

STANISLAUS COUNTY PLANNING COMMISSION

May 1, 2025

STAFF REPORT

PARCEL MAP APPLICATION NO. PLN2021-0021
THORNTON – RIVER ROAD

REQUEST: TO SUBDIVIDE AN 82.93± ACRE PARCEL INTO A 40± ACRE PARCEL AND A 42.93± ACRE REMAINDER IN THE PLANNED DEVELOPMENT (P-D) (214) AND GENERAL AGRICULTURE (A-2-40) ZONING DISTRICTS.

APPLICATION INFORMATION

Applicant/Property Owner:	2015 Thornton Revocable Trust (Dennis and Nadine Thornton)
Agent:	John Glick, Quartaroli & Associates
Location:	107 and 585 River Road, between Maze Boulevard (State Route 132) and the Hetch Hetchy Aqueduct, west of the San Joaquin river, in the Vernalis area.
Section, Township, Range:	31-3-7 and 36-3-7
Supervisory District:	District Three (Supervisor Withrow)
Assessor's Parcel:	016-002-066
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	Proposed Parcel 1: 40± acres Proposed remainder: 42.93± acres
Water Supply:	Private well
Sewage Disposal:	Private septic system
General Plan Designation:	Agriculture
Community Plan Designation:	N/A
Existing Zoning:	Planned Development (P-D) (214) and General Agriculture (A-2-40)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Mitigated Negative Declaration
Present Land Use:	Single-family dwelling, produce market, two sheds, two private domestic wells and septic systems, and row crops.
Surrounding Land Use:	Agricultural parcels with scattered single-family dwellings, row crops, and orchards in all directions; the San Joaquin/Stanislaus County border to the northwest; and the San Joaquin River to the east.

RECOMMENDATION

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

PROJECT DESCRIPTION

The project is a request to subdivide an 82.93± gross acre parcel into a 40± acre parcel (proposed Parcel 1) and a 42.93± acre remainder. Both the parcel and the remainder are predominantly zoned General Agriculture (A-2-40), with a 0.55-acre section of the remainder zoned Planned Development (P-D) (214), located in the northeast corner of the project site.

The existing produce market on the project site was originally permitted as a produce stand in 1993 under Use Permit No. 92-41 – Frank M. Bettencourt, allowing for the sale of fresh produce grown on-site or on property under the same ownership or lease as the property that contains the stand. P-D (214) was established in 1994 to allow the existing stand to be recognized as a produce market, which permitted the sale of additional products (such as packaged snack foods) that were not permitted in the A-2 zoning district at the time. The produce market is not currently in operation and the business license for the market expired in 2013.

If approved, proposed Parcel 1 will have access to County-Maintained River Road and the remainder, will have road frontage on both River Road and Caltrans-maintained Maze Boulevard, but will utilize River Road for access.

SITE DESCRIPTION

The 82.93± acre project site is located at 107 and 585 River Road, between Maze Boulevard (State Route 132) and the Hetch Hetchy Aqueduct, west of the San Joaquin County river, in the Vernalis area.

The project site is irrigated via a drip irrigation system which receives irrigation water from the Blewett Mutual Water Company, which operates as a water district for its members. There is an existing 60-foot-wide irrigation pipeline easement along the southern boundary of Parcel 1. A 30-foot-wide irrigation easement is proposed along the western boundary of proposed Parcel 1 for the benefit of the remainder, which will be shown on the final parcel map; a constructive notice of irrigation easement will be filed concurrently with the recording of the final map.

The project site is currently planted in row crops. Proposed Parcel 1 is improved with an existing single-family dwelling, shed, private well, and septic system, and the proposed remainder is improved with a produce market, shed, and private well and septic system.

The project site is surrounded by agricultural parcels with scattered single-family dwellings, row crops, and orchards in all directions. The San Joaquin/Stanislaus County border is located to the northwest, and the San Joaquin River is located to the east.

ISSUES

Standard conditions of approval, along with the mitigation measure discussed in the *Environmental Review* section of this report, requiring a pre-construction survey to address potential impacts to biological resources, have been added to the project. No other issues have been identified as a part of this request.

GENERAL PLAN CONSISTENCY

The entirety of the project site is currently designated “Agriculture” in the Stanislaus County General Plan. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas. This designation establishes agriculture as the primary use in land so designated, but allows dwelling units, limited agriculturally related commercial services, agriculturally related light industrial uses, and other uses which by their unique nature are not compatible with urban uses, provided they do not conflict with the primary use. The Agriculture designation is appropriate in areas where the agricultural land is productive or potentially productive and allows for 3, 5, 10, 20, 40, and 160 minimum-acre parcels. The proposed parcel and remainder are consistent with the site’s zoning designation of Planned Development (P-D) (214) and General Agriculture (A-2-40) and 40-acre minimum size requirement for new parcels in the A-2-40 zoning district. As the project site is irrigated and is not enrolled in a Williamson Act contract, the “no build” restriction on the construction of any residential development is not applicable to the project and each parcel may be developed in accordance with the allowances of the A-2 zoning district, which allows for a maximum of two dwelling units and one junior accessory dwelling unit (JADU).

Staff’s evaluation of the proposed project found the design of the parcel map to be in conformance with the Stanislaus County General Plan.

ZONING AND SUBDIVISION ORDINANCE CONSISTENCY

As stated previously, the 40± acre parcel (proposed Parcel 1) will be located in the General Agriculture (A-2-40) zoning district and the 42.93± acre remainder will be split zoned between the Planned Development (P-D) (214) and A-2-40 zoning districts. Approval of the request will not create any additional split zoned parcels than already exist.

Although no construction or residential development is being proposed at this time, the A-2 zoning regulations will allow each parcel to be developed with a maximum of two dwelling units and one JADU. The second dwelling unit may be either a single-family dwelling or an accessory dwelling unit (ADU). Uses on the area of the proposed remainder with a zoning designation of P-D (214) will be restricted to the permitted uses approved in the P-D (214) zoning district. Any proposed changes in the use will be subject to additional review and may require additional land use entitlements.

The proposed parcels meet the Subdivision Ordinance’s access and design criteria required for the creation of new parcels.

ENVIRONMENTAL REVIEW

Pursuant to California Environmental Quality Act (CEQA), the proposed project was circulated to interested parties and responsible agencies for review and comment and no environmental issues were raised with the exception of those discussed in the *Issues* section of this report (see Exhibit G – *Environmental Review Referrals*). An Initial Study was circulated from March 5, 2025, to April 9, 2025.

A referral response discussing the potential impacts to Swainson's hawk and the tricolor blackbird was received from the California Department of Fish and Wildlife (CDFW), recommending a one-half mile no-disturbance buffer for any active Swainson's hawk nest and a 300-foot no-disturbance buffer around tricolor blackbird active nest colonies. A Biological Resources Assessment for the project site was prepared in response, which found no habitat for any federally listed or special status species within the project area during the field survey. As special status bird species have been reported in databases in the vicinity of the project area, the assessment recommended a mitigation measure requiring a pre-construction survey for nesting birds if construction activities occur during the nesting season.

Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project which identifies measures to mitigate potentially significant impacts to biological resources resulting from the project (see Exhibit E – *Mitigation Monitoring and Reporting Program*). The mitigation requires a pre-construction survey for nesting birds to be completed should the work take place during the nesting season.

A Mitigated Negative Declaration has been prepared for approval prior to action on the project (see Exhibit F – *Mitigated Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C – *Conditions of Approval*).

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$3,025.75** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk-Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

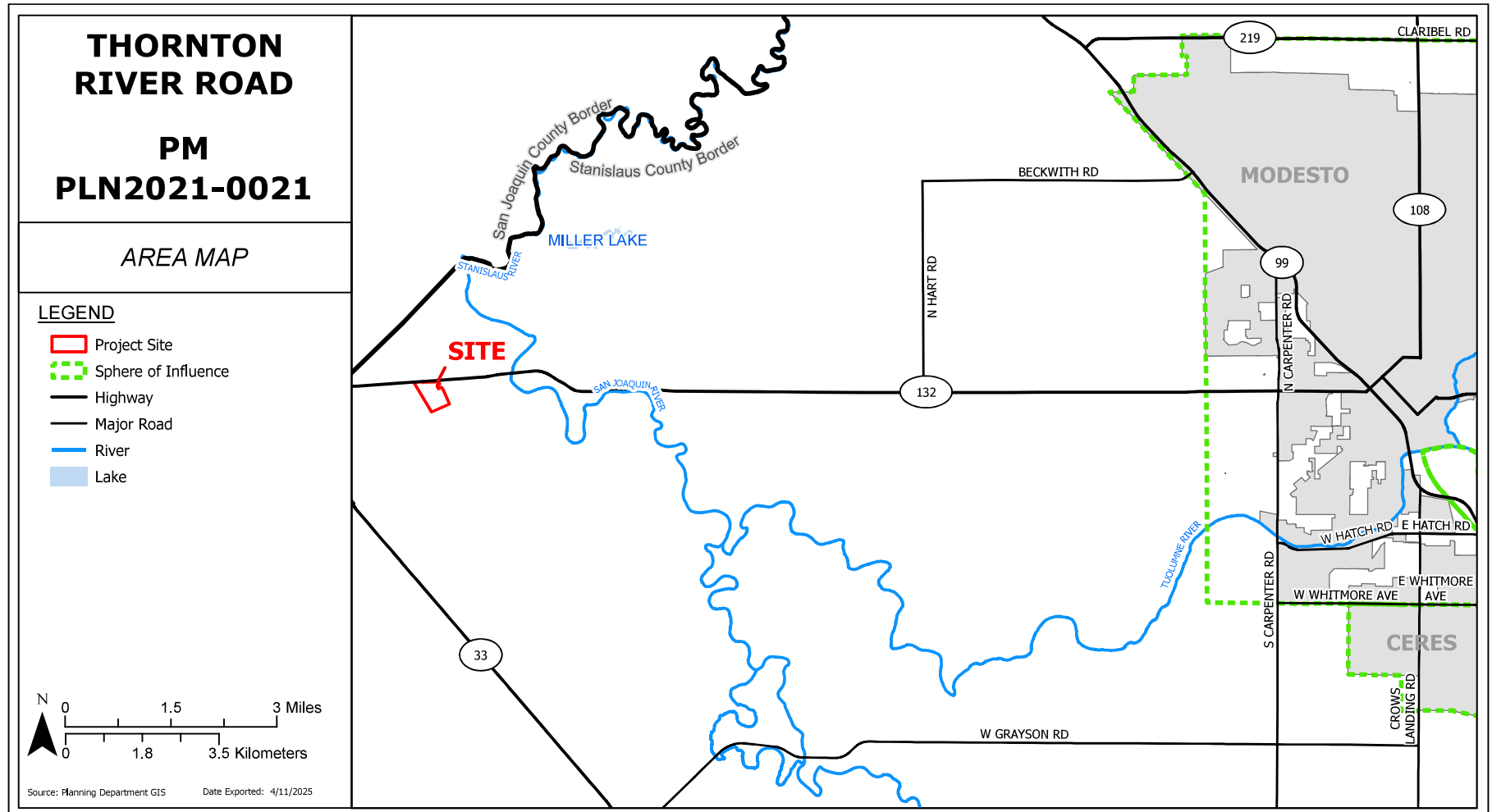
Contact Person: Teresa McDonald, Associate Planner, (209) 525-6330

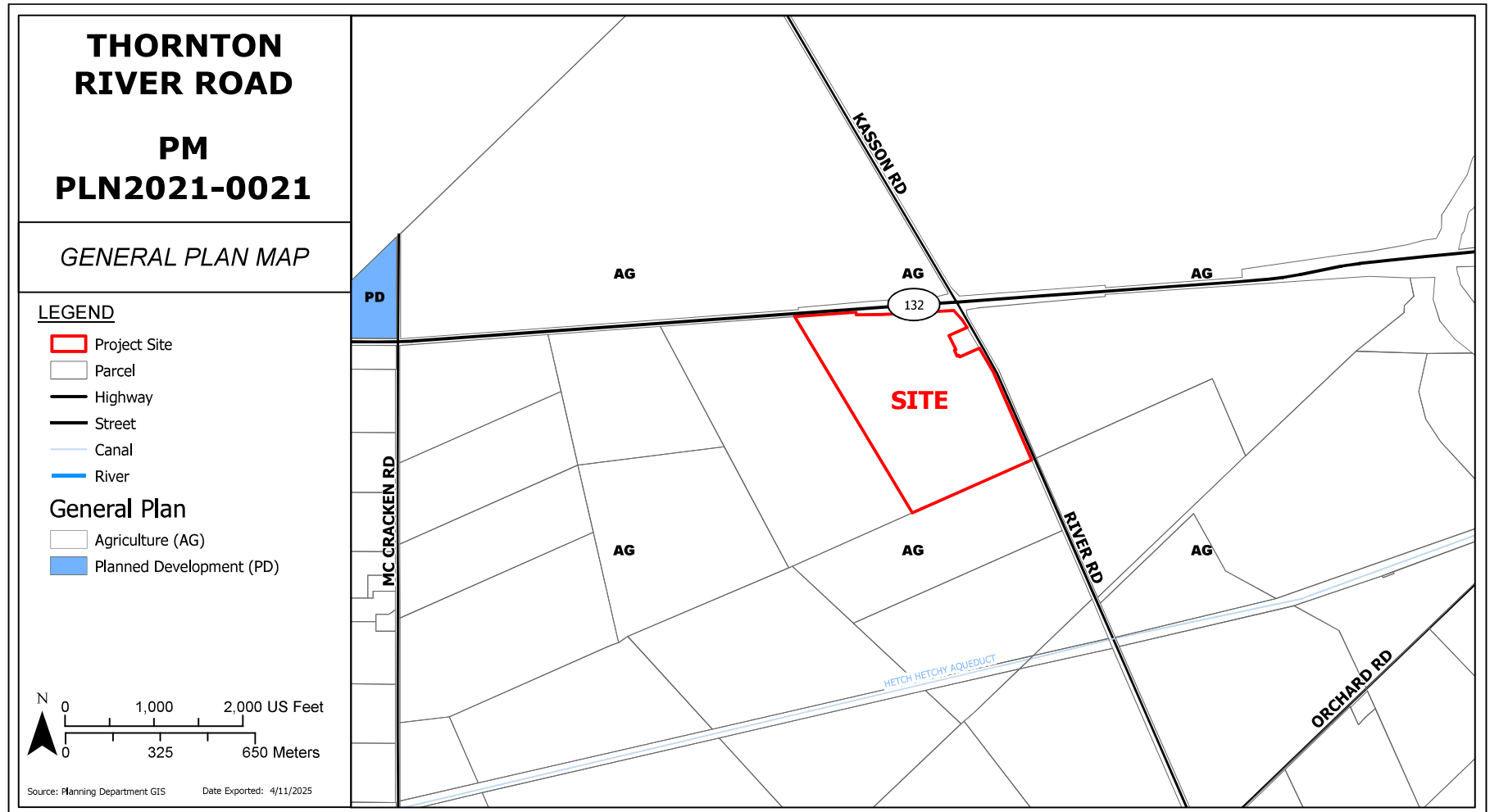
Attachments:

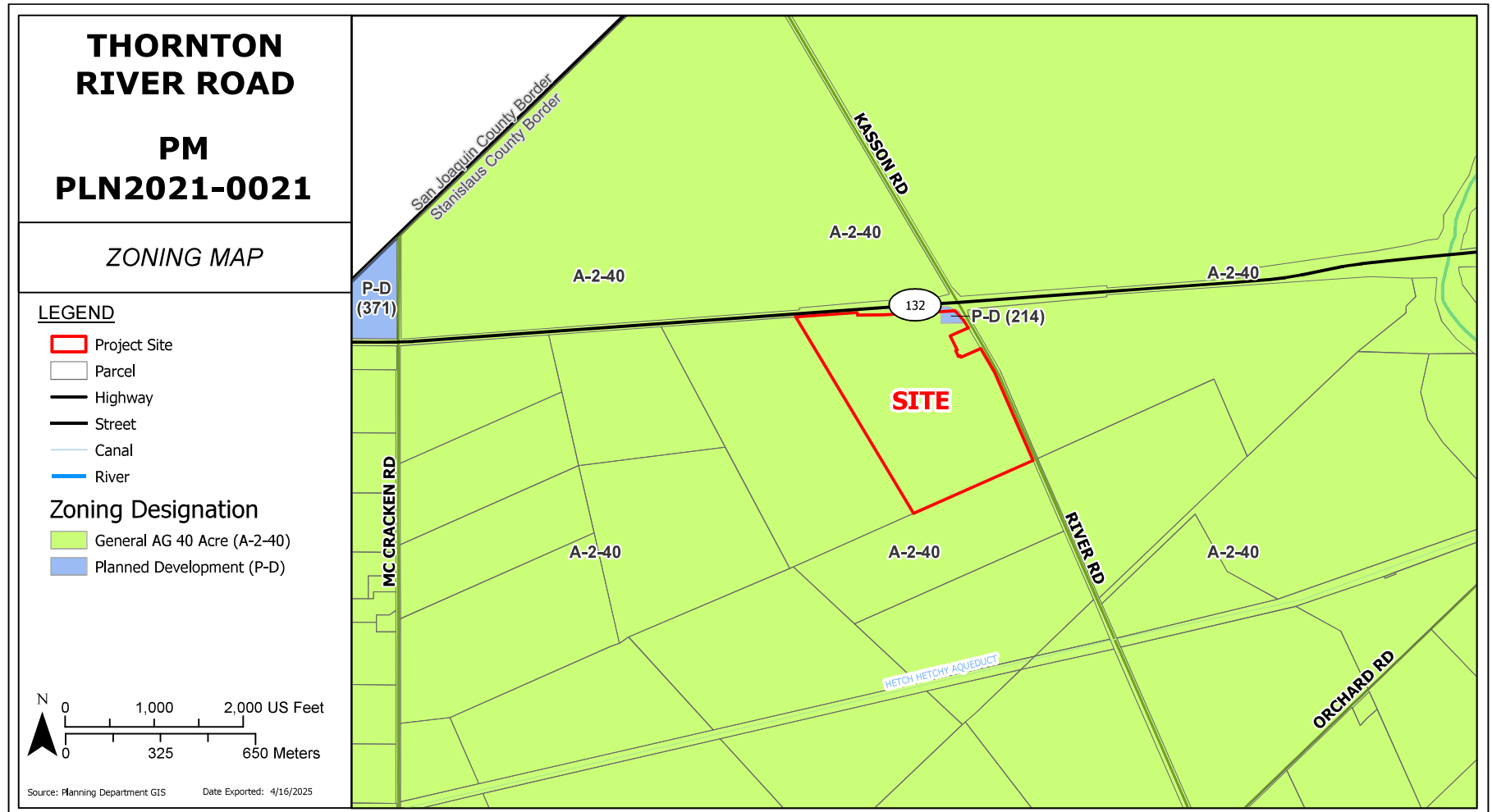
- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Conditions of Approval and Mitigation Measures
- Exhibit D - Initial Study, with Attachments
- Exhibit E - Mitigation Monitoring and Reporting Program
- Exhibit F - Mitigated Negative Declaration
- Exhibit G - Environmental Review Referrals
- Exhibit H - Levine Act Disclosure Statement

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. Find that the Mitigation Monitoring and Reporting Program is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment
3. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
4. Find that:
 - a. The proposed parcel map is consistent with applicable general and specific plans as specified in Section 65451 of California Code, Government Code;
 - b. The design or improvement of the proposed parcel map is consistent with applicable general and specific plans;
 - c. The site is physically suitable for the type of development;
 - d. The site is physically suitable for the proposed density of development;
 - e. 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;
 - f. The design of the parcel map or type of improvements is not likely to cause serious public health problems;
 - g. 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; and
 - h. That the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
5. Approve Parcel Map Application No. PLN2021-0021 – Thornton – River Road, subject to the attached Conditions of Approval and Mitigation Measure.









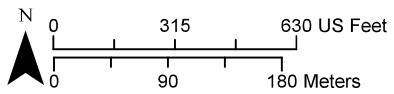
THORNTON RIVER ROAD

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PLN2021-0021

2023 AERIAL SITE MAP

LEGEND

-  Project Site
-  Parcel
-  Highway
-  Street



Source: Planning Department GIS

Date Exported: 4/11/2025




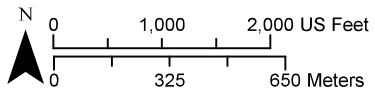
THORNTON RIVER ROAD

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ACREAGE MAP

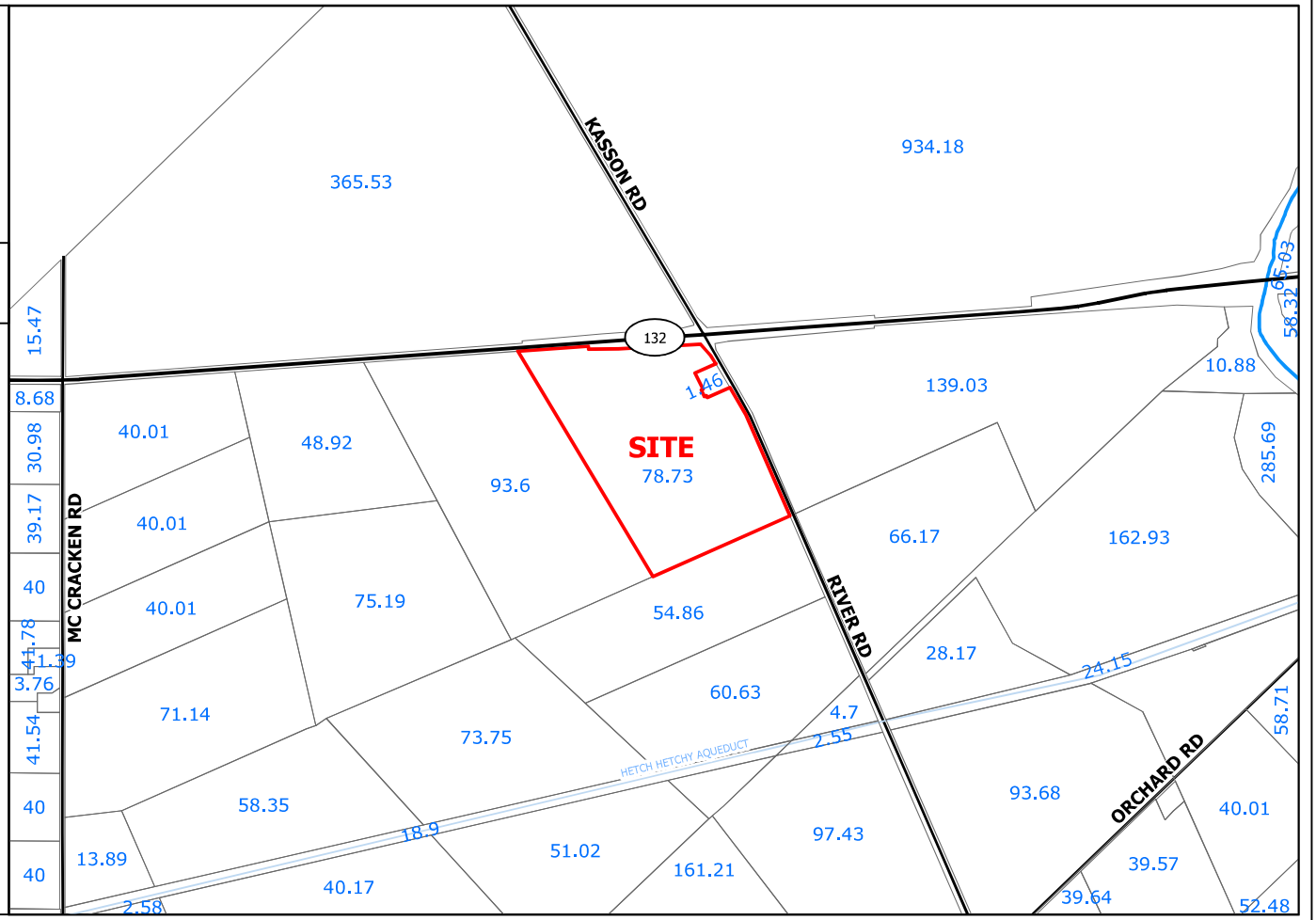
LEGEND

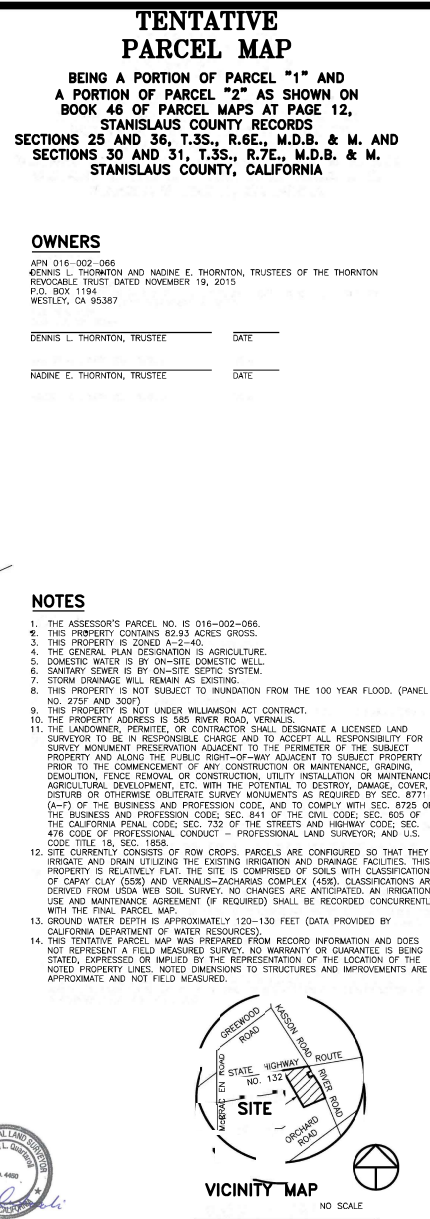
-  Project Site
-  Parcel
-  Acres
-  Highway
-  Street
-  Canal
-  River



Source: Planning Department GIS

Date Exported: 4/11/2025



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TENTATIVE PARCEL MAP
FOR
DENNIS AND NADINE THORNTON
STANISLAUS COUNTY CA IFOENIA

Q UARTAROLI & ASSOCIATE
LAND SURVEYING LAND PLANNING
ENGINEERING
(209) 239 4908
310 SUN STE T PLACE, SUITE "A" MANTECA, CA 95035

DATE 2/14/2025
DRAWN BY GR
CHECKED BY JAG
JOB NO. 2024-185
SHEET 1
OF 1 SHEETS

CONDITIONS OF APPROVAL

PARCEL MAP APPLICATION NO. PLN2021-0021 THORNTON – RIVER ROAD

Department of Public Works

1. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
2. All structures not shown on the parcel map shall be removed prior to the parcel map being recorded.
3. Prior to recording the parcel map the new parcels shall be fully surveyed and monumented. Monumentation shall conform to the requirements of Section 20.56.230 of Stanislaus County Code and California Business and Professions Code Sections 8700-8805.
4. Prior to the recording the parcel map or shown on the map, an irrevocable offer of dedication (IOD) is required. Stanislaus County Public Works reserves the right to accept the IOD in the future. In the event of acceptance of the IOD, the removal of any improvements or modifications within the ultimate right of way shall be the responsibility of the current property owner.
 - a. River Road is classified as an 80-foot-wide Major Collector Arterial. The required $\frac{1}{2}$ width of River Road is 40 feet west of the centerline of the roadway. The existing right-of-way is 33 feet west of the centerline. The remaining 7 feet west of the centerline shall be dedicated as an Irrevocable Offer of Dedication.

Department of Planning and Community Development

5. 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 **\$3,025.75**, made payable to ***Stanislaus County***, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.

6. 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.

7. 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.”

8. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
9. 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 50.97.98 authorizes the NAHC to appoint a Most Likely Descendant who will make recommendation for the treatment of the discovery.
10. All proposed/existing access, irrigation, and utility easements shall be shown on the recorded parcel map. In addition to being shown on the map, easements may also be recorded by separate instrument.
11. 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.
12. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per dwelling to the County Sheriff's Department.

Department of Environmental Resources

13. The existing onsite wastewater treatment systems (OWTS) are to be contained within the parcel boundaries, as required by the Local Agency Management Program (LAMP).

Department of Environmental Resources – Hazardous Materials Division

14. The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and if necessary, Phase II study) prior to the issuance of any grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

15. Prior to issuance of a grading or building permit, the developer shall contact the SJVAPCD to determine if any SJVAPCD rules or permits are required.

Central Valley Regional Water Quality Control Board (CVRWQCB)

16. Prior to issuance of a grading or building permit, developer shall be responsible for contacting the CVRWQCB and obtaining any necessary permits.

Mitigation Measures

17. If ground or vegetation disturbing activity related to grading or construction occurs during the nesting season (February 1st through September 15th), pre-construction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within 500 feet of proposed disturbance areas, no more than 10 days prior to the start of ground or vegetation disturbance. If active nests are found, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers shall remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

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 font, and deleted wording is in strikethrough text.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

CEQA INITIAL STUDY

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

1. **Project title:** Vesting Tentative Parcel Map Application No. PLN2021-0021 – Thornton – River Road
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Teresa McDonald, Associate Planner
(209) 525-6330
4. **Project location:** 107 and 585 River Road, between Maze Boulevard (State Route 132) and the Hetch Hetchy Aqueduct, near the border of Stanislaus and San Joaquin County.
(APN: 016-002-066)
5. **Project sponsor's name and address:** Dennis and Nadine Thornton
2086 Holt Drive
Lodi, CA 95242
6. **General Plan designation:** Agriculture
7. **Zoning:** Planned Development (P-D) (214) and General Agriculture (A-2-40)
8. **Description of project:**

Request to subdivide an 82.9± acre parcel into one 40± acre parcel and one 42.93± acre remainder. The northeast corner of the project site has a zoning designation of Planned Development (P-D) (214), with the balance of the site zoned General Agriculture (A-2-40). Proposed Parcel 1 will be 40 gross acres in size and is currently planted in row crops and improved with a single-family dwelling, shed, private well, and septic system. The 42.93 gross acre remainder is currently planted in row crops and is improved with a produce stand, shed, and private well and septic system. Proposed Parcel 1 will be located the A-2-40 zoning district and the remainder will have a split zoning of A-2-40 and P-D (214). The produce stand was originally permitted in 1993 under Use Permit No. 92-41 – Frank M. Bettencourt to sell fresh produce grown on-site or on property under the same ownership or lease as the property that contains the stand. Subsequently, Rezone No. 94-02 – Deldon Chemical Company was approved by the Board of Supervisors on July 12, 1994, rezoning the area surrounding the produce stand from A-2-40 to P-D to allow the produce stand to sell a mixture of products; 85% of the display area is devoted to fresh produce grown by the operator, and 15% for agricultural products purchased from other producers, non-alcoholic beverages, juices and packaged snack-foods. Proposed Parcel 1 will have access to County-Maintained River Road and the remainder will have access to Caltrans-maintained Maze Boulevard and County-maintained River Road.
9. **Surrounding land uses and setting:** Scattered single-family dwellings and accessory structures, irrigated orchard, and row crops in all directions. San Joaquin County border 0.84± miles to the northwest.
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. Biological Resources Assessment prepared by Graening and Associates, LLC, dated July 9, 2023
- II. Central California Information Center Report, dated November 17, 2020

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 Teresa McDonald, Associate Planner

March 5, 2025

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 82.9± acre parcel is currently improved with: a single-family dwelling, produce stand, two sheds, and private wells and septic systems. The balance of the property is planted in row crops. The existing structures are similar to scattered rural buildings in the project area vicinity. The project is a request to subdivide an 82.9± acre parcel into one 40± acre parcel and one 42.93± acre remainder. Proposed Parcel 1 will be located the A-2-40 zoning district and the remainder will have a split zoning of A-2-40 and P-D (214). 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 single-family dwellings and accessory structures, irrigated orchard, and row crops. The San Joaquin County border 0.84± miles to the northwest.

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 82.9± acre parcel is currently improved with: a single-family dwelling, produce stand, two sheds, and private wells and septic systems. The balance of the property is and will continue to be planted in row crops. Proposed Parcel 1 will be located the A-2-40 zoning district and the remainder will have a split zoning of A-2-40 and P-D (214). The project site irrigates via drip irrigation. Irrigation water is provided by the Blewett Mutual Water Company. There is an existing 60-foot-wide irrigation pipeline easement along the southern boundary of Proposed Parcel 1, and a proposed irrigation easement for the benefit of the proposed remainder will be shown on the final parcel map, and an easement recorded upon transfer of either parcel to a different owner. The project site is located approximately 0.33 miles north of El Solyo Water District boundary. The project was referred to the District and no comments have been received to date.

The California Department of Conservation's Farmland Mapping and Monitoring Program list the project site's soil around the produce stand as comprised of Semi-Agricultural and Rural Commercial Land, with the remainder of the site comprised of prime farmland. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that: 56.3% of the property is comprised of Capay clay, wet, 0 percent slopes, MLRA 17, which has a California Revised Storie Index rating of 35; and the remaining 43.7% of the project site is comprised of Vernalis-Zacharias complex, 0 to 2 percent slopes, which has a Storie Index rating of 95. 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. Soils with an Index rating of 80-100 are deemed prime farmland by Stanislaus County's Uniform Rules.

Aside from portion of the project site zoned P-D (214), the remainder of the project site and all parcels in the vicinity are zoned General Agriculture (A-2-40). In the immediate vicinity is irrigated orchard in all directions. The project site is not enrolled in a Williamson Act Contract, but the neighboring parcel to the east across River Road is.

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 information; Stanislaus County Williamson Act Uniform Rules; Natural Resources Conservation Service Soil Survey; 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 PM_{2.5} (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 SJVAPCD 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, proposed Parcel 1 will be allowed to build an accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit. The remainder will be allowed to build a single-family dwelling, ADU, and a JADU provided a Certificate of Compliance is issued for the remainder. Should future construction occur as a result of this project, construction activities associated with new development can temporarily increase localized PM₁₀, PM_{2.5}, 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 PM_{2.5} emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. 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 SJVAPCD's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the SJVAPCD's New Source Review (NSR) offset requirements for stationary sources. The SJVAPCD 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 SJVAPCD are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. 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. Construction of a JADU would not count as a separate dwelling unit, as the JADU consists of space within the primary home. According to the Federal Highway Administration the average daily vehicle trips per household is 3.46, which would equal approximately 3.46 existing trips per-day (one existing single-family dwelling), and 10.38 additional trips per-day as a result of project approval (one single-family dwelling and two ADUs $\times 3.46 = 10.38$) if the resulting parcel and remainder 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 information; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Federal Highway Administration, Summary of Travel Trends: 2022 National Household Travel Survey; 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 Vernalis and Ripon Quads of the California Natural Diversity Database (CNDDB). There are 32 species of plants or animals which are state or federally listed, threatened, or identified as species of special concern within the Vernalis and Ripon Quads of the CNDDB. These species include the California tiger salamander - central California DPS, western spadefoot, loggerhead shrike, yellow warbler Conservancy fairy shrimp, vernal pool fairy shrimp, vernal pool tadpole shrimp, green sturgeon - southern DPS white sturgeon, Sacramento perch, riffle sculpin, valley elderberry longhorn beetle, coast horned lizard, Swainsons hawk, western yellow-billed cuckoo, tricolored blackbird, song sparrow (Modesto population), burrowing owl, green sturgeon - southern DPS, Sacramento hitch, hardhead, Sacramento splittail, Delta smelt, Pacific lamprey, western river lamprey, steelhead - Central Valley DPS, chinook salmon - Central Valley spring-run ESU, chinook salmon - Central Valley fall / late fall-run ESU, riparian (San Joaquin Valley) woodrat, riparian brush rabbit, northwestern pond turtle and Delta button-celery.

According to the CNDDB database, the riparian brush rabbit was sited within the area of the project site in 1932 and the tricolored blackbird was cited in 1974. Multiple species have been cited east of the project site adjacent to the river.

A referral response discussing the potential impacts to Swainson's hawk and the tricolor blackbird was received by the California Department of Fish and Wildlife (CDFW) for this project. The response recommended a 1/2-mile no-disturbance buffer for any active Swainson's hawk nest and a 300-foot no-disturbance buffer around tricolor blackbird active nest colonies.

In response to the CDFW response, a Biological Resources Assessment for the project site was prepared by Graening and Associates, LLC. A reconnaissance-level field survey of the project site was conducted on July 1, 2021. A variable-intensity pedestrian survey was performed, and modified to account for differences in terrain, vegetation density, and visibility. All visible fauna and flora observed were recorded in a field notebook and identified to the lowest possible taxon. Survey efforts emphasized the search for any special-status species that had documented occurrences in the CNDDB within the vicinity of the project area and those species on the United States Fish and Wildlife Service (USFWS) species list. No federally listed or special status species of animals were detected within the project area during the field survey. The assessment found that no critical habitat for any federally-listed species occurs within the project area and no special status habitats were detected within the project area during the field survey. The assessment also found that no specific designated wildlife corridors exist within or near the project area, no fishery resources exist in or near the project area, and the nearest corridor and fishery is the San Joaquin River, one mile to the east. The project area is not located within any adopted Habitat Conservation Plan or Natural Community Conservation Plan. The assessment stated that the disturbed/developed and agricultural habitats within the project area have a negligible potential for harboring listed species or special-status species due to the lack of natural vegetation communities, the dominance of aggressive non-native grasses and forbs, and the disturbance regime human activity, disking, and weed control.

Special-status bird species were reported in databases (CNDDB and USFWS) in the vicinity of the project area. The project area, and adjacent trees and utility poles, contain suitable nesting habitat for various bird species. However, no nests were observed during the field survey. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by tree removal and indirectly impacted by noise, vibration, and other construction-related disturbance. Therefore, project construction is considered a potentially significant adverse impact to nesting birds. Accordingly, the assessment recommended a mitigation measure requiring a pre-construction survey for nesting birds if construction activities occur during the nesting season.

The CDFW reviewed the assessment and responded with no comment. As recommended by the CDFW and the Biological Resources Assessment, a mitigation measure has been incorporated into the project requiring a pre-construction survey for nesting birds be completed should the work take place during the nesting season. With this mitigation measure in place, impacts to biological resources are expected to be less than significant with mitigation.

Mitigation:

1. If ground or vegetation disturbing activity relating to grading or construction occurs during the nesting season (February 1st through September 15th), pre-construction surveys for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas, no more than 10 days prior to the start of ground or vegetation disturbance. If active nests are found, a minimum no-disturbance buffer of 250 feet 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 the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

References: Application information; Email referral response from the California Department of Fish and Wildlife (CDFW), dated April 27, 2021; Biological Resources Assessment prepared by Graening and Associates, LLC., dated July 9, 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) stated that there are not any formally recorded prehistoric or historic archaeological resources within the project area or within the vicinity. Additionally, there are no cultural resources that have been formally reported and that there is a moderate sensitivity for the possible discovery of historic archaeological resources. 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 82.9± acre parcel is currently improved with a single-family dwelling, produce stand, two sheds, and private wells and septic systems. The remainder of the project site is planted in row crops. 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. 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 November 17, 2020; 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, the remainder will be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit after issuance of a Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a JADU. 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.

Construction of a JADU would not count as a separate dwelling unit, as the JADU consists of space within the primary home. According to the Federal Highway Administration the average daily vehicle trips per household is 3.46, which would equal approximately 3.46 existing trips per-day (one existing single-family dwelling), and 10.38 additional trips per-day as a result of project approval (one single-family dwelling and two ADUs $\times 3.46 = 10.38$) if the resulting parcel and remainder are fully developed after project approval. Proposed Parcel 1 has a zoning designation of P-D (214) which is not approved for residential development. 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 SJVAPCD'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; Federal Highway Administration, Summary of Travel Trends: 2022 National Household Travel Survey; 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 United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that: 56.3% of the property is comprised of Capay clay, wet, 0 percent slopes, MLRA 17 and the remaining 43.7% of the project site is comprised of Vernalis-Zacharias complex, 0 to 2 percent slopes. As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency.

No construction is proposed; however, if approved, the remainder will be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit after issuance of a Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a JADU. 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. 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 parcels, that all necessary permits for the destruction/relocation of any on-site water wells and water distribution lines, and/or septic systems at the project site under the direction of DER, the on-site wastewater treatment system (OWTS), shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X, and prior to receiving occupancy of any building, the property owner provide DER with information of the existing on-site wastewater treatment system (OWTS) for review indicating that the existing OWTS is of adequate size to handle the increase in flow or if, the system will require an upgrade to accommodate the change in flow. Any proposed work to the existing or proposed OWTS shall meet all Local Agency Management Program (LAMP) standards and be designed according to type and/or maximum occupancy of the proposed structure to the estimated waste/sewage design flow rate. These comments will be applied to the project 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: Application information; Referral response from the Department of Environmental Resources (DER), dated May 4, 2021; Referral response from the Stanislaus County Department of Public Works, dated May 13, 2021; 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.

The remainder will be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit and issuance of a Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a JADU. 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 25.55 vehicle trips due to existing and potential residential development as previously mentioned in Section III – *Air Quality*. 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, 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 relating to hazardous materials. 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 is immediately surrounded by production agriculture, scattered rural residences, and unirrigated rangeland. The project was referred to the Stanislaus County Agricultural Commissioner's and no response has been received to date. 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 Local Responsibility Area (LRA) for fire protection and is served by West Stanislaus Fire 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: Application information; Referral response from the Stanislaus County Environmental Review Committee (ERC), dated May 5, 2021; Department of Toxic Substances Control's data management system (EnviroStar); 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?			X	
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 two existing on-site wells and on-site wastewater treatment systems (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 project is a request to subdivide an 82.9± acre parcel into one 40± acre parcel and one 42.93± acre remainder. The northeast corner of the project site has a zoning designation of Planned Development (P-D) (214), with the balance of the site zoned General Agriculture (A-2-40). Proposed Parcel 1 will be 40 gross acres in size and is currently planted in row crops and improved with a single-family dwelling, shed, private well, and septic system. The 42.93 gross acre remainder is currently planted in row crops and is improved with a produce stand, shed, and private well and septic system. Proposed

Parcel 1 will be located the A-2-40 zoning district and the remainder will have a split zoning of A-2-40 and P-D (214). Any future residential development resulting from this project will be reviewed for conformance with the General Agriculture (A-2-40) zoning regulations. Although no construction is proposed, if the project is approved, the remainder will be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit and issuance of a Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a JADU. 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), and while no response has been received to date, a condition of approval will be added to the project requiring the applicant contact the CVRWQCB regarding any permit requirements 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 may include installation of new wells. The Department of Environmental Resources (DER) regulates the issuance of new well permits. Groundwater extraction is subject to compliance with the Northern & Central Delta-Mendota Groundwater Sustainability Management Plan (GSP), submitted in November of 2019 and revised in June of 2022.

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 (GSPs), and achieving balanced groundwater levels within 20 years. The site is located in the Northwestern Delta-Mendota Groundwater Basin Association GSA. 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 Northwestern Delta-Mendota GSA is tasked with ensuring compliance with the Sustainable Groundwater Management Act (SGMA) through a Groundwater Sustainability Plan (GSP). The Northwestern Delta-Mendota GSA and seven other GSAs have collectively submitted one GSP covering the Northern and Central Regions of the Delta-Mendota Subbasin. 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., Agricultural Water Management Plans and Urban Water Management Plans).

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

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

The project was referred to the Environmental Review Committee (ERC) who commented that the project will constitute a new public water system, which requires the applicant to submit an application for a water supply permit with the associated technical report to Stanislaus County DER which will determine if the well water meets state mandated standards for water

quality and must also obtain concurrence from the State of California Water Resources Control Board (SWRCB), Drinking Water Division, in accordance to CHSC Section 116527 (SB1263). If the well water does not meet state standards, the applicant may need to either drill a new well or install a water treatment system for the current well. Accordingly, any new building permits for the produce stand cannot be finalized or receive occupancy until a water supply permit has been issued by the Department of Environmental resources.

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.

The project was referred to the Department of Environmental Resources (DER) staff who commented, requesting that the on-site wastewater treatment systems be contained within the boundaries of the proposed parcels, that all necessary permits for the destruction/relocation of any on-site water wells and water distribution lines, and/or septic systems at the project site under the direction of DER, the on-site wastewater treatment system (OWTS) for any new building, shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X, and prior to receiving occupancy of any building, the property owner provide DER with information of the existing on-site wastewater treatment system (OWTS) for review indicating that the existing OWTS is of adequate size to handle the increase in flow or if, the system will require an upgrade to accommodate the change in flow. Any proposed work to the existing or proposed OWTS shall meet all Local Agency Management Program (LAMP) standards and be designed according to type and/or maximum occupancy of the proposed structure to the estimated waste/sewage design flow rate. These comments will be applied to the project as conditions of approval.

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: Application information; Referral response from the Department of Environmental Resources (DER), dated May 4, 2021; Referral response from Environmental Review Committee, dated May 5, 2021; Northern & Central Delta-Mendota Groundwater Sustainability Management Plan (GSP); 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 Planned Development (P-D) (214) and General Agriculture (A-2-40).

Proposed Parcel 1 and the remainder will comply with the 40-acre minimum parcel size of 40 acres for parcels with a zoning of A-2-40. If approved, Proposed Parcel 1 and the remainder will have access to County-maintained River Road and the remainder will also have access to Caltrans-maintained Maze Boulevard. The project was referred to 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 an irrevocable offer of dedication be provided for River Road.

The project site is surrounded by scattered single-family dwellings and accessory structures, irrigated orchard, and row crops. The San Joaquin County border 0.84± miles to the northwest.

No construction is proposed at this time; however, if approved, the remainder will be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit and issuance of a

Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a JADU. Any further residential development resulting from this project will be reviewed for conformity with the General Agriculture (A-2) zoning regulations.

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 13, 2021; 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. While no construction is proposed, on-site grading and construction resulting from future construction 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 be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit and issuance of a Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a 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 West Stanislaus Fire Protection District, Mountain Valley Emergency Medical Services, Stanislaus County Sheriff's Office, Stanislaus County Park and Recreation, and Patterson Joint Unified School District and no response has been received to date. The project was also referred to the Stanislaus County Fire Prevention Bureau, which will review any future building permit applications to ensure District standards are met.

The existing dwelling and fruit stand are each served by their own well and septic system.

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; 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 remainder be improved with a produce stand, shed, and private well and septic system; and proposed Parcel 1 will be improved with a single-family dwelling, shed, private well, and septic system. The proposed project may result in a minor increase in the use of the nearest recreational facilities; 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: Application information; 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 an 82.9± acre parcel into one 40± acre parcel and one 42.93± acre remainder. The northeast corner of the project site has a zoning designation of Planned Development (P-D) (214), with the balance of the site zoned General Agriculture (A-2-40). Proposed Parcel 1 will be 40 gross acres in size and is currently planted in row crops and improved with a single-family dwelling, shed, private well, and septic system. The 42.93 gross acre remainder is currently planted in row crops and is improved with a produce stand, shed, and private well and septic system. Proposed Parcel 1 will be located in the A-2-40 zoning district and the remainder will have a split zoning of A-2-40 and P-D (214). Any future residential development resulting from this project will be reviewed for conformance with the General Agriculture (A-2-40) zoning regulations. Both proposed Parcel 1 and the remainder will have access to County-maintained River Road and the remainder will also have access to Caltrans-maintained Maze Boulevard.

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. Construction of a JADU would not count as a separate dwelling unit, as the JADU consists of space within the primary home. According to the Federal Highway Administration the average daily vehicle trips per household is 3.46, which would equal approximately 3.46 existing trips per-day (one existing single-family dwelling), and 10.38 additional trips per-day as a result of project approval (one single-family dwelling and two ADUs x 3.46 = 10.38) if the resulting parcel and remainder are fully 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 SJVAPCD'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. River Road is classified as an 80-foot-wide Major Collector Arterial Road and Maze Boulevard is classified as a 135-foot-wide Principle Arterial Road. The LOS threshold for a two-lane rural Major Collector to operate at a LOS C is 1,700 vehicles per-lane, per-day. The LOS threshold for a four-lane Principle Arterial to operate a LOS C is 8,750 vehicles per-lane, per-day.

It is not anticipated that the project would substantially affect the level of service on River Road or Maze Boulevard. 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 River Road. Any new driveways and access will be reviewed and approved by the Department of Public Works prior to issuance of a building or encroachment permit. The project was also referred to Caltrans and no response has been received to date.

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 information; Referral response from Department of Public Works, dated May 13, 2021; Federal Highway Administration, Summary of Travel Trends: 2022 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 project site is currently improved with a produce stand, two sheds, single-family dwelling, and two private wells and septic systems. The balance of the site is planted in row crops. The surrounding area consists of scattered single-family dwellings and accessory structures, irrigated orchard, and row crops. The San Joaquin County border 0.84± miles to the northwest. As discussed in Section V – *Cultural Resources* of this report, a records search for the project site formulated by the Central California Information Center (CCIC) stated that there are not any formally recorded prehistoric or historic archaeological resources within the project area or within the vicinity. Additionally, there are no cultural resources that have been formally reported and that there is a moderate sensitivity for the possible discovery of historic archaeological resources. 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 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 November 17, 2020; 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 (DER) staff who commented, requesting that the on-site wastewater treatment systems be contained within the boundaries of the proposed parcels, that all necessary permits for the destruction/relocation of any on-site water wells and water distribution lines, and/or septic systems at the project site under the direction of DER, the on-site wastewater treatment system (OWTS) for any new building, shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X, and prior to receiving occupancy of any building, the property owner provide DER with information of the existing on-site wastewater treatment system (OWTS) for review indicating that the existing OWTS is of adequate size to handle the increase in flow or if, the system will require an upgrade to accommodate the change in flow. Any proposed work to the existing or proposed OWTS shall meet all Local Agency Management Program (LAMP) standards and be designed according to type and/or maximum occupancy of the proposed structure to the estimated waste/sewage design flow rate. These comments will be applied to the project as conditions of approval.

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 project site is located approximately 0.33 miles north of El Solero Water District boundary. The project was referred to the District, and no comments have been received to date.

A referral response was received from the Stanislaus County Environmental Review Committee (ERC) stating the project will constitute a new public water system that will be subject to SB 1263 and a water supply permit cannot be granted without concurrence from the State Water Boards and new building permits for the proposed project cannot be finalized or receive occupancy, until a Water Supply Permit has been issued by the DER. These comments will be applied as a condition of approval.

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

Mitigation: None.

References: Application information; Referral response from Stanislaus County Environmental Review Committee, dated May 5, 2021; Referral response from Department of Environmental Resources, dated May 4, 2021; 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 flat, and the site has access to a Caltrans and County-maintained Road. While no construction is proposed, any future driveway locations are subject to review and approval by the Department of Public Works and the Stanislaus County Fire Protection Bureau prior to issuance of a building permit for any structure. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by West Stanislaus 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, the remainder will be allowed to build a single-family dwelling, accessory dwelling unit (ADU) and junior accessory dwelling (JADU) upon approval of a building permit and issuance of a Certificate of Compliance. Proposed Parcel 1 will be allowed to build an ADU and a JADU. 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 82.9± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagram. The project is a request to subdivide an 82.9± acre parcel into one 40± acre parcel and one 42.93± acre remainder. The northeast corner of the project site has a zoning designation of Planned Development (P-D) (214), with the balance of the site zoned General Agriculture (A-2-40). Proposed Parcel 1 will be 40 gross acres in size and is currently planted in row crops and improved with a single-family dwelling, shed, private well, and septic system. The 42.93 gross acre remainder is currently planted in row crops and is improved with a produce stand, shed, and private well and septic system. Proposed Parcel 1 will be located the A-2-40 zoning district and the remainder will have a split zoning of A-2-40 and P-D (214). Any future residential development resulting from this project will be reviewed for conformance with the General Agriculture (A-2-40) zoning regulations.

The resultant parcels 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 and P-D (214) zoning districts.

Aside from the area zoned P-D (214), the rest of the project site and all parcels in the vicinity are zoned General Agriculture (A-2-40). The surrounding area consists of scattered single-family dwellings and accessory structures, irrigated orchard, and row crops. The San Joaquin County border 0.84± miles to the northwest.

The project was referred to the California Department of Conservation who has not identified issues with the proposed project to date. With biological resources mitigation in place requiring pre-construction surveys and appropriate measures taken to reduce the impacts to less than significant, the proposed 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. The nearest non-agricultural use is approximately 1.15 miles to the west adjacent to the San Joaquin County boundary, which has a zoning designation of P-D (371). P-D (371) was approved by the Board of Supervisors on August 20, 2024 to allow the change of use of the property from a farm animal zoo and vendor sales to a fueling station with convenience market and retail space.

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.



**BIOLOGICAL RESOURCES ASSESSMENT
FOR THE
PARCEL SUBDIVISION PROJECT AT
585 RIVER ROAD, VERNALIS, CALIFORNIA**

July 9, 2023

Prepared by:

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1. INTRODUCTION

1.1. PROJECT LOCATION AND DESCRIPTION

A Biological Resources Assessment was conducted for an 80-acre parcel (APN 016-002-58) located at 585 River Road, Vernalis (see Exhibits). The proposed project is a parcel split and lot line adjustment, with future development probably the addition of a residence (the “Proposed Project”).

For this assessment, the Project Area was defined as the entire 80-acre parcel, and was the subject of the impact analysis.

1.2. SCOPE OF ASSESSMENT

This assessment provides information about the biological resources within the Project Area, the regulatory environment affecting such resources, any potential Project-related impacts upon these resources, and finally, to identify mitigation measures and other recommendations to reduce the significance of these impacts. The specific scope of services performed for this assessment consisted of the following tasks:

- Compile all readily-available historical biological resource information about the Project Area;
- Spatially query state and federal databases for any occurrences of special-status species or habitats within the Project Area and vicinity;
- Perform a reconnaissance-level field survey of the Project Area, including photographic documentation;
- Inventory all flora and fauna observed during the field survey;
- Characterize and map the habitat types present within the Project Area, including any potentially-jurisdictional water resources;
- Evaluate the likelihood for the occurrence of any special-status species;
- Assess the potential for the Project to adversely impact any sensitive biological resources;
- Recommend mitigation measures designed to avoid or minimize Project-related impacts; and
- Prepare and submit a report summarizing all of the above tasks.

1.3. REGULATORY SETTING

The following section summarizes some applicable regulations of biological resources on real property in California.

1.3.1. Special-status Species Regulations

The United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service implement the Federal Endangered Species Act of 1973 (FESA) (16 USC §1531 et seq.). Threatened and endangered species on the federal list (50 CFR §17.11, 17.12) are protected from “take” (direct or indirect harm), unless a FESA Section 10 Permit is granted or a FESA Section 7 Biological Opinion with incidental take provisions is rendered. Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed species may be present in the project area and determine whether the proposed project will have a potentially significant impact upon such species. Under FESA, habitat loss is considered to be an impact to the species. In addition, the agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under FESA or result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC §1536[3], [4]). Therefore, project-related impacts to these species or their habitats would be considered significant and would require mitigation. Species that are candidates for listing are not protected under FESA; however,

USFWS advises that a candidate species could be elevated to listed status at any time, and therefore, applicants should regard these species with special consideration.

The California Endangered Species Act of 1970 (CESA) (California Fish and Game Code §2050 *et seq.*, and CCR Title 14, §670.2, 670.51) prohibits “take” (defined as hunt, pursue, catch, capture, or kill) of species listed under CESA. A CESA permit must be obtained if a project will result in take of listed species, either during construction or over the life of the project. Section 2081 establishes an incidental take permit program for state-listed species. Under CESA, California Department of Fish and Wildlife (CDFW) has the responsibility for maintaining a list of threatened and endangered species designated under state law (CFG Code 2070). CDFW also maintains lists of species of special concern, which serve as “watch lists.” Pursuant to requirements of CESA, an agency reviewing proposed projects within its jurisdiction must determine whether any state-listed species may be present in the Project Area and determine whether the proposed project will have a potentially significant impact upon such species. Project-related impacts to species on the CESA list would be considered significant and would require mitigation.

California Fish and Game Code Sections 4700, 5050, and 5515 designates certain mammal, amphibian, and reptile species “fully protected”, making it unlawful to take, possess, or destroy these species except under issuance of a specific permit. The California Native Plant Protection Act of 1977 (CFG Code §1900 *et seq.*) requires CDFW to establish criteria for determining if a species or variety of native plant is endangered or rare. Section 19131 of the code requires that landowners notify CDFW at least 10 days prior to initiating activities that will destroy a listed plant to allow the salvage of plant material.

Many bird species, especially those that are breeding, migratory, or of limited distribution, are protected under federal and state regulations. Under the Migratory Bird Treaty Act of 1918 (16 USC §703-711), migratory bird species and their nests and eggs that are on the federal list (50 CFR §10.13) are protected from injury or death, and project-related disturbances must be reduced or eliminated during the nesting cycle. California Fish and Game Code (§3503, 3503.5, and 3800) prohibits the possession, incidental take, or needless destruction of any bird nests or eggs. Fish and Game Code §3511 designates certain bird species “fully protected”, making it unlawful to take, possess, or destroy these species except under issuance of a specific permit. The Bald and Golden Eagle Protection Act (16 USC §668) specifically protects bald and golden eagles from harm or trade in parts of these species.

California Environmental Quality Act (CEQA) (Public Resources Code §15380) defines “rare” in a broader sense than the definitions of threatened, endangered, or fully protected. Under the CEQA definition, CDFW can request additional consideration of species not otherwise protected. CEQA requires that the impacts of a project upon environmental resources must be analyzed and assessed using criteria determined by the lead agency. Sensitive species that would qualify for listing but are not currently listed may be afforded protection under CEQA. The CEQA Guidelines (§15065) require that a substantial reduction in numbers of a rare or endangered species be considered a significant effect. CEQA Guidelines (§15380) provide for assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing. Plant species on the California Native Plant Society (CNPS) Lists 1A, 1B, or 2 are typically considered rare under CEQA. California “Species of Special Concern” is a category conferred by CDFW on those species that are indicators of regional habitat changes or are considered potential future protected species. While they do not have statutory protection, Species of Special Concern are typically considered rare under CEQA and thereby warrant specific protection measures.

1.3.2. Water Resource Protection

Real property that contains water resources are subject to various federal and state regulations and activities occurring in these water resources may require permits, licenses, variances, or similar authorization from federal, state and local agencies, as described next.

The Federal Water Pollution Control Act Amendments of 1972 (as amended), commonly known as the Clean Water Act (CWA), established the basic structure for regulating discharges of pollutants into “waters of the United States”. Waters of the US includes essentially all surface waters, all interstate waters and their tributaries, all impoundments of these waters, and all wetlands adjacent to these waters. CWA Section 404 requires approval prior to dredging or discharging fill material into any waters of the US, especially wetlands. The permitting program is designed to minimize impacts to waters of the US, and when impacts cannot be avoided, requires compensatory mitigation. The US Army Corps of Engineers (USACE) is responsible for administering Section 404 regulations. Substantial impacts to jurisdictional wetlands may require an Individual Permit. Small-scale projects may require only a Nationwide Permit, which typically has an expedited process compared to the Individual Permit process. Mitigation of wetland impacts is required as a condition of the CWA Section 404 Permit and may include on-site preservation, restoration, or enhancement and/or off-site restoration or enhancement. The characteristics of the restored or enhanced wetlands must be equal to or better than those of the affected wetlands to achieve no net loss of wetlands.

Under CWA Section 401, every applicant for a federal permit or license for any activity which may result in a discharge to a water body must obtain State Water Quality Certification that the proposed activity will comply with State water quality standards. The California State Water Resources Control Board is responsible for administering CWA Section 401 regulations.

Section 10 of the Rivers and Harbors Act of 1899 requires approval from USACE prior to the commencement of any work in or over navigable Waters of the US, or which affects the course, location, condition or capacity of such waters. Navigable waters of the United States are defined as waters that have been used in the past, are now used, or are susceptible to use, as a means to transport interstate or foreign commerce up to the head of navigation. Rivers and Harbors Act Section 10 permits are required for construction activities in these waters.

California Fish and Game Code (§1601 - 1607) protects fishery resources by regulating “*any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.*” CDFW requires notification prior to commencement, and issuance of a Lake or Streambed Alteration Agreement, if a proposed project will result in the alteration or degradation of “waters of the State”. The limit of CDFW jurisdiction is subject to the judgment of the Department; currently, this jurisdiction is interpreted to be the “stream zone”, defined as “*that portion of the stream channel that restricts lateral movement of water*” and delineated at “*the top of the bank or the outer edge of any riparian vegetation, whichever is more landward*”. CDFW reviews the proposed actions and, if necessary, submits to the applicant a proposal for measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by the CDFW and the applicant is the Streambed Alteration Agreement. Projects that require a Streambed Alteration Agreement may also require a CWA 404 Section Permit and/or CWA Section 401 Water Quality Certification.

For construction projects that disturb one or more acres of soil, the landowner or developer must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ).

2. ENVIRONMENTAL SETTING

The Project Area is located within the Sacramento Valley geographic subregion, which is contained within the Great Central Valley subdivision of the larger California Floristic Province (Baldwin et al. 2012). The Action Area and vicinity is in climate Zone 14 “Northern California’s Inland Areas with Some Ocean Influence”, with maritime air moderating temperatures that would otherwise be hotter in summer and colder in the winter (Sunset, 2021). The topography of the Project Area is flat with a gentle slope to the northeast. The geological setting is a broad alluvial plane of the Coast Ranges that has been graded flat for agriculture. The elevation ranges from approximately 54 feet to 64 feet above mean sea level. The property is agriculture and currently bare ground except for our residence and an out building at the corner is the parcel. The land uses of the Project Area are agricultural (currently planted in corn with flooded-field irrigation), except for a rural residence and outbuilding in the northeast corner of the property. The surrounding land uses are agricultural (row crops and almond orchards), with the San Joaquin River corridor located 1 mile to the east.

3. METHODOLOGY

3.1. PRELIMINARY DATA GATHERING AND RESEARCH

Prior to conducting the field survey, the following information sources were reviewed:

- Any readily-available previous biological resource studies pertaining to the Project Area or vicinity
- Aerial photography of the Project Area (current and historical)
- United States Geologic Service 7.5 degree-minute topographic quadrangles of the Project Area and vicinity
- USFWS National Wetland Inventory
- USDA Natural Resources Conservation Service soil survey maps
- California Natural Diversity Database (CNDDDB), electronically updated monthly by subscription
- USFWS species list (IPaC Trust Resources Report).

3.2. FIELD SURVEY

Consulting biologist Tim Nosal, MS. conducted a reconnaissance-level field survey on July 1, 2021. Weather conditions were hot and sunny. A variable-intensity pedestrian survey was performed, and modified to account for differences in terrain, vegetation density, and visibility. All visible fauna and flora observed were recorded in a field notebook, and identified to the lowest possible taxon. Survey efforts emphasized the search for any special-status species that had documented occurrences in the CNDDDB within the vicinity of the Project Area and those species on the USFWS species list (Appendix 1).

When a specimen could not be identified in the field, a photograph or voucher specimen (depending upon permit requirements) was taken and identified in the laboratory using a dissecting scope where necessary. Dr. Graening holds the following scientific collection permits: CDFW Scientific Collecting Permit No. SC-006802; and CDFW Plant Voucher Specimen Permit 09004. Tim Nosal holds CDFW Plant Voucher Specimen Permit 2081(a)-16-102-V. Taxonomic determinations were facilitated by referencing museum specimens or by various texts, including the following: Powell and Hogue (1979); Pavlik (1991); (1993); Brenzel (2012); Stuart and Sawyer (2001); Lanner (2002); Sibley (2003); Baldwin et al. (2012); Calflora (2021); CDFW (2021b,c); NatureServe 2021; and University of California at Berkeley (2021a,b).

The locations of any special-status species sighted were marked on aerial photographs and/or georeferenced with a geographic positioning system (GPS) receiver. Habitat types occurring in the Project Area were mapped on aerial photographs, and information on habitat conditions and the suitability of the habitats to support special-status species was also recorded. The Project Area was also informally

assessed for the presence of potentially-jurisdictional water features, including riparian zones, isolated wetlands and vernal pools, and other biologically-sensitive aquatic habitats

3.3. MAPPING AND OTHER ANALYSES

Locations of species' occurrences and habitat boundaries within the Project Area were digitized to produce the final habitat maps. The boundaries of potentially jurisdictional water resources within the Project Area were identified and measured in the field, and similarly digitized to calculate acreage and to produce informal delineation maps. Geographic analyses were performed using geographical information system software (ArcGIS 10, ESRI, Inc.). Vegetation communities (assemblages of plant species growing in an area of similar biological and environmental factors), were classified by Vegetation Series (distinctive associations of plants, described by dominant species and particular environmental setting) using the CNPS Vegetation Classification system (Sawyer and Keeler-Wolf, 1995). Informal wetland delineation methods consisted of an abbreviated, visual assessment of the three requisite wetland parameters (hydrophytic vegetation, hydric soils, hydrologic regime) defined in the US Army Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, 1987). Wildlife habitats were classified according to the CDFW's California Wildlife Habitat Relationships System (CDFW, 2021c). Species' habitat requirements and life histories were identified using the following sources: Baldwin et al. (2012); CNPS (2021), Calflora (2021); CDFW (2021a,b,c); and University of California at Berkeley (2021a,b).

4. RESULTS

4.1. INVENTORY OF FLORA AND FAUNA FROM FIELD SURVEY

All plants detected during the field survey of the Project Area are listed in Appendix 2. The following animals were detected within the Project Area during the field survey:

dog (*Canis lupus familiaris*); American crow (*Corvus brachyrhynchos*); American robin (*Turdus migratorius*); barn swallow (*Hirundo rustica*); black phoebe (*Sayornis nigricans*); Brewer's blackbird (*Euphagus cyanocephalus*); brown-headed cowbird (*Molothrus ater*); Eurasian collared-dove (*Streptopelia decaocto*); European starling (*Sturnus vulgaris*); horned lark (*Eremophila alpestris*); house finch (*Haemorhous mexicanus*); house sparrow (*Passer domesticus*); killdeer (*Charadrius vociferus*); lesser goldfinch (*Spinus psaltria*); mourning dove (*Zenaida macroura*); northern mockingbird (*Mimus polyglottos*); red-winged blackbird (*Agelaius phoeniceus*); western kingbird (*Tyrannus verticalis*);

No federally-listed species were detected. No special-status species were detected.

4.2. VEGETATION COMMUNITIES AND WILDLIFE HABITAT TYPES

4.2.1. Terrestrial Vegetation Communities

The Project Area contains the following terrestrial vegetation communities: agricultural and ruderal/developed. These vegetation communities are discussed here and are delineated in the Exhibits.

Ruderal/Developed. These areas consist of disturbed or converted natural habitat that is now either in ruderal state, graded, or urbanized with gravel roads, or structure and utility placement. Vegetation within this habitat type consists primarily of nonnative weedy or invasive species or ornamental plants lacking a consistent community structure. The disturbed and altered condition of these lands greatly reduces their habitat value and ability to sustain rare plants or diverse wildlife assemblages.

Agriculture. This area was historically graded and cleared of native vegetation. It is regularly disked and subject to weed abatement. This area uses flooded-field irrigation and is currently sewn with corn.

4.2.2. Wildlife Habitat Types

Wildlife habitat types were classified using CDFW's Wildlife Habitat Relationship System. The Project Area contains the following wildlife habitat types: Cropland; Urban; and Barren.

4.2.3. Critical Habitat and Special-status Habitat

No critical habitat for any federally-listed species occurs within the Project Area. The CNDDDB reported no special-status habitats within the Project Area. The CNDDDB reported the following special-status habitats in a 10-mile radius outside of the Project Area: Coastal and Valley Freshwater Marsh, Elderberry Savanna, Great Valley Cottonwood Riparian Forest, Great Valley Mixed Riparian Forest, Great Valley Valley Oak Riparian Forest.

No special-status habitats were detected within the Project Area during the field survey.

4.2.4. Habitat Plans and Wildlife Corridors

Wildlife movement corridors link remaining areas of functional wildlife habitat that are separated primarily by human disturbance, but natural barriers such as rugged terrain and abrupt changes in vegetation cover are also possible. Wilderness and open lands have been fragmented by urbanization, which can disrupt migratory species and separate interbreeding populations. Corridors allow migratory movements

and act as links between these separated populations. No specific designated wildlife corridors exist within or near the Project Area. No fishery resources exist in or near the Project Area. The nearest corridor and fishery is the San Joaquin River, 1 mile to the east. The Project Area is not located within any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

4.3. LISTED SPECIES AND OTHER SPECIAL-STATUS SPECIES

For the purposes of this assessment, “special status” is defined to be species that are of management concern to state or federal natural resource agencies, and include those species that are:

- Listed as endangered, threatened, proposed, or candidate for listing under the Federal Endangered Species Act;
- Listed as endangered, threatened, rare, or proposed for listing, under the California Endangered Species Act of 1970;
- Designated as endangered or rare, pursuant to California Fish and Game Code (§1901);
- Designated as fully protected, pursuant to California Fish and Game Code (§3511, §4700, or §5050);
- Designated as a species of special concern by CDFW;
- Plants considered to be rare, threatened or endangered in California by the California Native Plant Society (CNPS); this consists of species on Lists 1A, 1B, and 2 of the CNPS Ranking System; or
- Plants listed as rare under the California Native Plant Protection Act.

4.3.1. Reported Occurrences of Listed Species and Other Special-status Species

A list of special-status plant and animal species that have occurred within the Project Area and vicinity was compiled based upon the following:

- Any previous and readily-available biological resource studies pertaining to the Project Area;
- Informal consultation with USFWS by generating an electronic Species List (Information for Planning and Conservation website at <https://ecos.fws.gov/ipac/>); and
- A spatial query of the CNDDDB using the standard 9 quadrangle boundary
- A query of the California Native Plant Society’s database *Inventory of Rare and Endangered Plants of California* (online edition).

The CNDDDB was queried and any reported occurrences of special-status species were plotted in relation to the Project Area boundary using GIS software (see exhibits). The CNDDDB reported 3 special-status species occurrences within the Project Area, but this is an artifact of the mapping process; the actual occurrences records are vaguely mapped. The details are as follows:

riparian brush rabbit (*Sylvilagus bachmani riparius*) CA endangered

1 mile accuracy. CNDDDB describes the original occurrence record as, “1 male & 1 female caught 5 Mar and 3 Sep 1931 (CAS #8004 & 8005). 1 female caught 11 Nov 1931 (MVZ #57348, type specimen). 1 male & 1 female caught 3 & 4 Nov 1932 (MVZ #55133 & 55134).” The CNDDDB lists the location as, “vicinity of Kincaids Ranch, about 2 miles northeast of Vernalis on the west side of the San Joaquin River.... exact collection locations unknown.” CNDDDB describes the follow up survey as, “surveys 1971-85 & 1986 conducted just NE of mapped area indicated local extirpation, but are inconclusive due to likely less-than-exhaustive methods.” CNDDDB has the current status as “possibly extirpated.”

Riparian (San Joaquin Valley) woodrat (*Neotoma fuscipes riparia*) Species of Concern

1 mile accuracy. CNDDDB describes the 1932 occurrence record as, “1 male (the holotype) and 1 female were collected in this vicinity on 4 Nov 1932. occurrence is presumed extirpated.” The CNDDDB lists the location as, “Kincaid’s Ranch, 2 miles NE of Vernalis.”

Tricolored blackbird (*Agelaius tricolor*) CA Threatened

accuracy 4/5 mile. CNDDDB describes the occurrence record as, “*colony of unknown size observed on 5 Jun 1974 in the post-fledglings stage (DeHaven); adults and fledglings observed in the area but actual colony not located.*” The CNDDDB lists the location as, “*Vicinity of Maze Rd & River Rd intersection, 2.1 mi ENE of Vernalis, 5.2 mi E of I-5 & Hwy 132 intersection.*”

Within a 10-mile buffer of the Project Area boundary, the CNDDDB reported various special-status species occurrences, summarized in the table in the Appendix along with any additional CNPS species.

A USFWS species list was generated online using the USFWS' IPaC Trust Resource Report System (see Appendix 1). This list is generated using a regional and/or watershed approach and does not necessarily indicate that the Project Area provides suitable habitat. The following listed species should be considered in the impact assessment:

- Riparian Brush Rabbit (*Sylvilagus bachmani riparius*) Endangered
- Riparian Woodrat (=San Joaquin Valley) (*Neotoma fuscipes riparia*) Endangered
- San Joaquin Kit Fox (*Vulpes macrotis mutica*) Endangered
- California Condor (*Gymnogyps californianus*) Endangered
- Least Bell's Vireo (*Vireo bellii pusillus*) Endangered
- Yellow-billed (Cuckoo) (*Coccyzus americanus*, Western U.S. DPS) Threatened
- Giant Garter Snake (*Thamnophis gigas*) Threatened
- California Tiger Salamander (*Ambystoma californiense* – Central CA DPS) Threatened
- Monarch Butterfly (*Danaus plexippus*) Candidate
- Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) Threatened
- Conservancy Fairy Shrimp (*Branchinecta conservation*) Endangered
- Vernal Pool Fairy Shrimp (*Branchinecta lynchei*) Threatened
- Vernal Pool Tadpole Shrimp (*Lepidurus packardii*) Endangered

Migratory birds should also be considered in the impact assessment.

4.3.2. Listed Species or Special-status Species Observed During Field Survey

During the field survey, no special-status species were detected within the Project Area.

4.3.3. Potential for Listed Species or Special-status Species to Occur in the Study Area

See the Appendix for a complete tabulated analysis of Special-status Species and their potential to occur in the Project Area.

The disturbed/developed and agricultural habitats within the Project Area have a negligible potential for harboring listed species or special-status species due to the lack of natural vegetation communities, the dominance of aggressive non-native grasses and forbs, and the disturbance regime human activity, disking, and weed control. The CNDDDB reports various occurrences of Swainson's hawk nearby, but dense row crops, such as that that occurs in the Study Area, do not constitute foraging area, and there are no trees in the vicinity to serve as nesting habitat.

4.4. POTENTIALLY-JURISDICTIONAL WATER RESOURCES

The USFWS National Wetland Inventory reported no water features within the Project Area, but the Inventory did report that some agricultural ditches off-site contain riverine wetlands (see Exhibits). An informal assessment for the presence of potentially-jurisdictional water resources within the Project Area was also conducted during the field survey. The field survey determined that the Project Area does not contain any channels or wetlands. The Project Area has been graded flat for flooded-field agriculture. There are agricultural ditches that transmit water down crop rows, but the efficiency and regular disking and weed maintenance of this system does not allow wetlands to form.

5. IMPACT ANALYSES AND MITIGATION MEASURES

This section establishes the impact criteria, then analyzes potential Project-related impacts upon the known biological resources within the Project Area, and then suggests mitigation measures to reduce these impacts to a less-than-significant level.

5.1. IMPACT SIGNIFICANCE CRITERIA

The significance of impacts to biological resources depends upon the proximity and quality of vegetation communities and wildlife habitats, the presence or absence of special-status species, and the effectiveness of measures implemented to protect these resources from Project-related impacts. As defined by CEQA, the Project would be considered to have a significant adverse impact on biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a special-status species in local or regional plans, policies, or regulations, or by USFWS or CDFW
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by USFWS or CDFW
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
- 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
- Conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved governmental habitat conservation plan.

5.2. IMPACT ANALYSIS

The following discussion evaluates the potential for Project-related activities to adversely affect biological resources. The Project boundaries were digitized and then overlaid on the habitat map using GIS to quantify potential impacts. Historical aerial photos were also analyzed for changes in land use.

5.2.1. Potential Direct / Indirect Adverse Effects Upon Special-status Species

- *Will the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

The Project Area is located in row crop, which may be impacted by project implementation (future residential development). However, the disturbed/developed and agricultural habitats within the Project Area have a negligible potential for harboring listed species or special-status species due to the lack of natural vegetation communities, the dominance of aggressive non-native grasses and forbs, and the disturbance regime human activity, disking, and weed control. During the field survey, no listed species or special-status species were observed within the Project Area. State and federal databases do not report any listed species or special-status species in the Project Area. No direct impacts to listed species or special-status species are expected from implementation of the proposed project.

No special-status animal species have a moderate or high potential to occur in Project Areas. No special-status animals were observed within the Project Area. No direct impacts to special-status animals are expected from implementation of the proposed project.

Special-status bird species were reported in databases (CNDDDB and USFWS) in the vicinity of the Project Area. The Project Area, and adjacent trees and utility poles, contain suitable nesting habitat for various bird species. However, no nests were observed during the field survey. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by tree removal and indirectly impacted by noise, vibration, and other construction-related disturbance. Therefore, Project construction is considered a potentially significant adverse impact to nesting birds.

Recommended Mitigation Measures

If construction activities would occur during the nesting season (typically February through August), a pre-construction survey for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, CDFW and/or USFWS should be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site. With the implementation of this mitigation measure, adverse impacts upon special-status bird species and nesting birds would be reduced to a less-than-significant level.

5.2.2. Potential Direct / Indirect Adverse Effects Upon Special-status Habitats or Natural Communities or Corridors

- *Will the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

The Project Area is not within any designated listed species' critical habitat. The Project Area does not contain special-status habitats. Project implementation will not impact any special-status habitats.

Recommended Mitigation Measures

No mitigation is necessary.

5.2.3. Potential Direct / Indirect Adverse Effects on Jurisdictional Water Resources

- *Will the project 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?*

Potential direct impacts to water resources could occur during construction by modification or destruction of stream banks or riparian vegetation or the filling of wetlands or channels. However, there are no water resources within the Project Area. Project implementation will not impact any jurisdictional water resources.

Potential indirect impacts to water resources could occur during construction. Surface water quality has the potential to be degraded from storm water transport of sediment from disturbed soils or by accidental release of hazardous materials or petroleum products from sources such as heavy equipment servicing or refueling. This is a potentially significant impact. However, for projects that disturb 1 or more acres of

land, the landowner and its designated general contractor must enroll under the State Water Quality Control Board's Construction General Permit prior to the initiation of construction. In conjunction with enrollment under this Permit, a Storm Water Pollution Prevention Plan, Erosion Control Plan, and a Hazardous Materials Management/Spill Response Plan must be created and implemented during construction to avoid or minimize the potential for erosion, sedimentation, or accidental release of hazardous materials. Implementation of these measures mandated by law would reduce potential construction-related impacts to water quality to a less-than-significant level.

Recommended Mitigation Measures

No impacts were identified, and therefore no mitigation measures are proposed.

5.2.4. Potential Impacts to Wildlife Movement, Corridors, etc.

- *Will the project 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?*

No designated wildlife corridors or fisheries exist within or near the Project Area. The Project Area allows limited movement due to the density of row crops. While the Project Area may be used by wildlife for movement or migration, the Proposed Project (future residential development) would not have a significant impact on this movement because it would not block movement and the majority of the open space in the Project Area and adjacent properties would still be available for movement. Thus, implementation of the proposed project has a less than significant impact upon wildlife movement. Implementation of the project will not 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.

Recommended Mitigation Measures

No mitigation is necessary.

5.2.5. Potential Conflicts with Ordinances, Habitat Conservation Plans, etc.

- *Will the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- *Will the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Implementation of the proposed project will not require the removal of mature trees. The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved governmental habitat conservation plan. The Project Area is not within the coverage area of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

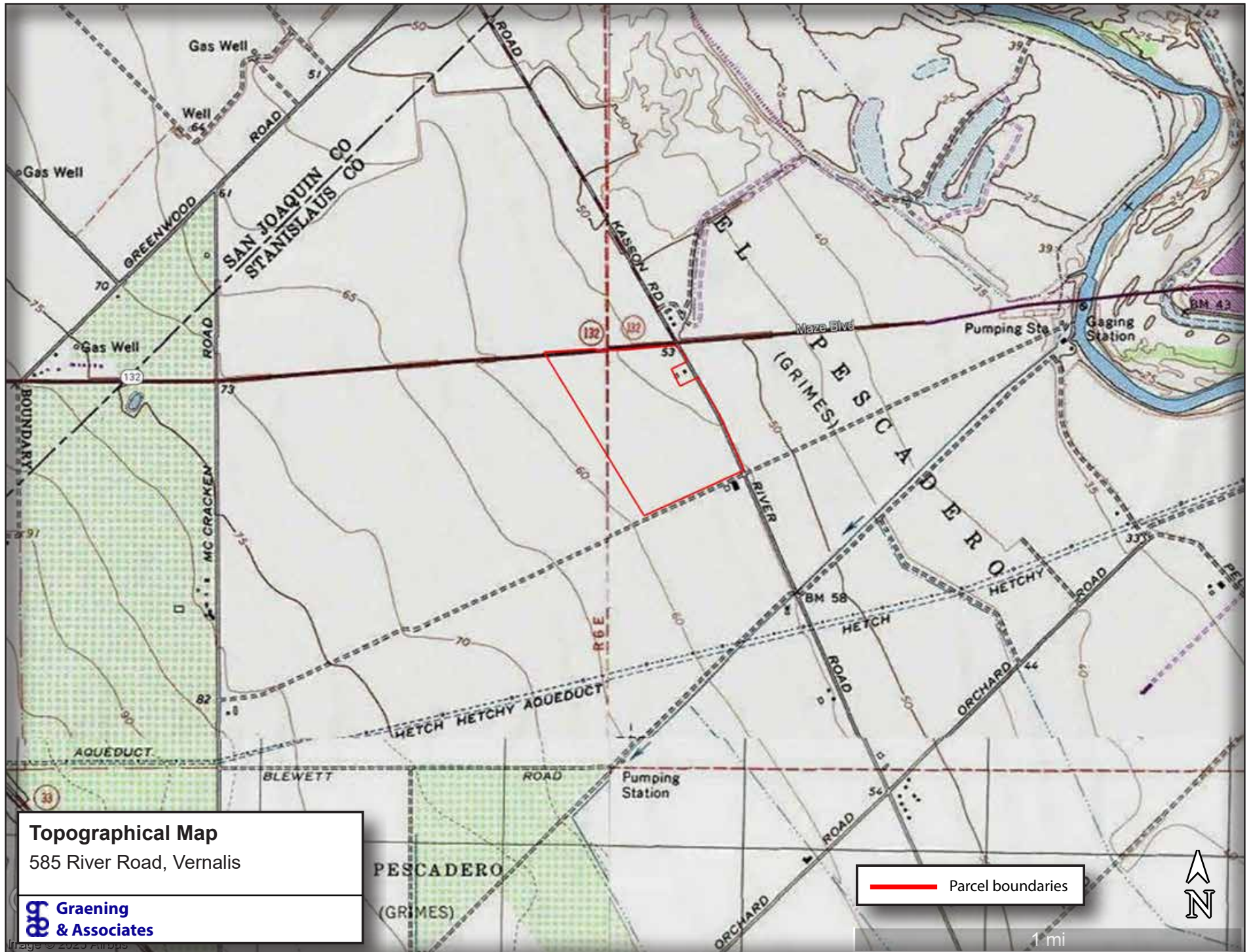
Recommended Mitigation Measures

No mitigation is necessary.

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EXHIBITS

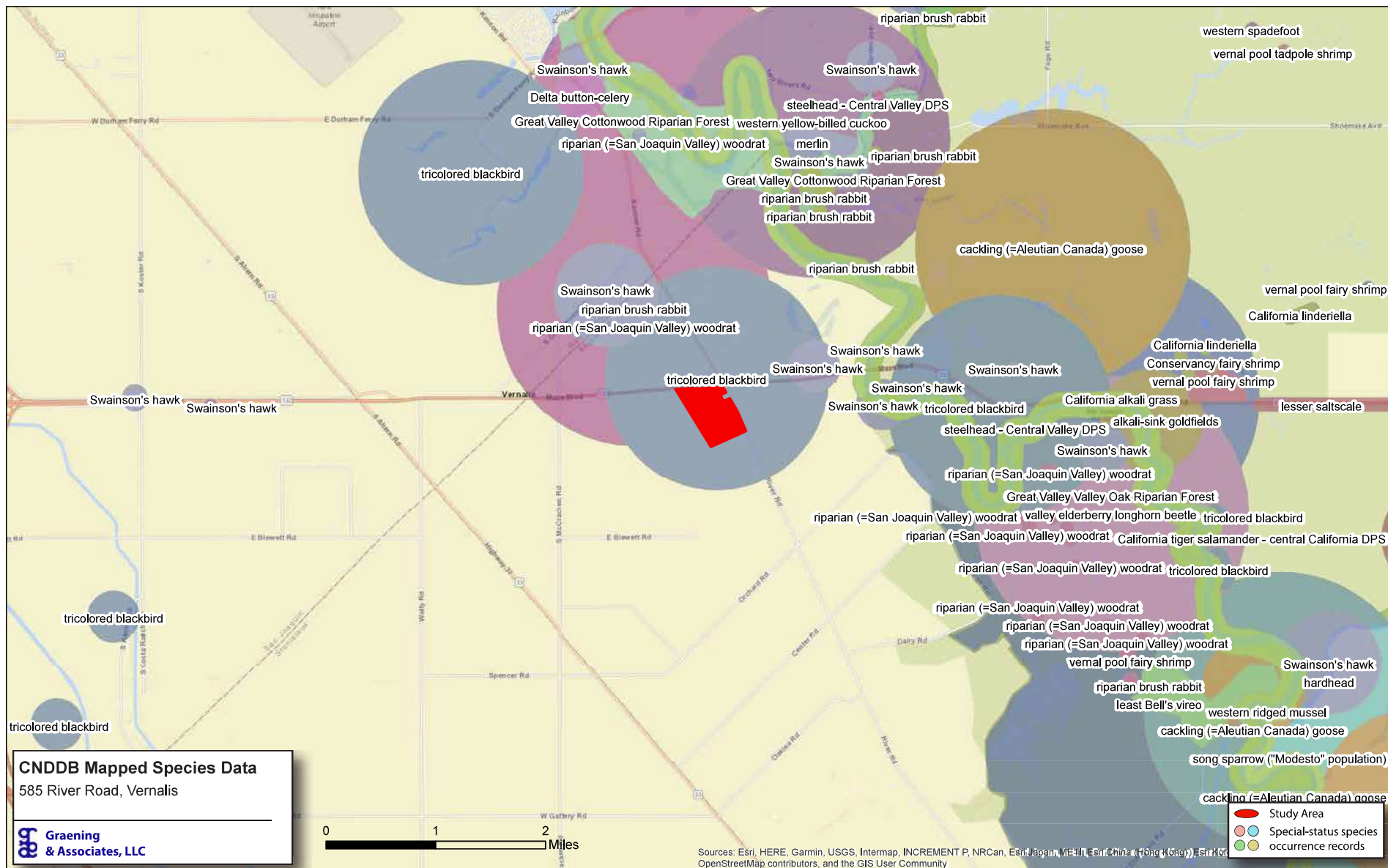


Topographical Map

585 River Road, Vernalis

**Graening
& Associates**

















July 7, 2023

Wetlands

-  Estuarine and Marine Deepwater
 Estuarine and Marine Wetland

- | | | | |
|---|-----------------------------------|---|----------|
|  | Freshwater Emergent Wetland |  | Lake |
|  | Freshwater Forested/Shrub Wetland |  | Other |
|  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

APPENDIX 1: USFWS SPECIES LIST



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:

July 09, 2023

Project Code: 2023-0102217

Project Name: River Road subdivision

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

PROJECT SUMMARY

Project Code: 2023-0102217

Project Name: River Road subdivision

Project Type: Residential Construction

Project Description: parcel subdivision and subsequent development

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@37.636248249999994,-121.24872329507208,14z>



Counties: Stanislaus County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 13 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Riparian Brush Rabbit <i>Sylvilagus bachmani riparius</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6189	Endangered
Riparian Woodrat (=san Joaquin Valley) <i>Neotoma fuscipes riparia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6191	Endangered
San Joaquin Kit Fox <i>Vulpes macrotis mutica</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2873	Endangered

BIRDS

NAME	STATUS
California Condor <i>Gymnogyps californianus</i> Population: U.S.A. only, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8193	Endangered
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5945	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

REPTILES

NAME	STATUS
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

AMPHIBIANS

NAME	STATUS
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7850	Threatened

CRUSTACEANS

NAME	STATUS
Conservancy Fairy Shrimp <i>Branchinecta conservatio</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Graening and Associates, LLC

Name: G.O. Graening

Address: 520 Wallingford Lane

City: Folsom

State: CA

Zip: 95630

Email: gggraening@gmail.com

Phone: 9164525442

APPENDIX 2: CHECKLIST OF PLANTS DETECTED IN THE PROJECT AREA

Appendix 2:
Plants Observed at 558 River Road, Vernalis on July 1, 2023

Common Name	Scientific Name
Red root pigweed	<i>Amaranthus retroflexus</i>
Wild oat	<i>Avena fatua</i>
Rescue brome	<i>Bromus catharticus</i>
Shepherd's purse	<i>Capsella bursa-pastoris</i>
Field bindweed	<i>Convolvulus arvensis</i>
Stinkwort	<i>Dittrichia graveolens</i>
Horseweed	<i>Erigeron sp.</i>
Italian ryegrass	<i>Festuca perennis</i>
Wall barley	<i>Hordeum murinum</i>
Prickly lettuce	<i>Lactuca serriola</i>
Mallow	<i>Malva sp.</i>
Annual bluegrass	<i>Poa annua</i>
Knot grass	<i>Polygonum arenastrum</i>
Purslane	<i>Portulaca oleracea</i>
Dwarf pearlwort	<i>Sagina apetala</i>
Sow thistle	<i>Sonchus oleraceus</i>
Puncture vine	<i>Tribulus terrestris</i>
Corn	<i>Zea mays</i>

APPENDIX 3: SITE PHOTOS











APPENDIX 4: SPECIAL-STATUS SPECIES TABLE AND POTENTIAL TO OCCUR

Special-status Species Reported by CNDDB and CNPS in the Vicinity of the Study Area

Scientific Name	Common Name	Status*	General Habitat**	Microhabitat**	Potential to Occur in Project Area***
<i>Agelaius tricolor</i>	tricolored blackbird	CT	HIGHLY COLONIAL SPECIES, MOST NUMEROUS IN CENTRAL VALLEY & VICINITY. LARGELY ENDEMIC TO CALIFORNIA.	REQUIRES OPEN WATER, PROTECTED NESTING SUBSTRATE, & FORAGING AREA WITH INSECT PREY WITHIN A FEW KM OF THE COLONY.	Absent: No habitat onsite.
<i>Ambystoma californiense</i> pop. 1	California tiger salamander - central CA DPS	FT, CT	various aquatic habitats		Absent: No habitat onsite.
<i>Anniella pulchra</i>	Northern California legless lizard	CSSC	sandy soils		Absent: No habitat onsite.
<i>Anthicus sacramento</i>	Sacramento anthicid beetle	CSSC	RESTRICTED TO SAND DUNE AREAS.	INHABIT SAND SLIPFACES AMONG BAMBOO AND WILLOW BUT MAY NOT DEPEND ON PRESENCE OF THESE PLANT SPECIES.	Absent: No habitat onsite.
<i>Ardea herodias</i>	great blue heron	CSSC	COLONIAL NESTER IN TALL TREES, CLIFFSIDES, AND SEQUESTERED SPOTS ON MARSHES.	ROOKERY SITES IN CLOSE PROXIMITY TO FORAGING AREAS: MARSHES, LAKE MARGINS, TIDE-FLATS, RIVERS AND STREAMS, WET MEADOWS.	Absent: No habitat onsite.
<i>Athene cucularia</i>	burrowing owl	CSSC	OPEN, DRY ANNUAL OR PERENIAL GRASSLANDS, DESERTS & SCRUBLANDS CHARACTERIZED BY LOW-GROWING VEGETATION.	SUBTERRANEAN NESTER, DEPENDENT UPON BURROWING MAMMALS, MOST NOTABLY, THE CALIFORNIA GROUND SQUIRREL.	Absent: No habitat onsite.
<i>Atriplex minuscula</i>	lesser saltscare	CRPR 1B.1	CHENOPOD SCRUB, PLAYAS, VALLEY AND FOOTHILL GRASSLAND.	IN ALKALI SINK AND GRASSLAND IN SANDY, ALKALINE SOILS. 20-100M.	Absent: No habitat onsite.
<i>Blepharizonia plumosa</i>	big tarplant	CRPR 1B.1	VALLEY AND FOOTHILL GRASSLAND.	DRY HILLS & PLAINS IN ANNUAL GRASSLAND. CLAY TO CLAY-LOAM SOILS; USUALLY ON SLOPES AND OFTEN IN BURNED AREAS. 15-455M.	Absent: No habitat onsite.
<i>Bombus caliginosus</i>	obscure bumble bee	CSSC	grasslands		Absent: No habitat onsite.
<i>Bombus crotchii</i>	Crotch bumble bee	CSSC	grasslands		Absent: No habitat onsite.
<i>Bombus occidentalis</i>	western bumble bee	CSSC	ONCE COMMON & WIDESPREAD, SPECIES HAS DECLINED PRECIPITOUSLY FROM CENTRAL CA TO SOUTHERN B.C., PERHAPS FROM DISEASE.		Absent: No habitat onsite.
<i>Branchinecta conservatio</i>	Conservancy fairy shrimp	FE	ENDEMIC TO THE GRASSLANDS OF THE NORTHERN TWO-THIRDS OF THE CENTRAL VALLEY; FOUND IN LARGE, TURBID POOLS.	INHABIT ASTATIC POOLS LOCATED IN SWALES FORMED BY OLD, BRAIDED ALLUVIUM; FILLED BY WINTER/SPRING RAINS, LAST UNTIL JUNE.	Absent: No habitat onsite.
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT	ENDEMIC TO THE GRASSLANDS OF THE CENTRAL VALLEY, CENTRAL COAST MTNS, AND SOUTH COAST MTNS, IN ASTATIC RAIN-FILLED POOLS.	INHABIT SMALL, CLEAR-WATER SANDSTONE-DEPRESSION POOLS AND GRASSED SWALE, EARTH SLUMP, OR BASALT-FLOW DEPRESSION POOLS.	Absent: No habitat onsite.
<i>Branta hutchinsii leucopareia</i>	cackling (=Aleutian Canada) goose	CSSC	WINTERS ON LAKES AND INLAND PRAIRIES.	FORAGES ON NATURAL PASTURE OR THAT CULTIVATED TO GRAIN; LOAFS ON LAKES, RESERVOIRS, PONDS.	Absent: No habitat onsite.
<i>Buteo swainsoni</i>	Swainson's hawk	CT	BREEDS IN GRASSLANDS WITH SCATTERED TREES, JUNIPER-SAGE FLATS, RIPARIAN AREAS, SAVANNAHS, & AGRICULTURAL OR RANCH LANDS	REQUIRES ADJACENT SUITABLE FORAGING AREAS SUCH AS GRASSLANDS, OR ALFALFA OR GRAIN FIELDS SUPPORTING RODENT POPULATIONS.	Absent: No habitat onsite.
<i>Caulanthus lemmonii</i>	Lemmon's jewelflower	CRPR 1B.2	PINYON-JUNIPER WOODLAND, VALLEY AND FOOTHILL GRASSLAND.	80-1220M.	Absent: No habitat onsite.
<i>Cirsium crassicaule</i>	slough thistle	CRPR 1B.1	CHENOPOD SCRUB, MARSHES AND SWAMPS, RIPARIAN SCRUB.	SLOUGHS, RIVERBANKS, AND MARSHY AREAS. 3-100M.	Absent: No habitat onsite.
<i>Coccyzus americanus occidentalis</i>	western yellow-billed cuckoo	FT, CE	RIPARIAN FOREST NESTER, ALONG THE BROAD, LOWER FLOOD-BOTTOMS OF LARGER RIVER SYSTEMS.	NESTS IN RIPARIAN JUNGLES OF WILLOW, OFTEN MIXED WITH COTTONWOODS, W/ LOWER STORY OF BLACKBERRY, NETTLES, OR WILD GRAPE.	Absent: No habitat onsite.
<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	FT	OCCURS ONLY IN THE CENTRAL VALLEY OF CALIFORNIA, IN ASSOCIATION WITH BLUE ELDERBERRY (SAMBUCUS MEXICANA).	PREFERS TO LAY EGGS IN ELDERBERRIES 2-8 INCHES IN DIAMETER; SOME PREFERENCE SHOWN FOR "STRESSED" ELDERBERRIES.	Absent: No habitat onsite.
<i>Egretta thula</i>	snowy egret	CSSC	COLONIAL NESTER, WITH NEST SITES SITUATED IN PROTECTED BEDS OF DENSE TULE.	ROOKERY SITES SITUATED CLOSE TO FORAGING AREAS: MARSHES, TIDAL-FLATS, STREAMS, WET MEADOWS, AND BORDERS OF LAKES.	Absent: No habitat onsite.
<i>Elderberry Savanna</i>	Elderberry Savanna	CSSC			Absent: No habitat onsite.
<i>Eremophila alpestris actia</i>	California horned lark	CSSC	COASTAL REGIONS, CHIEFLY FROM SONOMA CO. TO SAN DIEGO CO. ALSO MAIN PART OF SAN JOAQUIN VALLEY & EAST TO FOOTHILLS.	SHORT-GRASS PRAIRIE, "BALD" HILLS, MOUNTAIN MEADOWS, OPEN COASTAL PLAINS, FALLOW GRAIN FIELDS, ALKALI FLATS.	Absent: No habitat onsite.
<i>Eriastrum tracyi</i>	Tracy's eriastrium	CR	CHAPARRAL, CISMONTANE WOODLAND.	GRAVELLY SHALE OR CLAY; OFTEN IN OPEN AREAS. 315-760 M.	Absent: No habitat onsite.

<i>Eryngium racemosum</i>	Delta button-celery	CE	RIPARIAN SCRUB.	SEASONALLY INUNDATED FLOODPLAIN ON CLAY. 3-75M.	Absent: No habitat onsite.
<i>Eschscholzia rhombipetala</i>	diamond-petaled California poppy	CRPR 1B.1	VALLEY AND FOOTHILL GRASSLAND.	ALKALINE, CLAY SLOPES AND FLATS. 0-975 M.	Absent: No habitat onsite.
<i>Falco columbarius</i>	merlin	CSSC	SEACOAST, TIDAL ESTUARIES, OPEN WOODLANDS, SAVANNAHS, EDGES OF GRASSLANDS & DESERTS, FARMS & RANCHES.	CLUMPS OF TREES OR WINDBREAKS ARE REQUIRED FOR ROOSTING IN OPEN COUNTRY.	Absent: No habitat onsite.
<i>Gonidea angulata</i>	western ridged mussel	CSSC	PRIMARILY CREEKS & RIVERS & LESS OFTEN LAKES. ORIGINALLY IN MOST OF STATE, NOW EXTIRPATED FROM CENTRAL & SOUTHERN CALIF.		Absent: No habitat onsite.
<i>Lanius ludovicianus</i>	loggerhead shrike	CSSC	BROKEN WOODLANDS, SAVANNAH, PINYON-JUNIPER, JOSHUA TREE, & RIPARIAN WOODLANDS, DESERT OASES, SCRUB & WASHES.	PREFERS OPEN COUNTRY FOR HUNTING, WITH PERCHES FOR SCANNING, AND FAIRLY DENSE SHRUBS AND BRUSH FOR NESTING.	Absent: No habitat onsite.
<i>Lasthenia chrysantha</i>	alkali-sink goldfields	CRPR 1B.1			Absent: No habitat onsite.
<i>Lepidurus packardii</i>	vernal pool tadpole shrimp	FE	INHABITS VERNAL POOLS AND SWALES IN THE SACRAMENTO VALLEY CONTAINING CLEAR TO HIGHLY TURBID WATER.	POOLS COMMONLY FOUND IN GRASS BOTTOMED SWALES OF UNPLOWED GRASSLANDS. SOME POOLS ARE MUD-BOTTOMED & HIGHLY TURBID.	Absent: No habitat onsite.
<i>Leptosyne hamiltonii</i>	Mt. Hamilton coreopsis	CRPR 1B.2	CISMONTANE WOODLAND.	ON STEEP SHALE TALUS WITH OPEN SOUTHWESTERN EXPOSURE. 530-1300M.	Absent: No habitat onsite.
<i>Linderella occidentalis</i>	California linderella	CSSC	SEASONAL POOLS IN UNPLOWED GRASSLANDS WITH OLD ALLUVIAL SOILS UNDERLAIN BY HARDPAN OR IN SANDSTONE DEPRESSIONS.	WATER IN THE POOLS HAS VERY LOW ALKALINITY, CONDUCTIVITY, AND TDS.	Absent: No habitat onsite.
<i>Lytta moesta</i>	moestan blister beetle	CSSC	CENTRAL CALIFORNIA.		Absent: No habitat onsite.
<i>Madia radiata</i>	showy golden madia	CRPR 1B.1	VALLEY AND FOOTHILL GRASSLAND, CISMONTANE WOODLAND, CHENOPOD SCRUB.	MOSTLY ON ADOBE CLAY IN GRASSLAND OR AMONG SHRUBS. 25-1125M.	Absent: No habitat onsite.
<i>Malacothamnus hallii</i>	Hall's bush-mallow	CRPR 1B.2	CHAPARRAL.	SOME POPULATIONS ON SERPENTINE. 10-550M.	Absent: No habitat onsite.
<i>Melospiza melodia</i>	song sparrow ("Modesto" population)	CSSC	Riparian habitat		Absent: No habitat onsite.
<i>Mylopharodon conocephalus</i>	hardhead	CSSC	LOW TO MID-ELEVATION STREAMS IN THE SACRAMENTO-SAN JOAQUIN DRAINAGE. ALSO PRESENT IN THE RUSSIAN RIVER.	CLEAR, DEEP POOLS WITH SAND-GRAVEL-BOULDER BOTTOMS & SLOW WATER VELOCITY. NOT FOUND WHERE EXOTIC CENTRARCHIDS PREDOMINATE.	Absent: No habitat onsite.
<i>Neotoma fuscipes riparia</i>	riparian (=San Joaquin Valley) woodrat	FE	RIPARIAN AREAS ALONG THE SAN JOAQUIN, STANISLAUS & TUOLUMNE RIVERS.	NEED AREAS WITH MIX OF BRUSH & TREES. NEED SUITABLE NESTING SITES IN TREES, SNAGS OR LOGS.	Absent: No habitat onsite.
<i>Oncorhynchus mykiss irideus pop. 11</i>	steelhead - Central Valley DPS	FT	POPULATIONS IN THE SACRAMENTO AND SAN JOAQUIN RIVERS AND THEIR TRIBUTARIES.		Absent: No habitat onsite.
<i>Phacelia phacelioides</i>	Mt. Diablo phacelia	CRPR 1B.2	CHAPARRAL, CISMONTANE WOODLAND.	ADJACENT TO TRAILS, ON ROCK OUTCROPS AND TALUS SLOPES; SOMETIMES ON SERPENTINE. 500-1370 M.	Absent: No habitat onsite.
<i>Puccinellia simplex</i>	California alkali grass	CRPR 1B.2	alkaline soils		Absent: No habitat onsite.
<i>Spea hammondi</i>	western spadefoot	CSSC	OCCURS PRIMARILY IN GRASSLAND HABITATS, BUT CAN BE FOUND IN VALLEY-FOOTHILL HARDWOOD WOODLANDS.	VERNAL POOLS ARE ESSENTIAL FOR BREEDING AND EGG-LAYING.	Absent: No habitat onsite.
<i>Sphenopholis obtusata</i>	prairie wedge grass	CRPR 2B.2	CISMONTANE WOODLAND, MEADOWS AND SEEPS.	OPEN MOIST SITES, ALONG RIVERS AND SPRINGS, ALKALINE DESERT SEEPS. 360-2325M.	Absent: No habitat onsite.
<i>Spirinchus thaleichthys</i>	longfin smelt	FC, CT	EURYHALINE, NEKTONIC & ANADROMOUS. FOUND IN OPEN WATERS OF ESTUARIES, MOSTLY IN MIDDLE OR BOTTOM OF WATER COLUMN.	PREFER SALINITIES OF 15-30 PPT, BUT CAN BE FOUND IN COMPLETELY FRESHWATER TO ALMOST PURE SEAWATER.	Absent: No habitat onsite.
<i>Sylvilagus bachmani riparius</i>	riparian brush rabbit	FE, CE	RIPARIAN AREAS ON THE SAN JOAQUIN RIVER IN NORTHERN STANISLAUS COUNTY.	DENSE THICKETS OF WILD ROSE, WILLOWS, AND BLACKBERRIES.	Absent: No habitat onsite.
<i>Taxidea taxus</i>	American badger	CSSC	MOST ABUNDANT IN DRIER OPEN STAGES OF MOST SHRUB, FOREST, AND HERBACEOUS HABITATS, WITH FRIABLE SOILS.	NEEDS SUFFICIENT FOOD, FRIABLE SOILS & OPEN, UNCULTIVATED GROUND. PREYS ON BURROWING RODENTS. DIGS BURROWS.	Absent: No habitat onsite.
<i>Trichocoronis wrightii</i> var. <i>wrightii</i>	Wright's trichocoronis	CRPR 2B.1	MARSHES AND SWAMPS, RIPARIAN FOREST, MEADOWS AND SEEPS, VERNAL POOLS.	MUD FLATS OF VERNAL LAKES, DRYING RIVER BEDS, ALKALI MEADOWS. 5-435 M.	Absent: No habitat onsite.
<i>Tropidocarpum capparideum</i>	caper-fruited tropidocarpum	CRPR 1B.1	VALLEY AND FOOTHILL GRASSLAND.	ALKALINE CLAY. 1-455 M.	Absent: No habitat onsite.
<i>Vireo bellii pusillus</i>	least Bell's vireo	FE, CE	SUMMER RESIDENT OF SOUTHERN CALIFORNIA IN LOW RIPARIAN IN VICINITY OF WATER OR IN DRY RIVER BOTTOMS; BELOW 2000 FT.	NESTS PLACED ALONG MARGINS OF BUSHES OR ON TWIGS PROJECTING INTO PATHWAYS, USUALLY WILLOW, BACCHARIS, MESQUITE.	Absent: No habitat onsite.

<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	FE, CT	ANNUAL GRASSLANDS OR GRASSY OPEN STAGES WITH SCATTERED SHRUBBY VEGETATION.	NEED LOOSE-TEXTURED SANDY SOILS FOR BURROWING, AND SUITABLE PREY BASE.	Absent: No habitat onsite.
<i>Xanthocephalus xanthocephalus</i>	yellow-headed blackbird		NESTS IN FRESHWATER EMERGENT WETLANDS WITH DENSE VEGETATION & DEEP WATER. OFTEN ALONG BORDERS OF LAKES OR PONDS.	NESTS ONLY WHERE LARGE INSECTS SUCH AS ODONATA ARE ABUNDANT, NESTING TIMED WITH MAXIMUM EMERGENCE OF AQUATIC INSECTS.	Absent: No habitat onsite.

*Definitions of Status Codes: FE = Federally listed as endangered; FT = Federally listed as threatened; FPE = Federally proposed for listing as endangered; FPT = Federally proposed for listing as threatened; FC = Candidate for Federal listing; MB = Migratory Bird Act; CE = California State listed as endangered; CT = California State listed as threatened; CSSC = California species of special concern; CR = California rare species; CFP = California fully protected species; CRPR (California Rare Plant Rank) List 1A = Plants presumed extinct in California by; CRPR List 1B = Plants designated rare, threatened or endangered in California and elsewhere; CRPR List 2A = Plants presumed extirpated in California but common elsewhere; CRPR 2B = Plants rare threatened or endangered in California, but more common elsewhere; CRPR 3 Review List: Plants about which more information is needed and CRPR 4 = Watch List: Plants of limited distribution. CRPR Threat Ranks: 0.1 = seriously threatened in California; S2 = moderately threatened in California; S3 = not very threatened in California .

**Copied verbatim from CNDDB, unless otherwise noted.

***Definitions of Occurrence Probability Rankings:

- Present: Species was observed during site visit. Or
- Present: Species has been previously documented to occur within the Study Area.
- Potential to occur: Suitable habitat present.
- Low potential to occur: Marginal habitat is present.
- Absent: No habitat onsite.



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: 11/17/2020

Records Search File#: 11564N

Project: Rezone Application

585 River Road, Vernalis

APN 016-002-058

Jim Freitas, Principal Senior Partner
Associated Engineering Group
4206 Technology Drive, Suite 4
Modesto, CA 95356
209-545-3390

jim@assoceng.com

Dear Mr. Freitas:

We have conducted a records search as per your request for the above-referenced project area located on the Ripon and Vernalis 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 CCalIC 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 within the project area.
- The General Land Office Survey Plats for T3S R6E (1860) and T3S R7E (1855, 1870) reference the project area within the Rancho El Pescadero (Grimes) historic land grant.

- The 1952 edition of the Ripon USGS 75' map shows 3 buildings within the project area that would be 68 years in age or older, considered as possible historical resources. We have no further information on file regarding these buildings.

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

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

Previous investigations within the project area: Three investigations have been conducted on portions of the project area, although the entire tract has not been subject to previous investigations:

CCIC Report ST-02915 (northeast corner of project area)

Jensen, P. M. (Jensen and Associates)

1996 *Archaeological Survey Report (ASR) - Negative, Proposed Fresno- Tracy Fiberoptics Data Transmission Line. Caltrans Rights-of-Way at Six State Highway Crossings. Caltrans District 3, Portions of Merced, Stanislaus, San Joaquin, California.*

CCIC Report ST-04221 (northeast corner of project area)

Keefe, T. (California Department of Transportation)

2001 *Department of Transportation Negative Archaeological Survey Report: 10-Stanislaus-132, P.M. 1.4, CU 10-171, 10-0F6601, Installation of Flashing Warning Beacons and Lighting.*

CCIC Report ST-08508 (linear segment along southern boundary and northeast corner of project area)

Busby, C. I. (Basin Research Associates for Applied Technology and Science)

2016 *Archaeological Monitoring Closure Report - SFPUC San Joaquin Pipeline (SJPL) System Project, Tuolumne, Stanislaus, and San Joaquin Counties.*

Recommendations/Comments: Based on existing data in our files the project area has a moderate sensitivity for the possible discovery of historic archaeological resources.

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 entire project area has not been subject to previous investigations, 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. Please sign and return the attached **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

Copy of invoice to Laurie Marroquin, Financial Services (lamarroquin@csustan.edu)

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354

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

Building Phone: (209) 525-6557 Fax: (209) 525-7759

Stanislaus County

Planning and Community Development

Mitigation Monitoring and Reporting Program

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

March 5, 2025

1. Project title and location: Vesting Tentative Parcel Map Application No. PLN2021-0021 – Thornton – River Road

107 and 585 River Road, between Maze Boulevard (State Route 132) and the Hetch Hetchy Aqueduct, near the border of Stanislaus and San Joaquin County. (APN: 016-002-066).
2. Project Applicant name and address: Dennis and Nadine Thornton
2086 Holt Drive
Lodi, California 95242
3. Person Responsible for Implementing Mitigation Program (Applicant): Dennis and Nadine Thornton
4. Contact person at County: Teresa McDonald, 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: If ground or vegetation disturbing activity related to grading or construction occurs during the nesting season (February 1st through September 15th), pre-construction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within 500 feet of proposed disturbance areas, no more than 10 days prior to the start of ground or vegetation disturbance. If active nests are found, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers shall remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

Who Implements the Measure: Applicant/ Property Owner

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:

Stanislaus County Department of Planning and
Community Development, in consultation with a
qualified wildlife biologist and the California
Department of Fish and Wildlife

Other Responsible Agencies:

California Department of Fish and Wildlife

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

3-2-2025
Date



MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Parcel Map Application No. PLN2021-0021 – Thornton – River Road

LOCATION OF PROJECT: 107 and 585 River Road, between Maze Boulevard (State Route 132) and the Hetch Hetchy Aqueduct, near the border of Stanislaus and San Joaquin County.

PROJECT DEVELOPER: Dennis and Nadine Thornton

DESCRIPTION OF PROJECT: Request to subdivide an 82.9± acre parcel into one 40± acre parcel and one 42.93± acre remainder. The northeast corner of the project site has a zoning designation of Planned Development (P-D) (214), with the balance of the site zoned General Agriculture (A-2-40).

Based upon the Initial Study, dated March 5, 2025, 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. If ground or vegetation disturbing activity related to grading or construction occurs during the nesting season (February 1st through September 15th), pre-construction surveys for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within 500 feet of proposed disturbance areas, no more than 10 days prior to the start of ground or vegetation disturbance. If active nests are found, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers shall remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

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: Teresa McDonald, Associate Planner

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

EXHIBIT F

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: PARCEL MAP APPLICATION NO. PLN2021-0021 - THORNTON - RIVER ROAD

REFERRED TO:				RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X	X	X	X			X		X			X
CA DEPT OF CONSERVATION	X	X	X		X							
CA OPR STATE CLEARINGHOUSE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X	X				X		X	X	
CA STATE LANDS COMMISSION	X	X	X		X							
CEMETERY DISTRICT: PATTERSON	X	X	X		X							
COOPERATIVE EXTENSION	X	X	X		X							
COUNTY OF: SAN JOAQUIN	X	X	X		X							
FIRE PROTECTION DIST: WEST STAN	X	X	X	X				X		X		X
GSA: NORTHWESTERN DELTA-MENDOTA	X	X	X		X							
HOSPITAL DIST: DEL PUERTO	X	X	X		X							
IRRIGATION DISTRICT: EL SOLYO	X	X	X		X							
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
STAN COUNTY EMERGENCY MEDICAL SERVICES	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X		X	X		X				X	X	
SCHOOL DISTRICT 1: PATTERSON JOINT UN	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STAN CO DER	X	X	X	X				X		X	X	
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X	X	
STAN CO PARKS & RECREATION	X	X	X		X							
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 3: WITHROW	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
STATE OF CA SWRCB – DIV OF DRINKING WATER DIST. 10		X	X		X							
SURROUNDING LAND OWNERS		X	X		X							
TELEPHONE COMPANY: AT&T	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							
BLEWETT MUTUAL WATER COMPANY		X	X		X							
DISPOSAL AGENCY: BERTOLOTTI		X	X		X							

**COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

Application Number: PLH 2021-0021
Application Title: THORNTON - RIVER ROAD
Application Address: 107 AND 585 RIVER ROAD
Application APN: 016-002-0660

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes ☐ No ☒

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

The Applicant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Property Owner	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Subcontractor	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The Applicant's Agent/ Lobbyist	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

4/10/25
Date

QUARTAROLI & ASSOC.
Print Firm Name if applicable

[Signature]
Signature of Applicant
JOHN GLICK
Print Name of Applicant

**COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

Application Number: PM PLN 2021-0021
Application Title: Lot Line adjustment
Application Address: 585 River Road Vernalis CA
Application APN: 016 002 058

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes ☐ No ☒

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

The Applicant

Yes ☐ No ☐

The Property Owner

Yes ☐ No ☐

The Subcontractor

Yes ☐ No ☐

The Applicant's Agent/ Lobbyist

Yes ☐ No ☐

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

April 10, 2025
Date

Signature of Applicant

Dennis L Thornton
Print Name of Applicant

Print Firm Name if applicable

**COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

Application Number: PM PLN 2021-0021
Application Title: lot line adjustment
Application Address: 585 River Road
Application APN: 016-002-058

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes ☐ No ☒

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

The Applicant

Yes ☐ No ☐

The Property Owner

Yes ☐ No ☐

The Subcontractor

Yes ☐ No ☐

The Applicant's Agent/ Lobbyist

Yes ☐ No ☐

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

April 10 2025
Date

Signature of Applicant

Print Firm Name if applicable

NADINE THORNTON
Print Name of Applicant