

# STANISLAUS COUNTY PLANNING COMMISSION

May 7, 2026

## STAFF REPORT

VARIANCE APPLICATION NO. PLN2024-0072  
BYRD

**REQUEST: TO ALLOW A 40.49± ACRE PARCEL TO BE ADJUSTED TO 29.55± ACRES IN SIZE, IN THE GENERAL AGRICULTURE (A-2-40) ZONING DISTRICT. A VARIANCE IS REQUIRED TO ADJUST THE PARCEL TO A SIZE LESS THAN 40-ACRES IN SIZE.**

### APPLICATION INFORMATION

Applicant:	Timothy Byrd
Property owner:	Timothy and Susanne Byrd 2002 Trust (Timothy and Suzanne Byrd)
Agent:	Hawkins and Associates Engineering, Inc. (Rod Hawkins)
Location:	17300 Yosemite Boulevard (State Route 132), between Reservoir Road and Dienstag Road, in the Waterford area.
Section, Township, Range:	29-3-12
Supervisorial District:	District One (Supervisor B. Condit)
Assessor's Parcel:	008-005-031 and 008-005-032
Referrals:	See Exhibit G Environmental Review Referrals
Area of Parcel(s):	Before: 40.49± acres After: 29.55± acres
Water Supply:	Private well
Sewage Disposal:	Private septic system
General Plan Designation:	Agriculture
Community Plan Designation:	N/A
Existing Zoning:	General Agriculture (A-2-40)
Sphere of Influence:	N/A
Williamson Act Contract No.:	2022-0009
Environmental Review:	Negative Declaration
Present Land Use:	Two agricultural storage buildings and vacant land.
Surrounding Land Use:	Irrigated orchards and scattered single-family dwellings surround the site on all sides; a mining site to the south and east; Modesto Reservoir and State Route 132 (Yosemite Blvd) to the north; and the Tuolumne River to the east and west.

## **RECOMMENDATION**

Staff recommends the Planning Commission approve the project 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 the findings and actions required for project approval.

## **PROJECT DESCRIPTION**

This is a request to allow a 40.49± acre parcel to be adjusted to 29.55± acres in size, in the General Agriculture (A-2-40) zoning district. A variance is required to adjust the parcel to a size less than 40-acres in size.

The requested variance is needed to allow for the processing of a Lot Line Adjustment (LLA) requesting to adjust four parcels from 75.62± (Parcel 1), 81.70± (Parcel 2), 41.80± (Parcel 3), and 40.49± (Parcel 4) acres to 50.94±, 117.24±, 41.88±, and 29.55± acres, respectively. The project site is identified as Parcel 4 on the proposed LLA. Three of the parcels involved in the LLA, including the project site, have land use entitlements (Use Permit No. 1211 and 755) permitting gravel mining operations and are included in the California Mine ID 91-50-0006 (see Exhibit B-9). The purpose of the LLA is to align the property lines with the river, which currently bisects the existing 40.49-acre parcel. If approved, the newly configured 29.55-acre parcel will be located entirely north of the river and will have access to Yosemite Boulevard, while the remaining portion will be situated entirely to the south of the river.

An overview of the LLA application, including property owners, parcel sizes (existing and proposed), and current and proposed development/use is provided in Exhibit B-8. Before and after maps of the proposed LLA are provided in Exhibits B-6 and B-7.

## **SITE DESCRIPTION**

The project site is located at 17300 Yosemite Boulevard, between Reservoir Road and Dienstag Road, in the Waterford area. The project site is one legal parcel, 40.49 acres in size, made up of two Assessor Parcel Numbers (APNs) bisected by the Tuolumne River, with a 10.10-acre portion located south of the Tuolumne River and a 29.55-acre portion located north of the Tuolumne River (approximately .99 acres of the existing legal parcel is made up of the Tuolumne River). The northern portion of the project site has road access to Yosemite Boulevard.

The project site is developed with two barns and is currently planted in 15 acres of dry farm winter wheat. The existing parcel has access to surface water from the Tuolumne River (see Exhibit B-8 – *Maps*). The LLA proposes to incorporate the 10.10 acre portion of the current legal parcel located south of the Tuolumne River into Parcel 1, which is developed with one single-family dwelling and a gravel pit; Parcel 2 of the LLA includes a gravel pit, with no structures; and Parcel 3 of the LLA is planted in orchard and is improved with two single-family dwellings, four barns, and three outbuildings (see Exhibit B-8 – *Maps*).

There is a 25-foot wide access easement that runs through the 10.10 acre portion of the project site located south of the Tuolumne River, which continues south to Denton Road and east along an adjacent parcel (APN 010-008-065) and provides bridge access across the Tuolumne River to

a parcel to the north (APN 008-006-009) which includes the buildings and equipment serving Mine ID No. 91-50-006 (see Exhibit B-9 – *Maps*). The bridge is privately owned and maintained and could be removed when mining activity ceases.

Irrigated orchards and scattered single-family dwellings surround the site on all sides; Modesto Reservoir and State Route 132 (Yosemite Blvd) are located to the north; and the Tuolumne River to the east and west.

## **ISSUES**

While variance findings are generally difficult to make, the fact that the lot line adjustment is being requested to adjust parcel lines to remove the physical separation created by the Tuolumne River provides support for making the findings. A full discussion of the project and variance findings, including examples of similar variance requests that have been approved and denied, can be found in the *Zoning and Subdivision Ordinance Consistency* section of this report. Standard conditions of approval have been added to this project to address less than significant impacts associated with the creation of the proposed parcels (see Exhibit C – *Conditions of Approval*).

## **GENERAL PLAN CONSISTENCY**

The 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, and as such, should generally be zoned with 40- to 160-acre minimum parcel sizes. Goal Two, Policy 2.9 of the Agricultural Element states that lot line adjustments involving agricultural land shall be primarily created and properly designed for agricultural purposes without materially decreasing the agricultural use of the project site. Further, Implementation Measure 1 of Policy 2.9 states that parcels enrolled in a Williamson Act Contract shall not be reduced to smaller than 10 acres in size. The proposed LLA is in conformance with the standards allowed based on existing and proposed parcel size.

The project site is currently enrolled in Williamson Act Contract No. 2022-0009. In accordance with both local and state Williamson Act provisions, lands are presumed to be too small to sustain their agricultural use if the lands are less than 40-acres in size in the case of non-prime agricultural land, 10-acres in size in the case of prime agricultural land, or the subdivision will result in residential development not incidental to the commercial agricultural use of the land. Approximately 11-acres of the project site includes prime soils and approximately 15-acres of the site are planted in wheat. The project site has and will maintain access to surface water from the Tuolumne River. All four parcels included in the LLA will remain enrolled in Williamson Act Contract No. 2022-0009, if the project is approved. The project was referred to the Department of Conservation (DOC) for review regarding the Williamson Act and no response was received.

Staff’s evaluation of the project finds the design to be in conformance with the Stanislaus County General Plan. After the LLA, all resulting parcels will be of size to meet the intent of the Agricultural designation, as the variance is to correct for a physical separation that limits the ability for the existing parcel to be farmed as a single unit.

## **ZONING ORDINANCE CONSISTENCY**

The site is currently zoned General Agriculture (A-2-40), which establishes 40-gross acres as the minimum parcel size for the district. The A-2 Zoning District allows for the adjustment of parcel boundaries through the processing of a lot line adjustment (LLA) when the integrity and purpose of the A-2 Zoning District is maintained; however, the A-2 zoning district limits the sizes that parcels can be adjusted to through the LLA process. Section 21.20.060(E)(1) – Site Area specifies that:

“Parcels greater than ten acres in size shall not be adjusted to a size smaller than ten acres, unless the adjustment is needed to address a building site area or correct for a physical improvement which is found to encroach upon a property line. In no case shall a parcel enrolled in the Williamson Act be reduced to a size smaller than ten acres.”

The parcels resulting from the lot line adjustment subject to this variance request will result in parcels consistent with the A-2 zoning district standards as the resulting parcels will continue to be utilized for commercial agricultural production and will not be adjusted to a size smaller than 10 acres in size.

The proposed 29.55± acre parcel (identified as Parcel 4 on the proposed LLA) would no longer meet the minimum 40-acre requirement, and thus this variance request is required. A variance may be approved in situations where physical characteristics of the property, such as a parcels size, shape, topography, location, or surroundings, exist that limit the enjoyment of development rights experienced by other properties within the same zoning designation, resulting in unnecessary hardships, from the strict application of provisions of the Zoning Ordinance. Accordingly, the applicant has applied for a variance from the minimum parcel requirement. For a variance to be granted, the following findings must be made:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of Title 21 will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and
3. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood.

The applicant has provided written evidence to support the variance findings (see Exhibit F – *Applicant’s Findings Statement for Variance*). The applicant’s findings statement proposes that the request for creation of a 29.55± acre parcel in a A-2-40 zoning district should be approved due to the parcel being physically separated by the Tuolumne River. Additionally, the findings

statement justifies the variance by stating that although there is a bridge to the east of the parcel which currently provides access across the Tuolumne River, the bridge is privately owned and maintained and could be removed when mining activity ceases making on-going access between the two portions of the legal parcel uncertain.

The following is an overview of similar variance and lot line adjustment requests, for parcel(s) resulting in less than the minimum parcel size in the A-2-40 zoning district, that involved a similar physical separation:

- **Variance Application 2016-0037 and Lot Line Adjustment 2016-0119 – Timothy A. Byrd** – The project is a request for a variance to the Stanislaus County Code Section 21.20.060(E) to allow a 40.38 gross acre parcel to be adjusted to below 40 acres in size, under Lot Line Adjustment Application No. PLN2015-0051. The lot line adjustment adjusted two parcels from 40.38 and 10 gross acres to 20.31 and 30.07 gross acres. The existing 40.38-acre parcel was physically separated by Shoemake Avenue, with 20± acres located on the north side of Shoemake Avenue and 20± acres located on the south side of Shoemake Ave Avenue. Staff recommended approval of the variance request, arguing the physical separation of Shoemake Avenue justified the creation of two sub-standard parcels. The Planning Commission approved the request on August 4, 2016.

A review of similar variance and lot line adjustment applications requesting parcel sizes below the minimum required acreage within the A-2 zoning district processed between 2000 - 2007 resulted in four approvals and one denial. In the case of the denial, the adjustment would have created parcels with split-zoning designations.

Similar to the 2016 Timothy A. Byrd project, staff believes that the physical separation by the Tuolumne River of the existing parcel qualifies as a special circumstance unique to the parcel warranting approval of a variance.

The project site will remain restricted by zoning and the Williamson Act to on-site residential development which is incidental to the agricultural use of the land and will not diminish the agricultural production. The Planning Department has instituted a process by which all building permit applications submitted for any new structures (including new single-family dwellings) on Williamson Act properties must be accompanied by a signed Landowner Statement that verifies compatibility with the Williamson Act Contract.

## **ENVIRONMENTAL REVIEW**

An environmental assessment for the project has been prepared in accordance with the California Environmental Quality Act (CEQA). The assessment included preparation of an Initial Study (see Exhibit D – *Initial Study*). Pursuant to CEQA, the proposed project was circulated to interested parties and responsible agencies for review and comment and no significant issues were raised (see Exhibit G – *Environmental Review Referrals*).

A Negative Declaration has been prepared for approval prior to action on the project itself as the project will not have a significant effect on the environment (see Exhibit E – *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, a filing fee shall be paid for all project applications subject to CEQA; therefore, the applicant will further be required to pay **\$3,100.75** for the California Department of Fish and Wildlife and the Clerk-Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Kristy Doud, Deputy Director of Planning Services, (209) 525-6330

Attachments:

- Exhibit A – Findings and Actions Required for Project Approval
- Exhibit B – Maps
- Exhibit C – Conditions of Approval
- Exhibit D – Initial Study
- Exhibit E – Negative Declaration
- Exhibit F – Applicant's Findings Statement for Variance
- Exhibit G – Environmental Review Referrals

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
## Findings and Actions Required for Project Approval

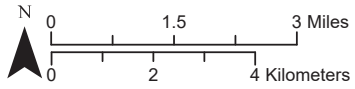
1. Adopt the Negative Declaration pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
  - a. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of Title 21 will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
  - b. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and
  - c. The granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of this particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.
4. Approve Variance Application No. PLN2024-0072 – Byrd, subject to the attached Conditions of Approval.

**BYRD**  
**VAR LLA**  
**PLN2024-0072**

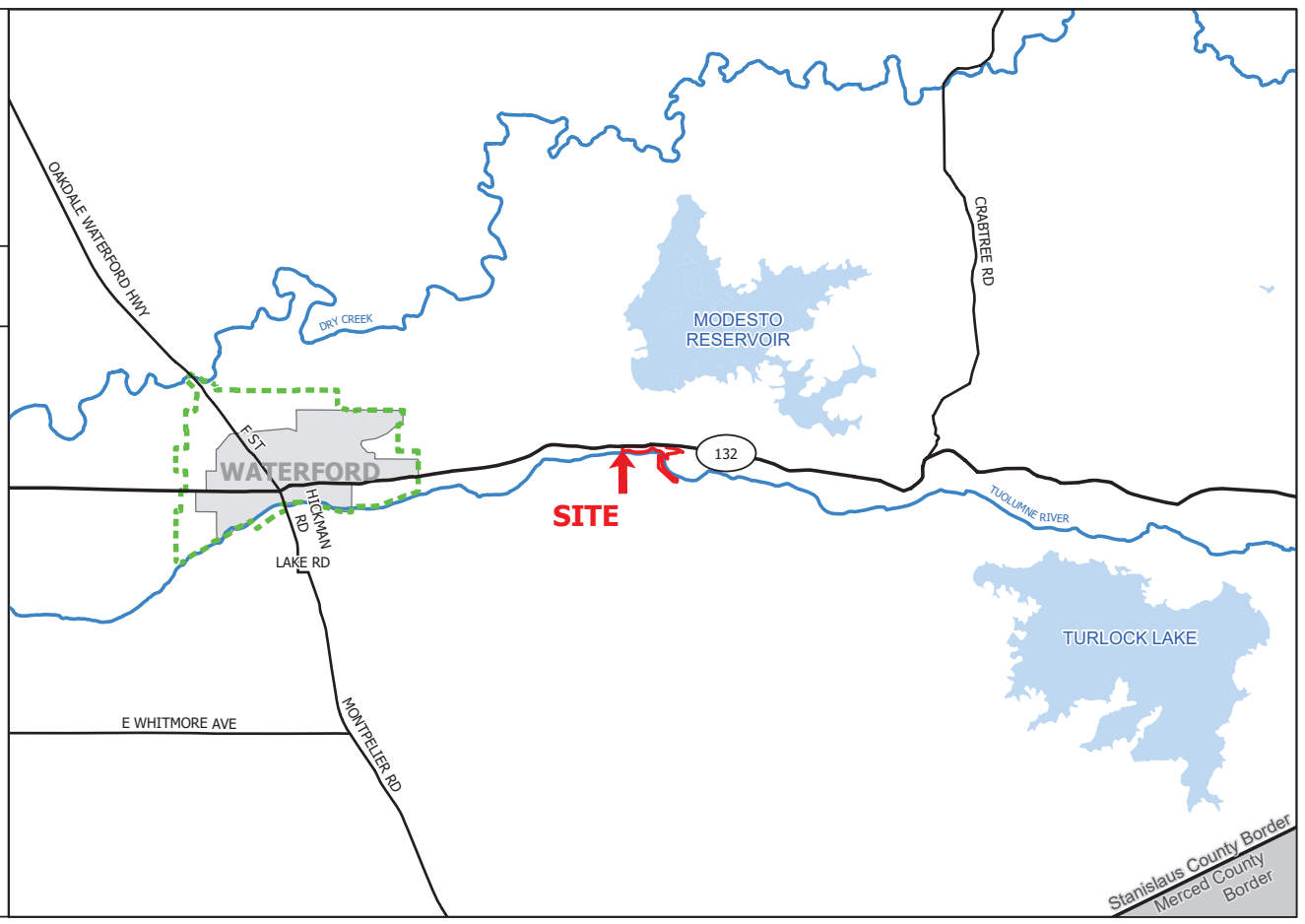
**AREA MAP**

**LEGEND**

-  Project Site
-  Sphere of Influence
-  Highway
-  Major Road
-  River
-  Lake



Source: Planning Department GIS      Date Exported: 4/22/2026



# BYRD

## VAR LLA PLN2024-0072

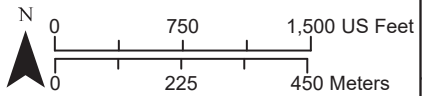
### GENERAL PLAN MAP

#### LEGEND

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

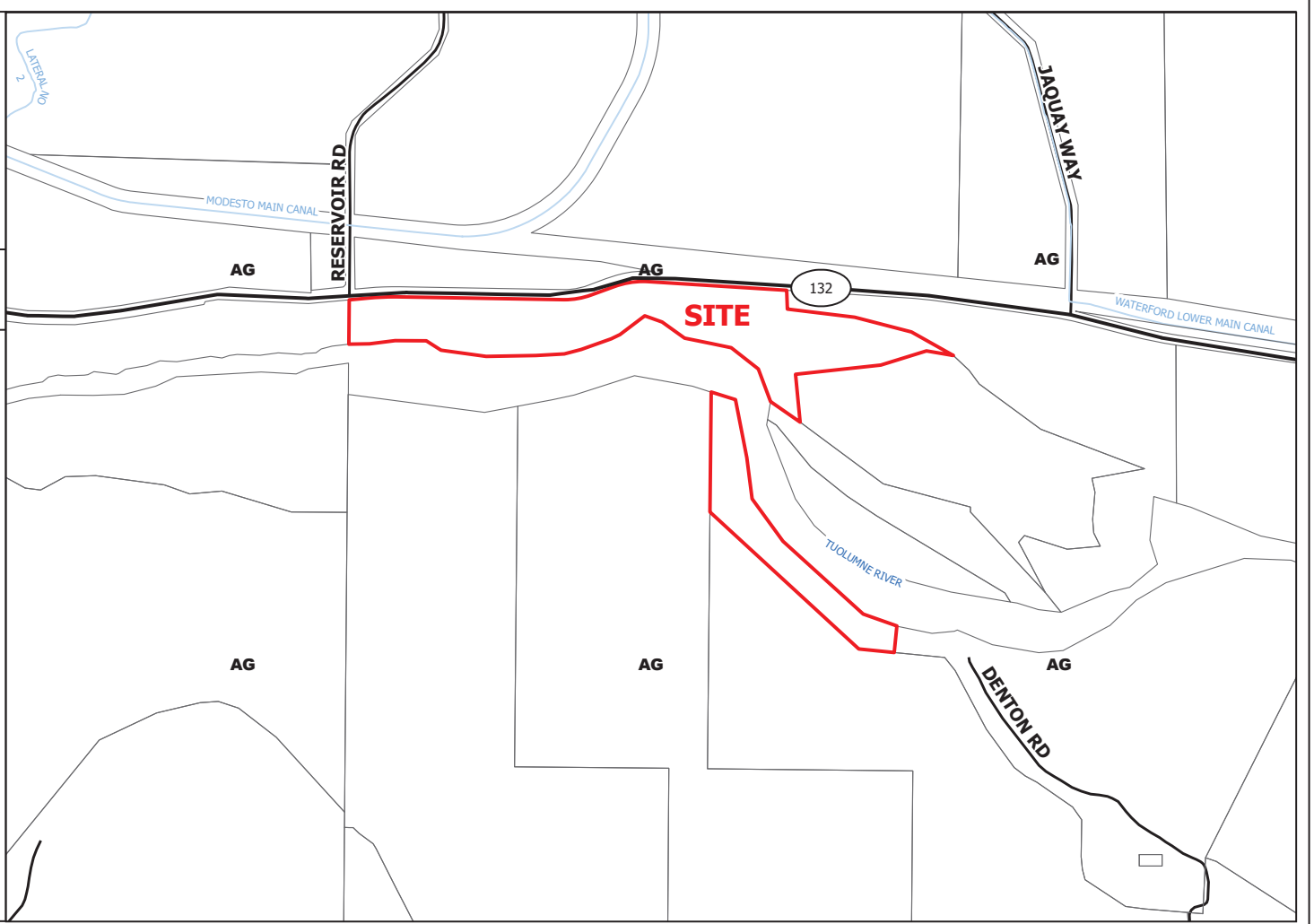
#### General Plan

- Agriculture (AG)



Source: Planning Department GIS

Date Exported: 4/22/2026



# BYRD

## VAR LLA PLN2024-0072

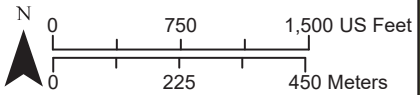
### ZONING MAP

#### LEGEND

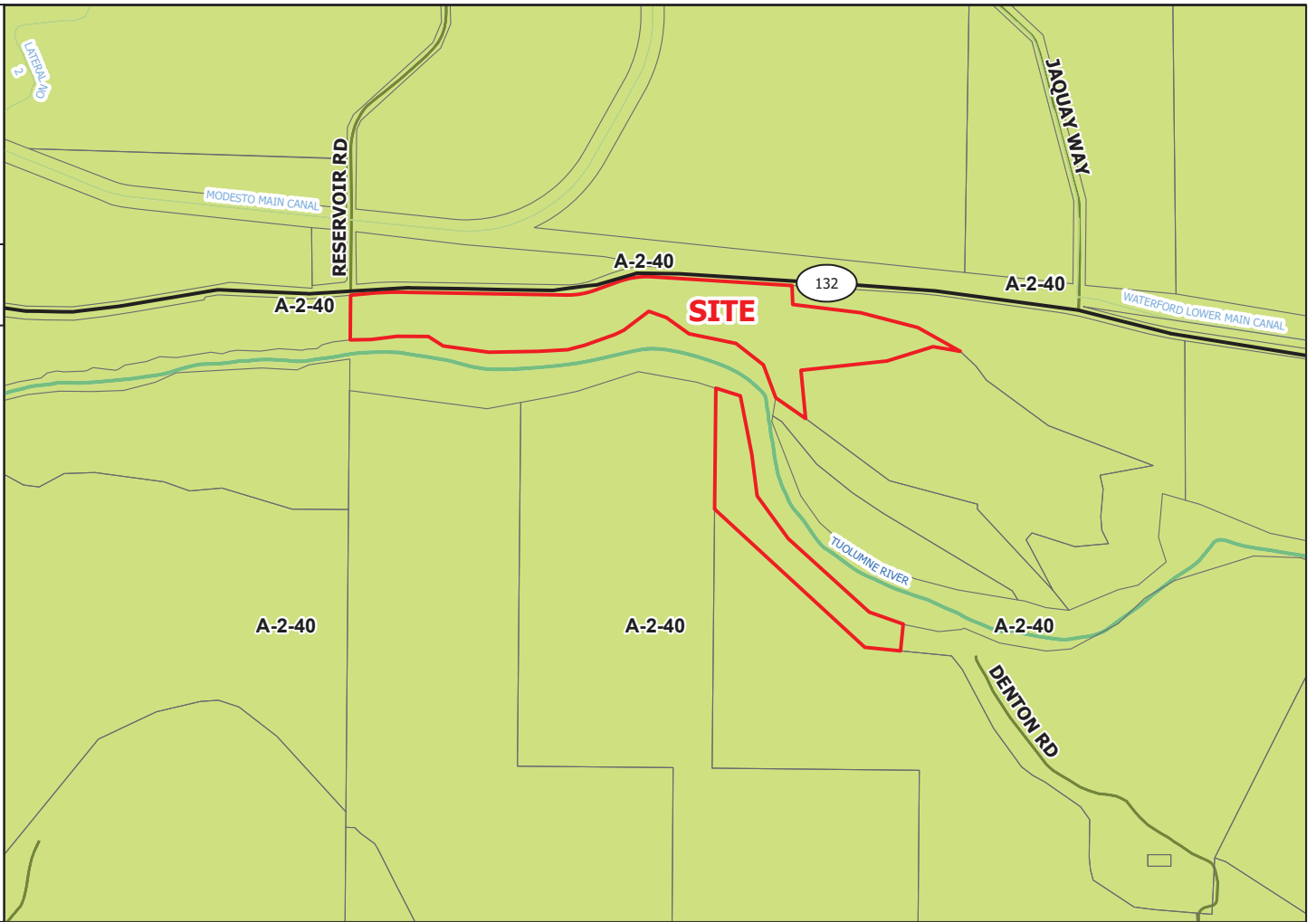
- Project Site
- Parcel
- Highway
- Street
- Canal
- River

#### Zoning Designation

- General AG 40 Acre (A-2-40)



Source: Planning Department GIS      Date Exported: 4/22/2026








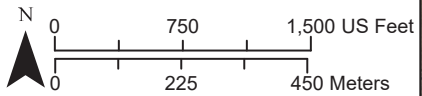
# BYRD

## VAR LLA PLN2024-0072

### 2023 AERIAL AREA MAP

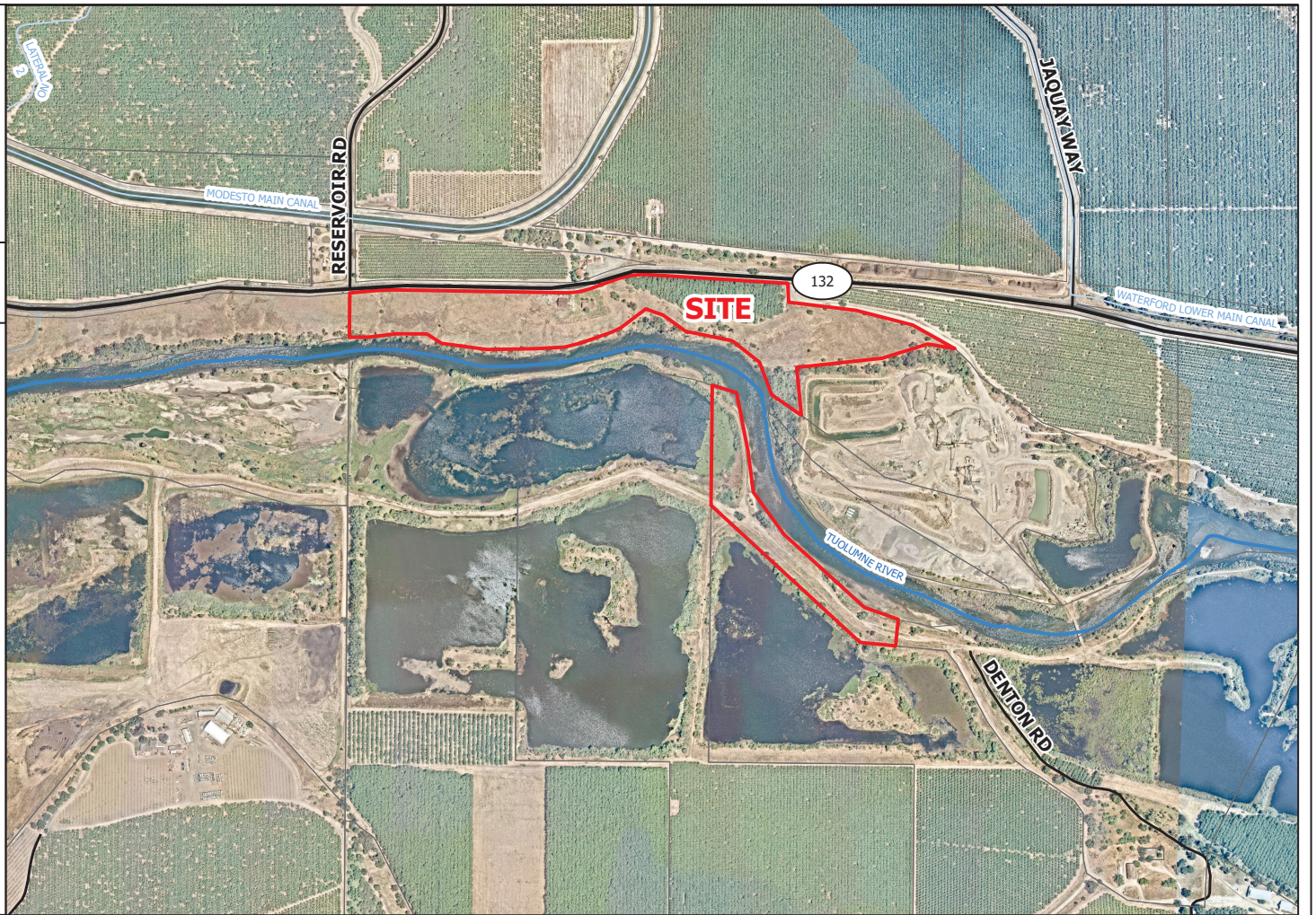
#### LEGEND

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



Source: Planning Department GIS

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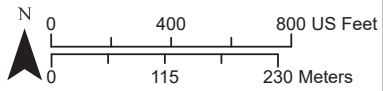
**BYRD**

**VAR LLA  
PLN2024-0072**

*2023 AERIAL SITE MAP*

**LEGEND**

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



Source: Planning Department GIS Date Exported: 4/22/2026

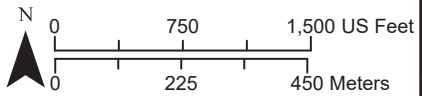


**BYRD**  
**VAR LLA**  
**PLN2024-0072**

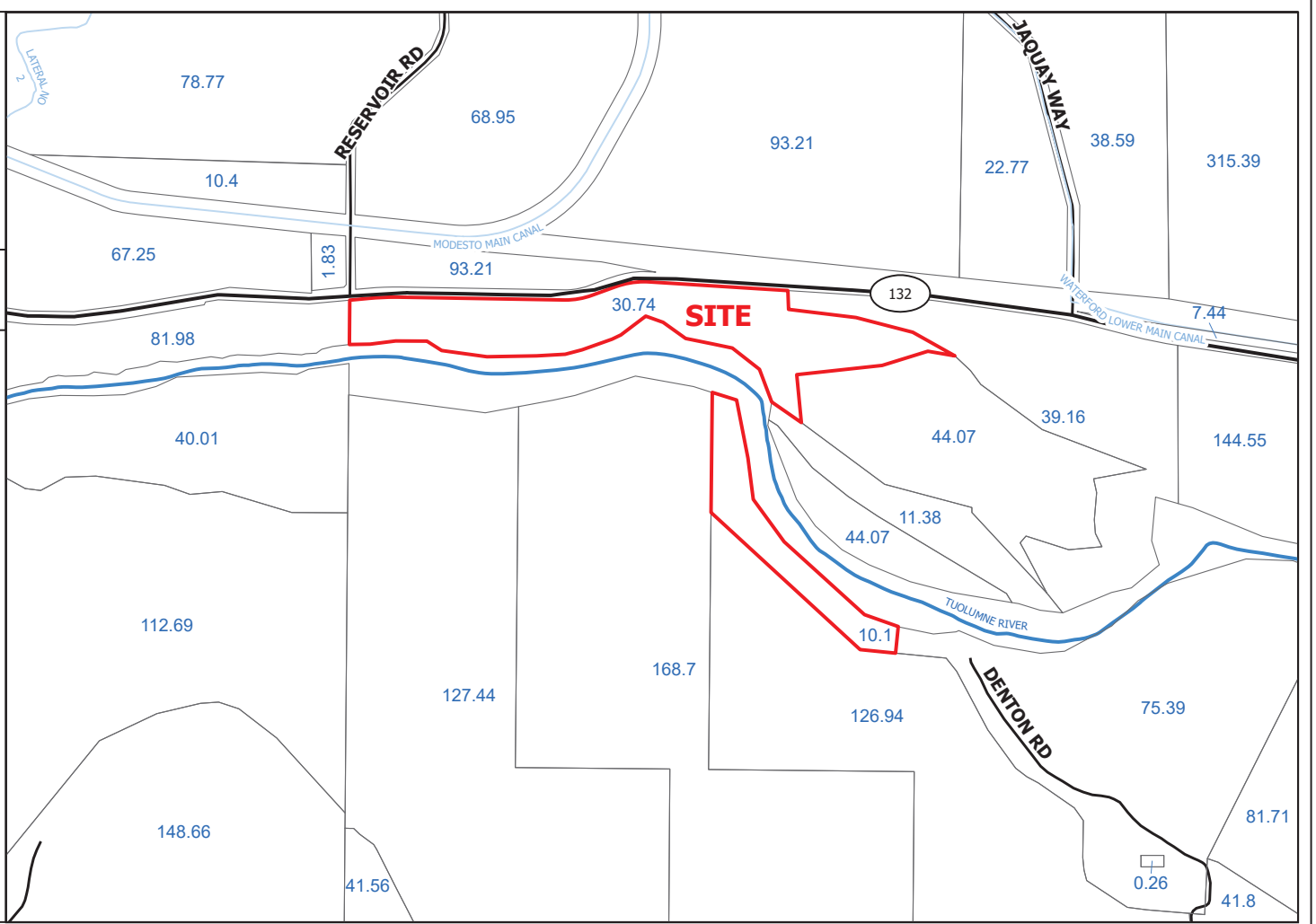
**ACREAGE MAP**

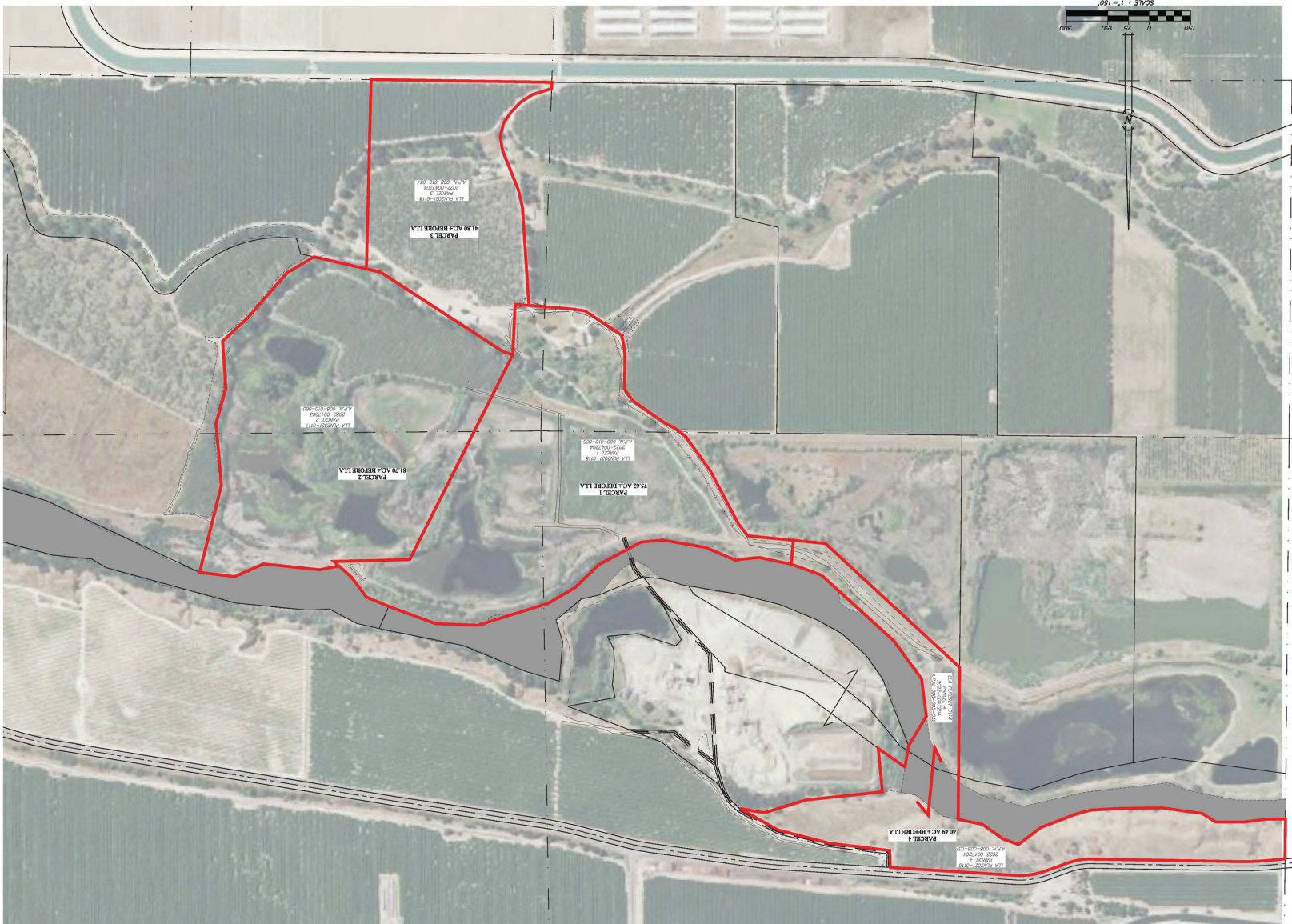
**LEGEND**


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



Source: Planning Department GIS      Date Exported: 4/22/2026



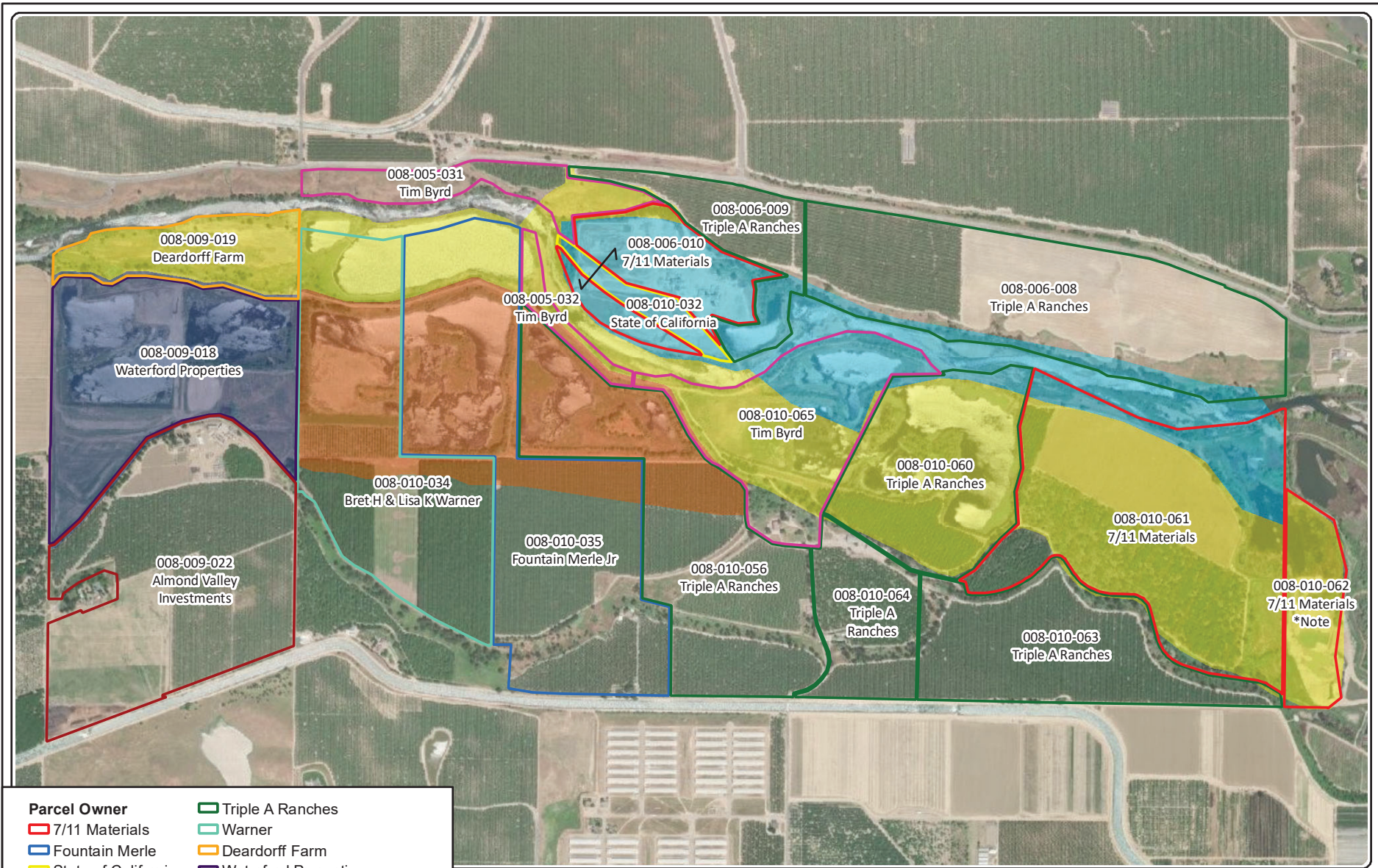


DATE: _____		SHEET: 1 OF 1	
<b>RED-BEFORE LIA EXHIBIT</b> <b>TIM BYRD</b>			
A.P.N. 008-010-060, 064, & 065 STANISLAUS COUNTY, CALIFORNIA			
 <b>HAWKINS &amp; ASSOCIATES</b> <b>ENGINEERING, INC.</b> 438 MITCHELL ROAD MODOSTO, CA. 95354 PH: (209) 575-4295 FX: (209) 578-4295		811 Call before you dig Know what's below	
DRAWN BY: _____ CHECKED BY: _____ DATE: 5/17/2024		8025 8018, 813 8488 8025 8018, 813 8488 8025 8018, 813 8488 8025 8018, 813 8488 8025 8018, 813 8488	



	
<b>HAWKINS &amp; ASSOCIATES ENGINEERING, INC.</b> 436 MITCHELL ROAD MODesto, CA 95354 TEL: (209) 575-4495 FAX: (209) 578-4425	
<b>GREEN-AFTER LLA EXHIBIT TIM BYRD</b>	
<b>A.P.N. 008-010-060, 064, &amp; 065 STANISLAUS COUNTY, CALIFORNIA</b>	
DATE: _____ SHEET: <b>1</b> OF: <b>1</b>	RODRICK H. HAWKINS REG. 5018, PLS. 4400 5/11/2024 DESCRIPTION OF REVISION: _____ BY: _____ Q. CHK.: RBH DATE: 5/21/2024





- |                     |                           |
|---------------------|---------------------------|
| <b>Parcel Owner</b> | Triple A Ranches          |
| 7/11 Materials      | Warner                    |
| Fountain Merle      | Deardorff Farm            |
| State of California | Waterford Properties      |
| Tim Byrd            | Almond Valley Investments |

- |                     |            |
|---------------------|------------|
| <b>CUP Boundary</b> |            |
| CUP #1211           | CUP #755   |
| CUP #2002-28        | CUP #87-42 |



Aerial Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

## Mine ID No. 91-50-006 - Area Parcel and Permit Map Waterford, Stanislaus

Figure 1

5/19/2025

Disclaimer: The data was mapped for planning purposes only. No liability is assumed for accuracy of the data shown.



**CONDITIONS OF APPROVAL**

**VARIANCE APPLICATION NO. PLN2024-0072  
BYRD**

**Department of Planning and Community Development**

1. Pursuant to Section 711.4 of the California Fish and Game Code, the applicant is required to pay a California Department of Fish and Wildlife 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 **\$3,100.75**, 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.
2. 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.
3. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder’s Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
4. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
5. 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.

**Department of Environmental Resources (DER) – Environmental Health Division**

6. Any existing septic systems and/or domestic wells shall be maintained within the proposed parcel boundaries as per required department setback standards.

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



## CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2025

- 1. **Project title:** Variance and Lot Line Adjustment Application No. PLN2024-0072 - Byrd
- 2. **Lead agency name and address:** Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354
- 3. **Contact person and phone number:** Christine Smith, Associate Planner  
(209) 525-6330
- 4. **Project location:** 336 and 460 Denton Road, and 17300 Yosemite Boulevard, between Reservoir Road and Dienstag Road, in the Waterford area. (APNs: 008-005-031, 008-005-032, 008-010-060, 008-010-064, and 008-010-065).
- 5. **Project sponsor’s name and address:** Timothy and Suzanne Byrd  
3619 Shoemake Avenue, Modesto, CA 95358
- 6. **General Plan designation:** Agriculture
- 7. **Zoning:** General Agriculture (A-2-40)
- 8. **Description of project:**

Request for a variance to Section 21.20.060 of the Zoning Ordinance to allow a parcel (Assessor’s Parcel Number [APN] 008-005-031) to be adjusted to less than 40-acres in size. The Variance is required to approve the adjustment of the lot lines of four parcels in the General Agriculture (A-2-40) zoning district from 75.62± (Parcel 1), 81.70± (Parcel 2), 41.80± (Parcel 3), and 40.49± (Parcel 4) acres to 50.94±, 117.24±, 41.88±, and 29.55± acres respectively.

The purpose of this lot line adjustment is to separate the water retention areas and the Tuolumne River from viable agricultural land and to align the property lines with the river, which currently bisects the existing 40.49-acre parcel (APN 008-005-031 and APN 008-005-032). If approved, Parcel 4 will consist of a single legal parcel divided by the Tuolumne River. The new 29.55-acre portion will be located entirely north of the river and have access to Yosemite Boulevard, while the remaining portion will be situated entirely to the south of the river. The residential density allowed on each parcel will not increase as a result of this project; Accordingly, no additional vehicle trips will occur as a result of this project.

The project site holds existing discretionary mining rights under a use permit (UP No. 1211) associated with mining ID #91-50-0006; however, the project site is no longer actively mined and has been fully reclaimed. The proposed variance and lot line adjustment will not affect the development capacity, the approved reclamation responsibility plan, or agricultural use of the parcels, and no construction is proposed as part of this request. Parcel 1 and 4 are included in the Variance request; after adjustment the mining rights will only exist on adjusted Parcel 4. Currently, Parcel 1 is developed with one single-family dwelling and two barns and Parcel 4 is developed with two barns. Parcel 2 and 3 are included in the Lot Line Adjustment request but are not included in the Variance request. However, the Lot Line Adjustment cannot be approved without approval of the Variance request. Parcel 2 is undeveloped, with no structures and Parcel 3 contains two single-family dwellings, four barns, and three outbuildings.

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9. **Surrounding land uses and setting:** Irrigated orchards, scattered single-family dwellings, and river overflow lands in all directions; a mining site, a confined animal facility, and TID main canal to the south; a water treatment plant and State Route 132 (Yosemite Blvd) to the north; and the Tuolumne River to the north and south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** CalTrans  
Stanislaus County Department of Public Works  
Department of Environmental Resources
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?:** In accordance with SB 18, 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. The Muwekma Ohlone Tribe of the San Francisco (S.F.) Bay Area has requested consultation in accordance with AB 52 for all projects located west of the San Joaquin River. This project is not located in that area; accordingly, this project is not being sent to the Muwekma Ohlone S.F. Bay Area tribe.
12. **Attachments:** None

**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 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 Christine Smith, Associate Planner

March 6, 2026  
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.
- 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, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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:** After the lot lines are adjusted, Parcel 1 will contain an existing single-family dwelling and two existing barns and Parcel 4 will contain two existing barns. If approved, Parcel 4 will consist of a single legal parcel divided by the Tuolumne River. The new 29.55-acre portion will be located entirely north of the river and have access to Yosemite Boulevard, while the remaining portion will be situated entirely to the south of the river. The proposed lot line adjustment will not change the development capacity or agricultural use of the parcels, and no construction is proposed as part of this request. The project site holds existing discretionary mining rights under a use permit (UP No. 1211) associated with mining ID #91-50-0006; however, the project site is no longer actively mined and has been fully reclaimed. Any future residential development resulting from this project will be reviewed for conformance with the General Agriculture (A-2-40) zoning regulations.

The only scenic designation in the County is along Interstate 5, which is not near the project site. The site itself is not considered to be a scenic resource or unique scenic vista. The area surrounding the project site consists of irrigated orchards, scattered single-family dwellings, mining activities and river overflow lands in all directions; a confined animal facility and the Turlock Irrigation District (TID) main canal to the south; a water treatment plant and State Route 132 (Yosemite Blvd) to the north; and the Tuolumne River to the north and south. Structures within the surrounding area consist primarily of metal and wooden agricultural buildings, and residential and accessory structures with stucco, metal, and wood facades. 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; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>II. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 majority of the site is classified as “Nonagricultural and Natural Vegetation” land by the California Department of Conservation’s Farmland Mapping and Monitoring Program; a small northern portion of the site is classified as “Prime Farmland” by the California Farmland Mapping and Monitoring Program.

The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that approximately 19.3 percent of the project site consists of Hanford fine sandy loam, 0 to 3 percent slopes (HbA), which has a California Revised Storie Index Rating of 98. 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. The 98 Index rating equates to Grade 1 soils which are considered to be excellent soil to be used for irrigated agriculture. Approximately 12.2 percent of the project site consists of Greenfield sandy loam, 0 to 3 percent slopes (GsA), which has a Storie Index rating of 98. This also equates to Grade 1 soils. Approximately 8.2 percent of the site is made up of Whitney sandy loams, 8 to 15 percent slopes (WmC) which is a Grade 4 soil not considered to be prime farmland. The remainder of the site is made up of water, riverwash, and terrace escarpments, none of which are rated on the Storie Index.

Stanislaus County considers land that meets at least one of the following requirements to be prime farmland under the Uniform Rules: parcels comprised of Class 1 or Class 2 soils; parcels comprised of Grade 1 or Grade 2 soils; irrigated pastureland which supports livestock used for the production of food and fiber; and land used for unprocessed agricultural plant production with an annual gross value of not less than eight hundred dollars per-acre. Stanislaus County recognizes a minimum parcel size of ten (10) gross acres for prime agricultural land and forty (40) gross acres of non-prime agricultural

land as suitable for enrollment of land into a Williamson Act Contract. The project site is currently enrolled under Williamson Act Contract No. 2022-0009, and if approved, would remain under contract. All of the proposed parcels will be more than ten (10) gross acres in size and will continue to meet the criteria as Prime Farmland if the lot line adjustment is approved, as the parcels are planted in nut-bearing trees. The proposed project will not permanently convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. During project review, this application was referred to the California Department of Conservation (DOC) for review and input; no response has been received to date.

No construction is proposed at this time. However, under the Zoning Ordinance for the A-2 zoning district, if approved, Parcel 1 could be developed with an additional residential unit (either a single-family or accessory dwelling) and a junior accessory dwelling unit (JADU), and Parcel 4 could be developed with two single-family dwellings, or a single-family dwelling and an accessory dwelling, and a JADU.

**Mitigation:** None.

**References:** Application information; Natural Resources Conservation Service Soil Survey; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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 Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people)?			X	

**Discussion:** The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD’s most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 PM2.5 (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as “extreme non-attainment” for ozone, “attainment” for respirable particulate matter (PM-10), and “non-attainment” for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin.

As required by CEQA Guidelines Section 15064.3, potential impacts regarding Air Quality should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact.

The residential density allowed on each parcel will not increase as a result of this project; Accordingly, no additional vehicle trips will occur as a result of this project. As this is below the District's threshold of significance, no significant impacts to Air Quality related to VMT are anticipated.

The project was referred to SJVAPCD, and no response has been received to date. However, the District's Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District's New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below which is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. The sizes provided by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions.

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. Because no construction is proposed, and the proposed project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

For these reasons, the proposed project 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](http://www.valleyair.org); Stanislaus County General Plan and Support Documentation<sup>1</sup>.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 Paulsell Quad of the California Natural Diversity Database (CNDDDB). There are nine animal species and eight plant life species which are state or federally listed, threatened, or identified as species of special concern within the Riverbank California Natural Diversity Database Quad. These species include the western spadefoot, tricolored blackbird, osprey, burrowing owl, vernal pool tadpole shrimp, riffle sculpin, hardhead, steelhead - Central Valley DPS, chinook salmon - Central Valley spring-run ESU, Hoovers calycadenia, hogwallow starfish, Brazilian watermeal, stinkbells, Colusa grass, San Joaquin Valley Orcutt grass, hairy Orcutt grass, and the Greenes tuctoria. There are no reported sightings of any of the aforementioned species on the project site; however, the Tuolumne River is located 200-feet south of the project site and observations, migration indications, and takings have been reported .58± miles away from the project site within the river for steelhead, hardhead and other species of special concern according to the CNDDDB. This project is a request to adjust the lot lines of four parcels in the General Agriculture (A-2-40) zoning district from 75.62±, 81.70±, 41.80±, and 40.49± acres to 50.94±, 117.24±, 41.88±, and 29.55± acres, in the General Agriculture (A-2-40) zoning district. The purpose of the lot line adjustment is to separate the water retention areas and Tuolumne River from the viable agricultural areas, and to match the property lines to the river, which is currently bisecting the existing 40.49± acre parcel. The new 29.55-acre portion will be located entirely north of the river and have access to Yosemite Boulevard, while the remaining portion will be situated entirely to the south of the river. The project will not influence any environmental factors, including land quality, water quality, or mineral resources. The project site holds existing discretionary mining rights under a use permit (UP No. 1211) associated with mining ID #91-50-0006; however, the project site is no longer actively mined and has been fully reclaimed.

There is a very low likelihood that these species will be affected by the project, as the Tuolumne River does not run through the project site, and the site has already been developed with existing dwellings and mining operations in the vicinity. Consequently, it does not appear that this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors as the site currently has irrigated crops, which requires disturbance of the ground to plant.

An early consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game), the U.S. Department of Fish and Wildlife, and the Tuolumne River Trust and no response from any of the aforementioned agencies was received. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>V. CULTURAL RESOURCES. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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:** No construction is proposed at this time. However, under the Zoning Ordinance for the A-2 zoning district, if approved, Parcel 1 could be developed with an additional residential unit (either a single-family or accessory dwelling) and a junior accessory dwelling unit (JADU), and Parcel 4 could be developed with two single-family dwellings, or a single-family dwelling and an accessory dwelling, and a JADU. It does not appear that this project will have a significant impact on any archaeological or cultural resources. The project site is already developed, and no construction is proposed. However, standard conditions of approval regarding the discovery of cultural resources during any future construction will be added to the project.

**Mitigation:** None.

**References:** Application information; California Environmental Quality Act Guidelines – Section 15064; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

<b>VI. ENERGY. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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 California Environmental Quality Act (CEQA) Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable state or local energy legislation, policies, and standards must be considered. The project was also referred to the San Joaquin Valley Air Pollution Control District (SJVAPCD), no response has been received to date.

The site is served by Turlock Irrigation District (TID) for electrical service. The project was referred to TID and responded with no comment.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis. The residential density allowed on each parcel will not increase as a result of this project; Accordingly, no additional vehicle trips will occur as a result of this project. As this is below the District's threshold of significance, no significant impacts to energy resources are anticipated.

Vehicles accessing the site will be subject to applicable Air District regulations, including rules and regulations that increase energy efficiency. Accordingly, VMT impacts are anticipated to be less than significant. 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; Referral response from Turlock Irrigation District, received May 23, 2025; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** The USDA Natural Resources Conservation Service’s Eastern Stanislaus County Soil Survey indicates that the project site consists of Hanford fine sandy loam, 0 to 3 percent slopes (HbA), Grangeville sandy loam, 0 to 3 percent slopes (GsA), Whitney sandy loams, 8 to 15 percent slopes (WmC), water, riverwash, and terrace escarpments. 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 new construction is proposed; however, 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. Any earth moving is subject to Public Works Standards and Specifications, which consider the potential for erosion and run-off prior to permit approval. Likewise, any addition or expansion of a septic tank or alternative wastewater 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. DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. DER, Public Works and the Building Permit Services Division’s requirements and standards will be triggered under any future request for a building or grading permit associated with the project site.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely due to the flat terrain of the area.

Impacts to geology and soils are anticipated to be less than significant.

**Mitigation:** None.

**References:** Application information; California Environmental Quality Act Guidelines - Section 15064.5(e)(1); California Public Resources Code Section 7060.5; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

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

The short-term emissions of GHGs during construction, primarily composed of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, would be the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF<sub>6</sub>) are typically associated with specific industrial sources and are not expected to be emitted by future construction at this project site. As described above in Section III - *Air Quality*, no new construction is proposed; however, should future construction occur as a result of the project, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO<sub>2</sub> from future construction would be less than significant. Any future construction resulting from the project would be required to meet mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures, of the California Green Building Standards

(CALGreen) Code (California Code of Regulations, Title 24, Part 11) which includes minimum statewide standards to significantly reduce GHG emissions from new construction. Future construction activities associated with this project would be considered less than significant as they are temporary in nature and subject to meeting San Joaquin Valley Air Pollution Control District (SJVAPCD) standards for emissions.

Direct emissions of GHGs from the operation of the proposed project are primarily due to the truck trips to drop off and pick up equipment. As required by California Environmental Quality Act (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 residential density allowed on each parcel will not increase as a result of this project; Accordingly, no additional vehicle trips will occur as a result of this project. This is below the District’s threshold of significance and no significant impacts to greenhouse gas emissions are anticipated.

The project was referred to SJVAPCD and no response has been received to date.

Based on project details and the conditions of approval to be placed on the project requiring that the applicant be in compliance with the District’s rules and regulations, GHG emissions are considered to be less than significant for the project.

**Mitigation:** None.

**References:** Application Information; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 project is not anticipated to interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. A referral response from the

Hazardous Materials Division of DER indicated that the project is not anticipated to have a significant effect on the environment in terms of hazards and hazardous materials, and requested the applicant contact DER regarding regulatory requirements for hazardous materials and/or wastes. The project was also referred to the Environmental Health Division of DER, who stated that each developed parcel (or upon development) shall have an approved independent domestic water supply, that on-site wastewater disposal system for the remainder shall be by individual Primary and Secondary wastewater treatment units operated under conditions and guidelines established by Measure X, that all applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met, and that the following statement shall be placed on the final map to be recorded: "As per Stanislaus County Code 16.10.020 and 16.10.040, all persons purchasing lots within the boundaries of this approved map should be prepared to accept the responsibilities and costs associated with the operation and maintenance of the required primary and secondary on-site wastewater treatment system. All persons are required to provide adequate maintenance and operate the on-site wastewater treatment system as prescribed by the manufacturer, so as to prevent groundwater degradation."

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater from drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people. The closest agricultural properties with records of pesticide use are located in all directions around the project site, specifically across Yosemite Boulevard, Lampley Road, and Denton Road. These parcels are situated in the southwest and southeast, all within approximately a 1-mile radius. The project was referred to the Stanislaus County Agricultural Commissioner, who regulates pesticide use, and no comments have been received to date.

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 the Stanislaus Consolidated Fire Protection District. The project referred to the Stanislaus Consolidated Fire Protection District, and no comments have been received to date.

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

**Mitigation:** None.

**References:** Application information; Referral response from the Department of Environmental Resources (DER) Environmental Health Division, dated June 3, 2025; Referral response from the Department of Environmental Resources (DER) Hazardous Materials Division, dated June 11, 2025; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

X. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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:** 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 will be addressed by the Building Permits Division during the building permit process. The project proposes to handle stormwater drainage via an existing drainage basin on Parcels 1 and 2 on-site, and the current absorption patterns of water upon this property will not be altered. The project was referred to the Department of Environmental Resources (DER)'s Groundwater Resources Division, who responded with no comments. The project was also referred to the Environmental Health Division of DER, who stated that each developed parcel (or upon development) shall have an approved independent domestic water supply, that on-site wastewater disposal system for the remainder shall be by individual Primary and Secondary wastewater treatment units operated under conditions and guidelines established by Measure X, that all applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met, and that the following statement shall be placed on the final map to be recorded: "As per Stanislaus County Code 16.10.020 and 16.10.040, all persons purchasing lots within the boundaries of this approved map should be prepared to accept the responsibilities and costs associated with the operation and maintenance of the required primary and secondary on-site wastewater treatment system. All persons are required to provide adequate maintenance and operate the on-site wastewater treatment system as prescribed by the manufacturer, so as to prevent groundwater degradation."

Parcels 1 is currently served by a private septic system and well. No new wells or septic tanks are proposed as part of this request. Any future wells constructed on-site will be subject to review under the County's Well Permitting Program, which will determine whether a new well will require environmental review. Any potential regulatory requirements regarding applicable County Local Agency Management Program (LAMP) standards and required setbacks can be enforced during the building permit review process. The project was referred to Public Works, who responded with no comments on the project.

The Sustainable Groundwater Management Act (SGMA), passed in 2014, requires the formation of local Groundwater Sustainability Agencies (GSAs) to oversee the development and implementation of Groundwater Sustainability Plans (GSPs), with the ultimate goal of achieving sustainable management of the state’s groundwater basins. Stanislaus County is a participating member in five GSA’s across four groundwater subbasins, including: the Eastern San Joaquin Groundwater Subbasin, which covers a portion of Stanislaus County occurring north of the Stanislaus River; commonly referred to as the “northern triangle”; the Modesto Groundwater Subbasin, which covers an area of land located between the Stanislaus and Tuolumne rivers, occurring west of the Sierra Nevada foothills and east of the San Joaquin River; the Turlock Groundwater Subbasin which covers an area of land located between the Tuolumne and Merced rivers, occurring west of the Sierra Nevada Foothills and occurring east of the San Joaquin River; and the Delta-Mendota Groundwater Subbasin which covers an area of land within Stanislaus County located west of the San Joaquin River and east of the basement rock of the Coast Range. Public and private water agencies and user groups within each of the four groundwater subbasins work together as GSA’s to implement SGMA. The project site is located in the West Turlock Subbasin, administered by the Turlock Irrigation District GSA and the Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA. The project was referred to the Turlock Irrigation District GSA and the Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA, and no comments were received regarding the proposed project.

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. Parcels 1 and 3 have existing private wells and septic systems. There are no additional wells proposed as part of this request.

The site is located in the service area for the Turlock Irrigation District (TID). The project was referred to TID, who responded with no comments on the project.

The project was referred to the Central Valley Regional Water Quality Control Board (RWQCB), and no response has been received to date.

Based on project details, 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) Environmental Health Division, dated June 3, 2025; Referral response from the Stanislaus County Department of Public Works, dated February 26, 2026; Referral response from the Department of Environmental Resources (DER) Groundwater Resources Division, dated June 3, 2025; Email correspondence with Turlock Irrigation District, dated May 23, 2025; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XI. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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:** This project is to adjust the lot lines of four parcels in the General Agriculture (A-2-40) zoning district from 75.62±, 81.70±, 41.80±, and 40.49± acres to 50.94±, 117.24±, 41.88±, and 29.55± acres. Stanislaus County recognizes a minimum parcel size of ten (10) gross acres for prime agricultural land and forty (40) gross acres of non-prime agricultural land as suitable for enrollment of land into a Williamson Act Contract. The project site is currently enrolled under Williamson Act Contract No. 2022-0009, and if approved, would remain under contract. All of the proposed parcels will be more than ten (10) gross acres in size. The proposed project will not physically divide a community or conflict any land use plan,

policy, or regulation. Although no construction is proposed at this time, Parcel 1 could be developed with an additional single-family dwelling and JADU, and Parcel 3 could be developed with a JADU. Parcels 2 and 4 could each be developed with two single-family dwellings and a JADU.

A Variance to the zoning ordinance is included in this project request to allow Parcel 4, 40.49± acres to be reduced to 29.55± below the 40-acre minimum. The purpose of this lot line adjustment is to separate the water retention areas and the Tuolumne River from the viable agricultural areas, and to match the property lines to the river, which is currently bisecting the existing 40.49± acre parcel. In order to approve the applicant’s request for a variance to the 40-acre minimum parcel size of the A-2-40 zoning district, Section 21.20.060, is necessary. In order for a variance to be granted, the following findings must be made:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this Chapter will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; and
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; and
3. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of this particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

The project will not physically divide an established community nor conflict with any habitat conservation plans.

**Mitigation:** None.

**References:** Application Material; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XII. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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. The project site holds existing discretionary mining rights under a use permit (UP No. 1211) associated with mining ID #91-50-0006 for sand and gravel mineral resources; however, the project site is no longer actively mined and has been fully reclaimed. No impacts to mining resources are anticipated, as all mining resources were previously sourced from the site.

**Mitigation:** None.

**References:** Records associated with Mine ID #91-50-0006; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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:** Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XIV. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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)?				
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				

**Discussion:** Proposed Parcel 1 has been developed with one single-family dwelling and two barns and Parcel 4 is developed with two barns. The parcels could be developed with up to two dwelling units, the second unit may be either a single-family or accessory dwelling, and one junior accessory dwelling unit (JADU) maximum per parcel. The maximum density per parcel will not change as a result of this project.

It does not appear that this project will have a significant impact on any archaeological or cultural resources.

The site is not included in the vacant sites inventory for the 2023 Stanislaus County Housing Element, which covers the sixth cycle Regional Housing Needs Allocation (RHNA) for the County and will therefore not impact the County’s ability to meet their RHNA.

Impacts to population and housing are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; US Census Bureau QuickFacts, accessed March 2, 2026; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the early consultation referral period, including Stanislaus County Consolidated Fire Protection District, the Stanislaus County Sheriff’s Office, Waterford and Turlock Joint Unified School District, Caltrans, Stanislaus County Public Works Department, and Turlock Irrigation District (TID). Only Public Works responded with no comments.

The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. No buildings are proposed as part of this project. However, should any construction occur on the property in the future, all adopted public facility fees will be required to be paid at the time of building permit issuance.

This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the early consultation referral period, and no concerns were identified with regard to public services. Accordingly, impacts to public services are considered to be less than significant.

**Mitigation:** None.

**References:** Application information; Referral response from the Stanislaus County Department of Public Works, dated February 26, 2026; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XVI. RECREATION.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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:** Parcel 1 is developed with one single-family dwelling and two barns and Parcel 4 is developed with two barns. The parcels could be developed with up to two dwelling units, the second unit may be either a single-family or

accessory dwelling, and one junior accessory dwelling unit (JADU) maximum per parcel. The maximum density per parcel will not change as a result of this project.

Additionally, the County has adopted Public Facilities Fees (PFF) 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. No construction is proposed; however, should future construction occur on-site, all applicable adopted public facility fees will be required to be paid at the time of building permit issuance. 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.

**Mitigation:** None.

**References:** Application information; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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?				

**Discussion:** A variance to Section 21.20.060 of the Zoning Ordinance is needed to allow a parcel to be adjusted to less than 40 acres in size. Proposed Parcel 1 has an existing driveway onto Yosemite Blvd, and Parcels 2, 3, and 4 have existing access from Denton Rd; no new driveways are proposed as part of this request.

As required by California Environmental Quality Act (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 residential density allowed on each parcel will not increase as a result of this project; Accordingly, no additional vehicle trips will occur as a result of this project. As this is below the District’s threshold of significance, no significant impacts to transportation are anticipated.

The project was referred to the Department of Public Works, who responded with no comment on the project. However, the lot line adjustment must be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California prior to being recorded. The project was also referred to Caltrans, who responded with no comments on the project.

All development on-site will be required to pay applicable County PFF fees, which includes Regional Transportation Impact Fees (RTIF) that are 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:** Referral response from the Stanislaus County Department of Public Works, dated February 26, 2026; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XVIII. TRIBAL CULTURAL RESOURCES.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §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 that this project will result in significant impacts to any archaeological or cultural resources. The project does not include any construction or ground disturbance. 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 traditionally and culturally affiliated with the project area have requested consultation or project referral noticing. The Muwekma Ohlone Tribe has requested consultation on projects within their historic territories, which are generally located in the west side of Stanislaus County. The project site is not located within this area, and referral will not be required. While the site is already developed, if any resources are found during future construction, construction activities would halt until a qualified survey takes place and the appropriate authorities are notified. A condition of approval regarding the discovery of cultural resources during any future construction process will be added to the project.

**Mitigation:** None.

**References:** Application information; Stanislaus County General Plan and Support Documentation<sup>1</sup>

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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 proposes to utilize existing private wells for water and an existing septic systems for wastewater service on proposed Parcel 1 and Parcel 3. No construction is proposed at this time.

The project was referred to the Department of Environmental Resources (DER)'s Groundwater Resources Division, who responded with no comments. The project was also referred to the Environmental Health Division of DER, who stated that each developed parcel (or upon development) shall have an approved independent domestic water supply. Prior to the issuance of a building permit, the parcel must have its own water well or an approved water well permit issued. You will need to obtain a drilling permit from the Department of Environmental Resources, in accordance with Stanislaus County Policy and the State Model Well Standards Ordinance. be by individual Primary and Secondary wastewater treatment units operated under conditions and guidelines established by Measure X, that all applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met, and that the following statement shall be placed on the final map to be recorded: "As per Stanislaus County Code 16.10.020 and 16.10.040, all persons purchasing lots within the boundaries of this approved lot line adjustment should be prepared to accept the responsibilities and costs associated with the operation and maintenance of the required primary and secondary on-site wastewater treatment system. All persons are required to provide adequate maintenance and operate the on-site wastewater treatment system as prescribed by the manufacturer, so as to prevent groundwater degradation."

The project was referred to the Department of Public Works, who responded with no comments.

The project was referred to Pacific Gas & Electric (PG&E), which serves the project site and surrounding area for electrical service, and no response has been received to date.

The site is located in the service area for the Turlock Irrigation District (TID). The project was referred to TID, who responded with no comments on the project.

The project was also referred to the Central Valley Regional Water Quality Control Board (CVRWQCB), and no response has been received to date.

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

**Mitigation:** None.

**References:** Application information; Referral response from the Department of Environmental Resources (DER) Environmental Health Division, dated June 3, 2025; Referral response from the Department of Environmental Resources (DER) Groundwater Resources Division, dated June 3, 2025; Email correspondence with Turlock Irrigation District, dated May 23, 2025; Referral response from the Stanislaus County Department of Public Works, dated February 26, 2026; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

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

**Discussion:** The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat, and the site has access to County-maintained Pauline Avenue.

The site is located in a Local Responsibility Area (LRA) for fire protection and is served by the Stanislaus Consolidated Fire Protection District. The project was referred to the Stanislaus Consolidated Fire Protection District, and no comments have been received to date.

No construction is proposed; however, any future construction will be subject to building permits and will be 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; Stanislaus County General Plan and Support Documentation<sup>1</sup>.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	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:** A variance to Section 21.20.060 of the Zoning Ordinance is needed to allow a parcel to be adjusted to less than 40 acres in size. Proposed Parcel 1 is developed with one single-family dwelling and two barns. Parcel 2 is undeveloped, with no structures. Parcel 3 is developed with two single-family dwellings, four barns, and three outbuildings. Parcel 4 is developed with two barns. Parcel 1 could be developed with an additional single-family dwelling and JADU, and Parcel 3 could be developed with a JADU. Parcels 2 and 4 could each be developed with two single-family dwellings and a JADU. No development is proposed at this time. The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-10).

The surrounding area is comprised of mining operations, irrigated orchards, and scattered single-family dwellings in all directions. Any further development of the surrounding area would be subject to the permitted uses of the A-2 Zoning District or would require additional land use entitlements and environmental review; a General Plan Amendment and/or Rezone would be required for any non-agricultural related development; residential proposals would be subject to Measure E.

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 Documentation<sup>1</sup>.

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<sup>1</sup>Stanislaus County General Plan and Support Documentation adopted in August 23, 2016, as amended. **Housing Element** adopted on December 9, 2025.



## NEGATIVE DECLARATION

**NAME OF PROJECT:** Variance Application No. PLN2024-0072 - Byrd

**LOCATION OF PROJECT:** 17300 Yosemite Boulevard, between Reservoir Road and Dienstag Road, in the Waterford area. APN 008-005-031 and 008-005-032.

**PROJECT DEVELOPERS:** Hawkins and Associates Engineering, Inc.  
3619 Shoemake Avenue  
Modesto, CA 95358

**DESCRIPTION OF PROJECT:** Request to allow a 40.49± acre parcel to be adjusted to 29.55± acres in size, in the General Agriculture (A-2-40) zoning district. A Variance is required to adjust the parcel to a size less than 40-acres in size.

Based upon the Initial Study, dated **March 6, 2026**, the Environmental Coordinator finds as follows:

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

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

Initial Study prepared by: Christine Smith, Associate Planner

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



**HAWKINS & ASSOCIATES ENGINEERING, INC.**

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October 8, 2024

Department of Planning  
And Community Development  
Stanislaus County  
1010 10<sup>th</sup> Street  
Modesto, CA 95354

Re: Lot Line Adjustment PLN2024-00XX Application-Tim Byrd-Variance Findings

This project is a lot line adjustment of 4 legal lots with consist of 5 Accessor Parcel Numbers which include: 008-010-065, 008-010-060, 008-010-064, 008-005-031, and 008-005-032. The Williamson Act numbers are: 1971-28026 & 1971-3036

Assessors Parcel Numbers 008-005-031 and 008-005-032 are one single property that is separated by the Tuolumne River. There is no access across the river within this property (the nearby bridge across the river is owned by a third party). Tim Byrd would like to move the lot line so that the river becomes the boundary between his two parcels. The property south of the river would be combined with APN 008-010-065, making a 50.94 acre parcel. The north side of the river would be its own separate parcel, making a 29.55 acre parcel. Since the proposed parcel is less than the required 40-acre minimum, a variance is required, therefore, we offer the following findings to support the requested variance.

**VARIANCE:**

Since one of the two parcels is split by the Tuolumne River, it already is deprived of privileges enjoyed by other properties in the vicinity and under identical zone classification. There is a bridge located within the vicinity of the parcels, however, the bridge is privately owned by a third party, who could remove the bridge and usage is not guaranteed.

Granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. If the access over the bridge is denied, it is over eight miles to travel from the approximately 30 acres portion of the parcel on the north side of the river to the approximately 10-acre portion of that parcel located on the south side of the river. We are not aware of any other parcel similarly situated.

Granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the

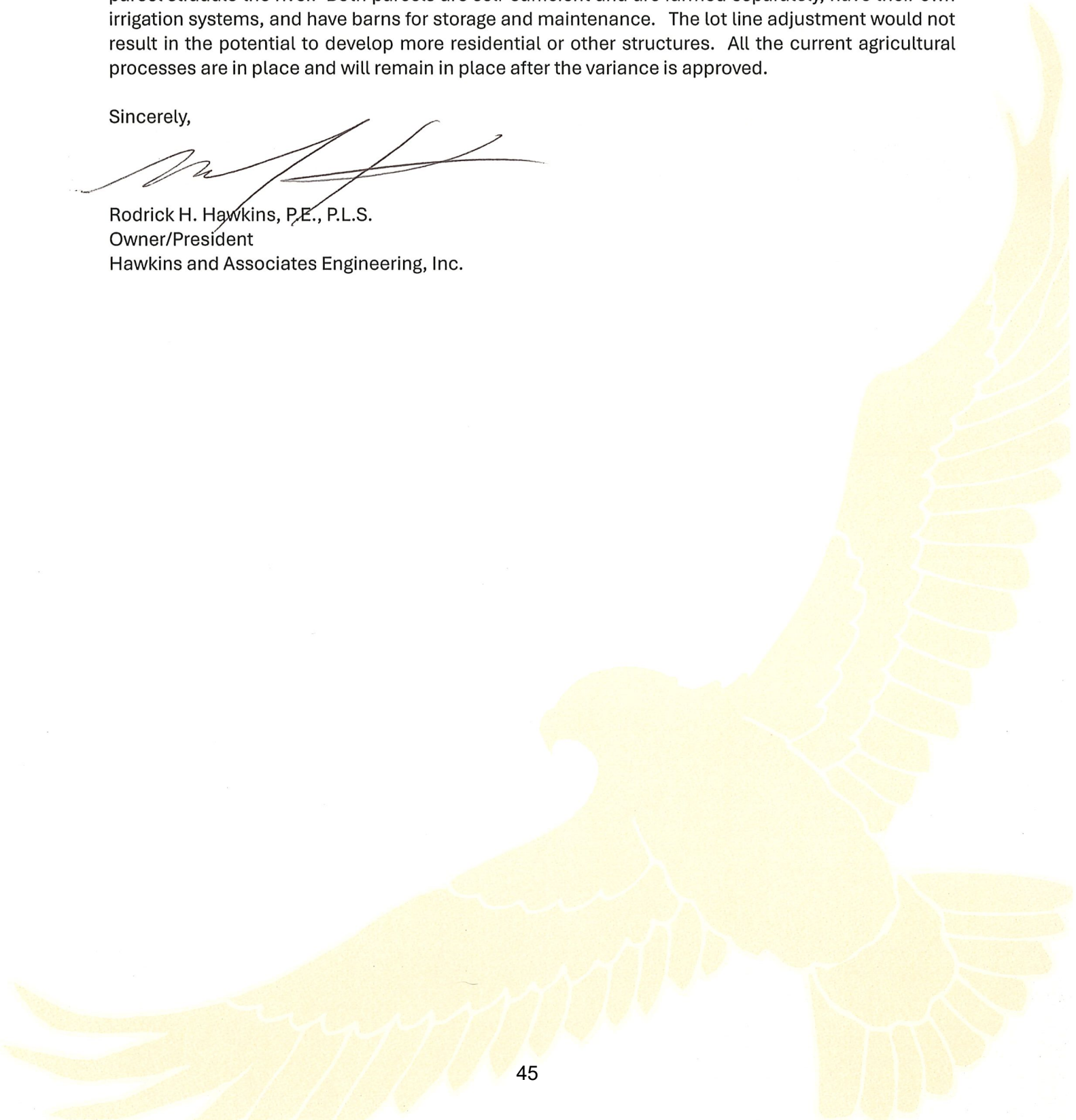
property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood. There would be no impact to the neighboring properties.

In conclusion, the purpose of this variance is to allow Assessor Parcel Numbers 008-005-031 to be on one side of the river and 008-005-032 to be on the other side of the river rather than have one parcel straddle the river. Both parcels are self-sufficient and are farmed separately, have their own irrigation systems, and have barns for storage and maintenance. The lot line adjustment would not result in the potential to develop more residential or other structures. All the current agricultural processes are in place and will remain in place after the variance is approved.

Sincerely,



Rodrick H. Hawkins, P.E., P.L.S.  
Owner/President  
Hawkins and Associates Engineering, Inc.



**SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS**

**PROJECT: VARIANCE APPLICATION NO. PLN2024-0072 - BYRD**

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF CONSERVATION: LAND RESOURCES	X	X	X		X							
CA DEPT OF CONSERVATION: OMR	X	X	X		X							
CA DEPT OF FISH & WILDLIFE	X	X	X		X							
CA DEPT OF TRANSPORTATION DIST 10	X	X	X	X				X		X		X
CA OPR STATE CLEARINGHOUSE	X	X	X		X							
CA RWQCB CENTRAL VALLEY REGION	X	X	X		X							
CENTRAL VALLEY FLOOD PROTECTION	X	X	X		X							
CA STATE SWRCB DIVISION OF DRINKING WATER	X	X	X		X							
COOPERATIVE EXTENSION	X	X	X		X							
DISPOSAL DIST: TURLOCK SCAVENGER	X	X	X		X							
FIRE PROTECTION DIST: STAN CONSOLIDATED	X	X	X		X							
GSA: STRGBA AND TURLOCK SUBBASIN	X	X	X		X							
HOSPITAL DISTRICT: OAK VALLEY	X	X	X		X							
IRRIGATION DISTRICT: TURLOCK	X	X	X		X							
MOSQUITO DISTRICT: EASTSIDE AND TURLOCK	X	X	X		X							
STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
MUNICIPAL ADVISORY COUNCIL: HICKMAN	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X		X							
SCHOOL DISTRICT 1: HUGHSON	X	X	X	X				X		X		X
SCHOOL DISTRICT 1: WATERFORD	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X		X							
STAN CO CEO	X	X	X		X							
STAN CO DER - GROUNDWATER DIVISION	X	X	X		X							
STAN CO DER	X	X	X		X							
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X		X							
STAN CO PUBLIC WORKS	X	X	X		X							
STAN CO PUBLIC WORKS SURVEY	X	X	X	X				X		X		X
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 1: B. CONDIT	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
USDA NRCS	X	X	X		X							
SURROUNDING LAND OWNERS	X	X	X		X							
TELEPHONE COMPANY: ATT	X	X	X		X							
US FISH & WILDLIFE	X	X	X		X							