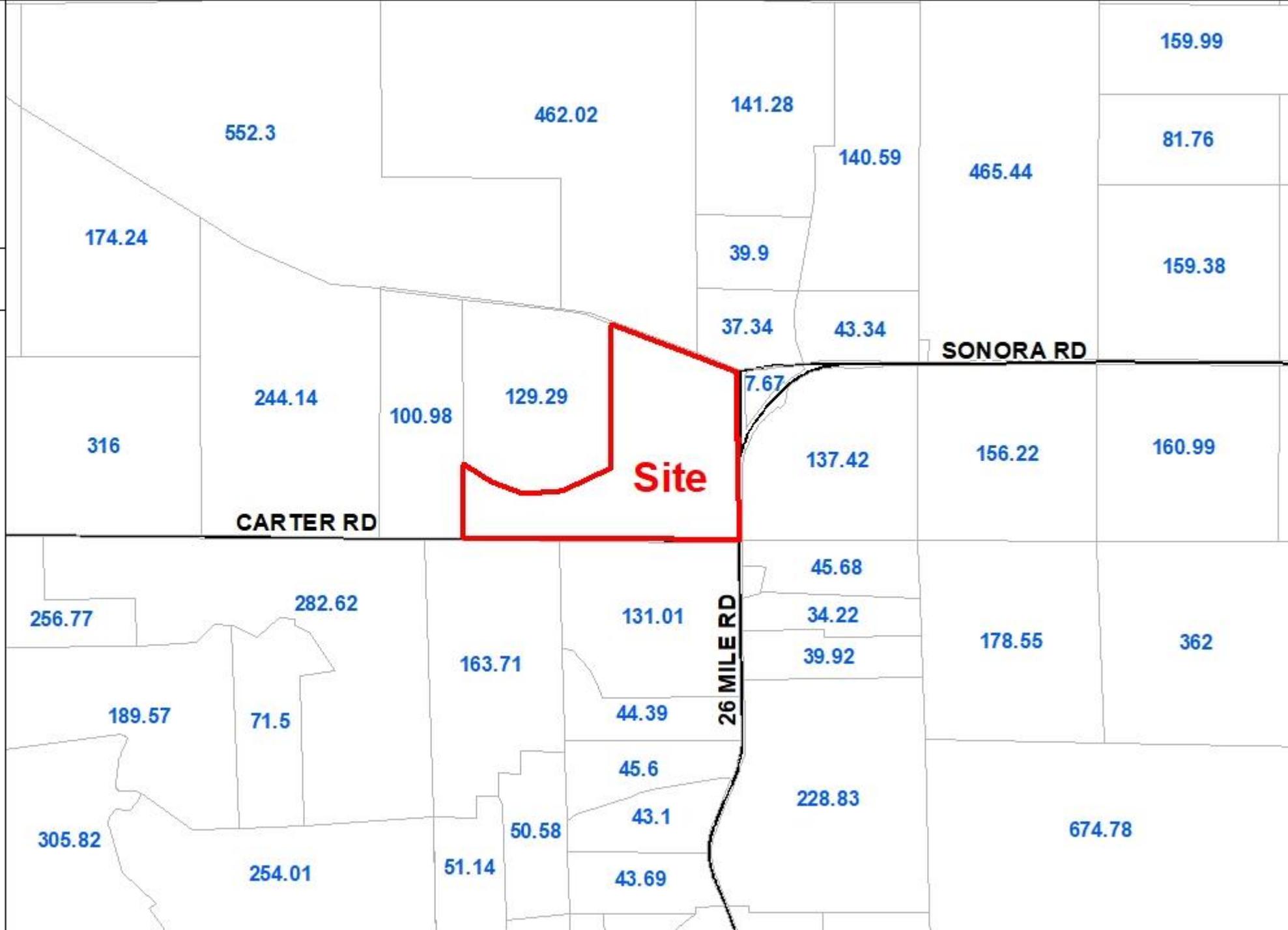


GILLUM UP PM PLN2022-0078

ACREAGE MAP

LEGEND

-  Project Site
-  Parcel/Acres
-  Road

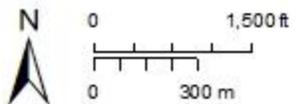
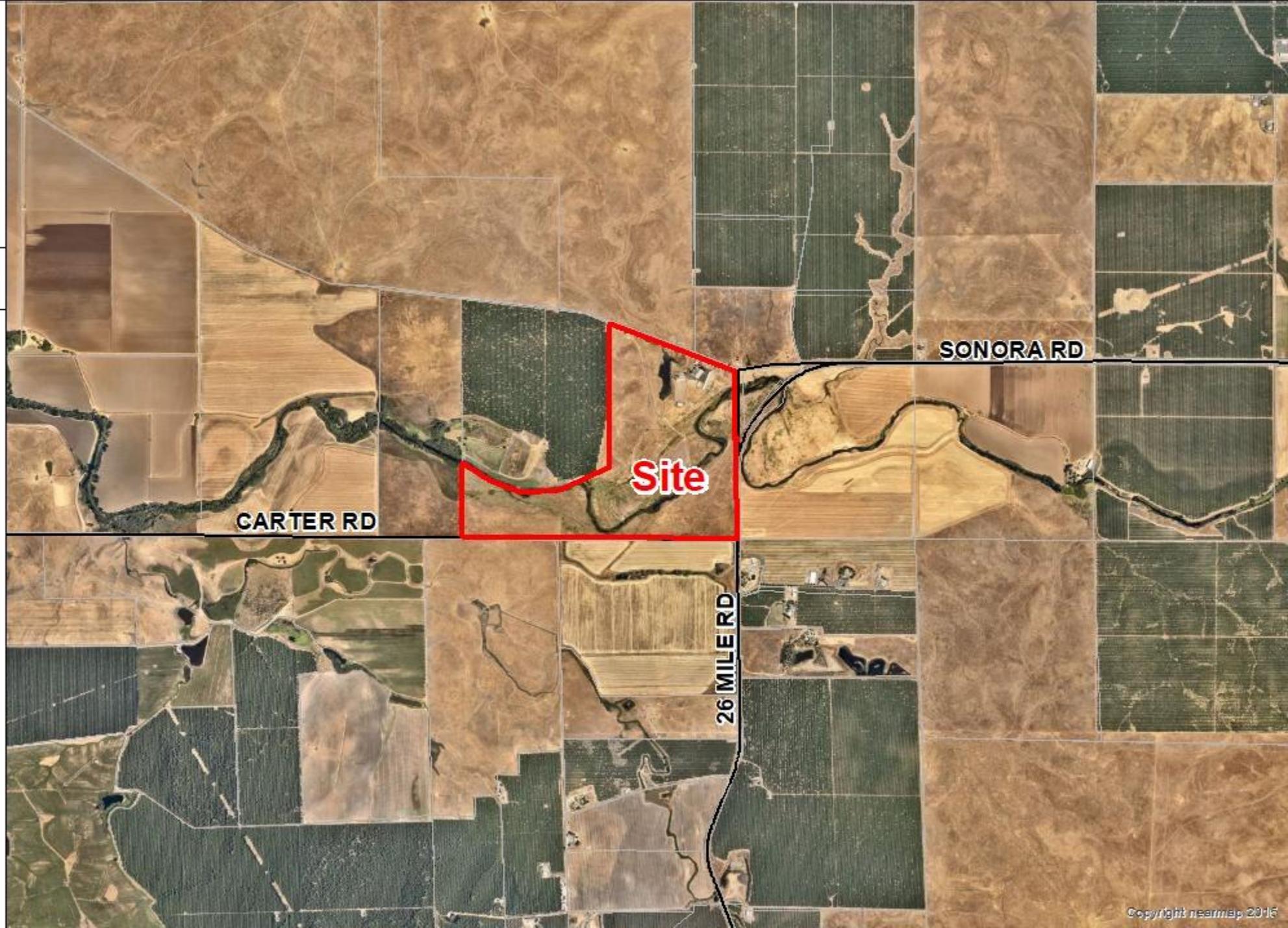


**GILLUM
UP PM
PLN2022-0078**

2022 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road

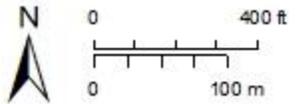


GILLUM
UP PM
PLN2022-0078

2022 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road



**GILLUM
UP PM
PLN2022-0078**

APPLICANT SITE PLAN



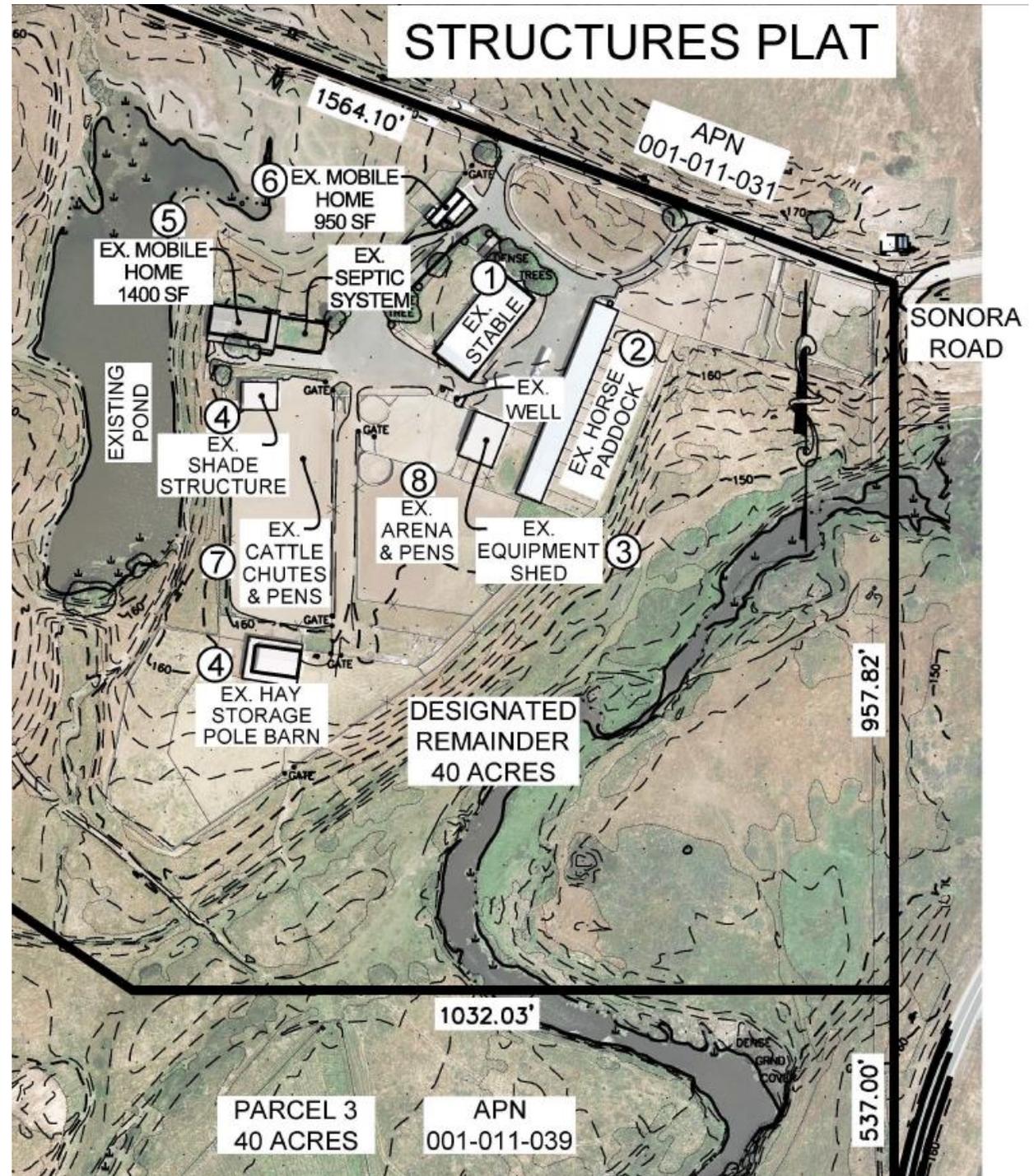
APN 001-011-029

26 MILE ROAD

GILLUM
UP PM
PLN2022-0078

APPLICANT SITE PLAN

STRUCTURES PLAT



Issues

- Building Permits
- Access restriction – 26-Mile Road
 - No access permitted
 - Utilize Carter or Sonora Road

General Plan Consistency

- Land Use Element designation – Agriculture
- Agricultural Element
 - Policy 1.10 – Agricultural Buffer required between new non-ag uses and production agriculture
 - Similar to Tier 1 Use – Directly accessory to on-site ag
 - If buffer required, 300-feet of distance met, fence alternative
 - Policy 2.8 – Williamson Act No-Build Restriction

Zoning & Subdivision Ordinance Consistency

- Zoning Designation (Title 21)
 - General Agriculture (A-2-40)
 - Tier Three Use Permit
 - Division of Land
 - Williamson Act Principles of Compatibility
 - Gov. Code Section 66474.4(c)(1)
- Subdivision Ordinance



Environmental Review

- CEQA
 - Initial Study
 - Mitigated Negative Declaration
 - Potential Biological Impacts to Biological Resources mitigated
 - S.S. Species: Crotch Bumble Bee, Swainsons hawk, tricolored blackbird, CA Tiger salamander, nesting birds; Little Johns Creek
 - Pre-construction surveys, avoidance buffers, incidental take permits (ITP), temporal delays applied
 - Conditions of Approval & Mitigation Measures

Recommendation

- Findings – Exhibit A
 - Environmental Review
 - Williamson Act Findings
 - Use Permit
 - Roadway Improvements
 - Parcel Map Findings
 - Agricultural Buffer
 - Project Approval

Questions

Landowner Notice

LAND OWNER NOTIFICATION AREA
JULY 14, 2023 Total Parcels - 33

