



CEQA Referral Initial Study And Notice of Intent to Adopt a Negative Declaration

Date: November 24, 2021

To: Distribution List (See Attachment A)

From: Teresa McDonald, Associate Planner, Planning and Community Development

Subject: USE PERMIT APPLICATION NO. PLN2021-0071 – VELOCITER WIRELESS, INC – RODDEN ROAD

Comment Period: November 24, 2021 – December 27, 2021

Respond By: December 27, 2021

Public Hearing Date: Not yet scheduled. A separate notice will be sent to you when a hearing is scheduled.

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

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

Applicant: Kristi Anthony, Velociter Wireless, Inc.

Project Location: 8225 Rodden Road, west of the North Oaks Drive and Rodden Road intersection, in the Oakdale area

APN: 006-010-065

Williamson Act Contract: N/A

General Plan: Agriculture

Current Zoning: General Agriculture (A-2-40)

Project Description: Request to permit an existing wireless communication facility on a 12.19± acre parcel in the General Agriculture (A-2-40) zoning district. This proposal includes an existing 70-foot lattice-style tower used to deliver broadband internet. In accordance with Section 21.91.020(B) of the County Code, a use permit would be required for a lattice-style communication tower. The existing tower did not receive appropriate land use entitlements or building permits prior to construction. As such, a use permit is required to operate the existing unmanned communication facility. The existing tower is improved with seventeen antennas placed between the 40 and 70-foot centerlines and is connected to an existing utility cabinet located adjacent to the tower on the ground. The tower is setback approximately 295± feet from the nearest adjacent



residential structure. No fencing around the perimeter of the tower is proposed. The project site is improved with a single-family dwelling, storage shed and pond. The project site is served by private well and septic system and has access to County-maintained Rodden Road.

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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

USE PERMIT APPLICATION NO. PLN2021-0071 – VELOCITER WIRELESS, INC. – RODDEN ROAD
 Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
X	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: OAKDALE		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SUPERVISOR DIST 1: CONDIT
X	FIRE PROTECTION DIST: OAKDALE RURAL	X	STAN COUNTY COUNSEL
X	GSA: OAKDALE IRRIGATION DISTRICT		StanCOG
X	HOSPITAL DIST: OAK VALLEY	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: OAKDALE	X	STANISLAUS LAFCO
X	MOSQUITO DIST: EASTSIDE	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	SURROUNDING LAND OWNERS
X	MUNICIPAL ADVISORY COUNCIL: VALLEY HOME	X	TELEPHONE COMPANY: AT&T
X	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:		US ARMY CORPS OF ENGINEERS
	RAILROAD:		US FISH & WILDLIFE
X	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
X	SCHOOL DIST 1: OAKDALE JOINT UNIFIED	X	USDA NRCS
X	SCHOOL DIST 2: VALLEY HOME		WATER DIST:
	WORKFORCE DEVELOPMENT	X	CROP DUSTERS
X	STAN CO AG COMMISSIONER		



STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: USE PERMIT APPLICATION NO. PLN2021-0071 – VELOCITER WIRELESS,
INC. – RODDEN ROAD

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

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

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

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

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

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

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

Response prepared by:

Name	Title	Date
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2021-0071 – Velociter Wireless, Inc – Rodden Road
2. **Lead agency name and address:** Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Teresa McDonald, Associate Planner
4. **Project location:** 8225 Rodden Road, west of the North Oaks Drive and Rodden Road intersection, in the Oakdale area
(APN: 006-010-065)
5. **Project sponsor's name and address:** Velociter Wireless, Inc.
6. **General Plan designation:** Agriculture
7. **Zoning:** General Agriculture (A-2-40)
8. **Description of project:**

Request to permit an existing wireless communication facility on a 12.19± acre parcel in the General Agriculture (A-2-40) zoning district. This proposal includes an existing 70-foot lattice-style tower used to deliver broadband internet. In accordance with Section 21.91.020(B) of the County Code, a use permit would be required for a lattice-style communication tower. The existing tower did not receive appropriate land use entitlements or building permits prior to construction. As such, a use permit is required to operate the existing unmanned communication facility. The existing tower was constructed in 2005 and is improved with seventeen antennas placed between the 40 and 70-foot centerlines and is connected to an existing utility cabinet located adjacent to the tower on the ground. The tower is setback approximately 295± feet from the nearest adjacent residential structure. No fencing around the perimeter of the tower is proposed. The project site is improved with a single-family dwelling, storage shed and pond. The project site is served by private well and septic system and has access to County-maintained Rodden Road.

9. **Surrounding land uses and setting:** Orchards with single family dwellings and ranchettes surround the site on all sides; the City of Oakdale is located approximately one-half mile to the south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Oakdale Irrigation District
Stanislaus County Department of Public Works
11. **Attachments:**

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 Teresa McDonald, Associate Planner

November 24, 2021

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

ISSUES

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion: The site is currently improved with a single-family dwelling, detached storage shed, and an unpermitted 70-foot-tall lattice-style tower used to deliver broadband internet. The siting standards of Chapter 21.91 of the Zoning Ordinance require communication towers to be a monopole design; however, a lattice tower design may be approved with a use permit. A private pond exists onsite and a canal runs through the parcel. The project site has wood fencing and landscaping consisting of trees and shrubs along the southern property line, and barbed-wire fencing along the eastern property line. The existing unpermitted tower is adjacent to the northern property line approximately 650 feet, and 790 feet from the southern and eastern road frontages, respectively.

The only scenic designation in the County is along I-5, which is not near the project site. The site itself is not considered to be a scenic resource or a unique vista. The existing tower is located adjacent to the northern property line approximately 650 feet from the road frontage, and large species trees run along the southern property line adjacent to the road. While no onsite lighting is proposed, standard conditions of approval will be added to this project to address glare from any future lighting. 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; the Stanislaus County General Plan; and Support Documentation¹.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

Discussion: The project is a request to permit an existing 70-foot-tall lattice style communication tower and utility cabinet on a 12.19± acre parcel in the A-2-40 (General Agriculture) zoning district. In accordance with Section 21.20.030C(j) of the County Code, Tier Three uses that are not directly related to agriculture, but may be necessary to serve the A-2 district or may be difficult to locate in an urban area, including facilities for public utilities and communication towers, and may be allowed within an A-2 zoning district provided the following findings can be made: (1) the use, as proposed, will not be substantially detrimental to, or in conflict with, agricultural use of other property in the vicinity and (2) the parcel on which such use is requested is not located in one of the County's "most productive agricultural areas".

In determining "most productive agricultural areas", factors to be considered include, but are not limited to: soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; and existing uses and their contributions to the agricultural sector of the economy.

The 12.19± acre project site classified as "Grazing Land" by the California Department of Conservation's Farmland Mapping and Monitoring Program. The parcel is not currently enrolled in a Williamson Act Contract. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 81 and 90 as excellent. Grade 1 soils are deemed prime farmland by Stanislaus County's Uniform Rules. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that the area of the property west of the canal (approximately 8.9 acres) is comprised of San Joaquin sandy loam, 2 to 5 percent slopes, with a grade of 4 and index rating of 24. The remaining acreage comprised of San Joaquin sandy loam, 0 to 2 percent slopes, with a grade of 4 and index rating of 26.

The surrounding area is comprised of orchards with single family dwellings and ranchettes on all sides and adjacent parcels to the northwest and west are enrolled in Williamson Act contracts. No impacts to agriculture are anticipated to occur as a result of this project. The site has been developed with a single-family dwelling, detached storage shed, and private pond. As the tower has already been constructed, the project is not expected to perpetuate any significant conversion of farmland to non-agricultural use. The existing grazing land will remain.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. All projects shall incorporate a minimum 150-foot-wide buffer setback and projects which propose people-intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot-wide buffer setback. Low people-intensive Tier One and Tier Two uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities), which do not serve the general public, shall not be subject to compliance with these guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. The decision-making body shall have the ultimate authority to determine if a use is "low people-intensive". While the communication facility is considered a Tier Three use, it will be unstaffed for a majority of its operation. There is anticipated to be routine maintenance approximately three times a year.

The applicant has proposed an alternate agricultural buffer of nine feet and a barbed-wire fence adjacent to the northern property line to prevent any interference to adjacent parcels agricultural operations. Due to the majority of the project's unstaffed operation and the alternative agricultural buffer, staff believes the project would meet the buffer guidelines.

Impacts to agricultural resources are considered to be less-than significant. No forest lands exist in Stanislaus County. Therefore, this project will have no impact to forest land or timberland.

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 Documentation¹.

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

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

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

The proposed project is considered to be consistent with applicable air quality plans, as the project will be required to obtain all applicable permits through the Air District. The proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project.

Construction activities associated with new development can temporarily increase localized PM₁₀, PM_{2.5}, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations within a project's vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM₁₀ and PM_{2.5} emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. As the communication facility is existing, no construction is proposed; however, a building permit will be required to be obtained for the unpermitted facility and any future construction activities will be required to occur in compliance with all SJVAPCD regulations.

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. Any project falling below the thresholds identified by the District are deemed to have a less-than significant impact on air quality due to criteria pollutant emissions. The District's threshold of significance for industrial projects is identified as 1,506 additional trips per-day. The project has the potential to generate an additional three vehicle trips per-year for maintenance and repairs. As this is below the District's threshold of significance, no significant impacts to air quality are anticipated.

Impacts to air quality are considered to be less-than significant.

Mitigation: None.

References: Application information; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project is located within the Oakdale Quad of the California Natural Diversity Database (CNDDB). There are 18 species of animals which are state or federally listed, threatened, fully protected, or identified as species of special concern within the Oakdale California Natural Diversity Database Quad. These species include the following: California tiger salamander - central California DPS, golden eagle, northern harrier, tricolored blackbird, yellow-breasted chat, short-eared owl, burrowing owl, vernal pool tadpole shrimp, riffle sculpin, Sacramento hitch, hardhead, Pacific lamprey, steelhead - Central Valley DPS, chinook salmon - Central Valley spring-run ESU, chinook salmon - Central Valley fall/late fall-run ESU, western mastiff bat, western red bat, and western pond turtle.

According to the CNDDDB, the following species have been sited approximately one mile from the project site: Vernal pool tadpole shrimp, steelhead - Central Valley DPS, hardhead, western pond turtle, California tiger salamander - central California DPS, and western mastiff bat.

The project site is developed with an existing single-family dwelling, detached storage shed, and private pond, and the existing unpermitted lattice tower was constructed in approximately 2005. There are no known Waters of the United States on-site. It does not appear that this project will result in impacts to endangered species or habitats, locally designated species, wildlife dispersal, or mitigation corridors as the site is disturbed and improved. The project is anticipated to have a less-than significant impact to biological resources.

The project was referred to the California Department of Fish and Wildlife, and no comments have been received to date.

Mitigation: None.

References: Application information; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation¹.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is already developed and no additional construction is proposed.

Mitigation: None.

References: Application information; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, and total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per-trip by mode, which 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.

All construction activities shall be in compliance with all SJVAPCD regulations and with Title 24, Green Building Code, which includes energy efficiency requirements. No construction is proposed; however, a building permit will be required to be

obtained for the unpermitted communication facility and any future construction activities will be required to occur in compliance with all SJVAPCD regulations.

Energy consuming equipment and processes include equipment, trucks, and the employee and customer vehicles. These activities would not significantly increase Vehicle Miles Traveled (VMT), due to the number of vehicle trips not exceeding a total of 110 vehicle trips per-day. There will be an estimated three vehicle trips per-year associated with the maintenance and repairs of the facility. Consequently, emissions would be minimal. Therefore, consumption of energy resources would be less-than significant without mitigation for the proposed project.

The project was referred to the San Joaquin Valley Air Pollution Control District; no response has been received to date. A condition of approval will be added to the project requiring the applicant to contact the Air District to comply with any applicable Air District rules and regulations and obtain any required permits. The project was also referred to the electricity provider, Pacific Gas and Electric, and no response has been received to date. A portable generator will be brought to the site in the event of a power outage.

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

Mitigation: None.

References: Application information; CEQA Guidelines; Title 16 of County Code; CA Building Code; Governor's Office of Planning and Research Technical Advisory, December 2018; Stanislaus County General Plan and Support Documentation¹.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			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 property is made up of San Joaquin sandy loam, 2 to 5 percent slopes, and San Joaquin sandy loam, 0 to 2 percent

slopes. As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5. However, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F), and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. No structures are proposed as part of this request; however, the existing communications facility will be required to obtain a building permit showing it was constructed according to building standards appropriate to withstand shaking for the area in which they are constructed. The Department of Public Works requires that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for any building permit that will create a larger or smaller building footprint, subject to Public Works review and Standards and Specifications. While no construction is proposed, any future building will be subject to Public Works' requirements, if applicable. Likewise, any future 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.

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.

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

Impacts to Geology and Soils are considered to be less-than significant.

Mitigation: None.

References: Application information; USDA – NRCS Web Soil Survey; California Building Code; Referral response from Stanislaus County Department of Public Works, dated September 17, 2021; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB350 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.

Direct emissions of GHGs from the operation of the proposed project are primarily due to truck trips. Therefore, the project would result in direct annual emissions of GHGs during operation. As required by CEQA Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars/trucks multiplied by the distance traveled by each car/truck. Total vehicle trips as a result of this project will not exceed 110 trips per-day. As discussed above, the proposed project will generate a total of three vehicle trips per-year associated with maintenance and repairs of the facility.

No construction is proposed; however, a building permit will be required to be obtained for the unpermitted communication facility. Should future construction occur on the project site, the short-term emissions of GHGs during construction, primarily composed of CO₂, CH₄, and N₂O, would be the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF₆) 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, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO₂ from future construction would be less-than significant. Additionally, any future construction is subject to the 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). Any future construction activities associated with this project are considered to be less-than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control.

This project was referred to the San Joaquin Valley Air Pollution Control District; however, no response has been received to date. Staff will include a condition of approval requiring the applicant to comply with all appropriate District rules and regulations should future construction occur on the project site. Consequently, GHG emissions associated with this project are considered to be less-than significant.

Mitigation: None.

References: Application information; California Air Resources Board 2019 Edition, California Greenhouse Gas Emission Inventory: 2000 – 2017; Governor's Office of Planning and Research Technical Advisory, December 2018; CA Building Code; Stanislaus County General Plan and Support Documentation¹.

IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Discussion: The Federal Communications Commission (FCC) is responsible for regulating wireless communication facilities and the County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials.

A referral response from the Department of Environmental Resources – Hazardous Materials Division, stated that while the project will not have a significant effect on the environment, the applicant should contact DER regarding appropriate permitting requirements for hazardous materials. This will be applied as a condition of approval. The proposed use is not recognized as a generator and/or consumer of hazardous materials, therefore no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater 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. General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. While this is a Tier Three use, the facility is mostly unmanned and the project is requesting an alternate agricultural buffer of nine feet to the northern property line and barbed-wire fence adjacent to the northern property line. The project was referred to the Stanislaus County Agricultural Commissioner, 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 Oakdale Rural Fire Protection District. The project was referred to the District, and no comments have been received to date. The project was referred to the Environmental Review Committee (ERC), which responded with no comments. The project site is not within the vicinity of any airstrip or wildlands.

No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Department of Toxic Substances Control's data management system (EnviroStar); Referral response from the Department of Environmental Resources – Hazardous Materials Division, dated September 22, 2021; Referral response from Stanislaus County Environmental Review Committee, dated September 27, 2021; Stanislaus County General Plan and Support Documentation¹.

X. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
(i) result in substantial erosion or siltation on – or off-site;			X	
(ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
(iv) impede or redirect flood flows?			X	

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Discussion: The site receives potable water from an existing private well, and irrigation water from the Oakdale Irrigation District. Current standards require that all of a project's stormwater be maintained on-site. A referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for the existing communication facility, and any future building permit that will create a larger or smaller building footprint. A Storm Water Pollution Prevention Plan (SWPPP) will be required for future construction prior to the approval of any grading. The submittal of the grading, drainage, erosion/sediment control plan will be made a condition of approval for this project. Accordingly, runoff associated with the construction at the proposed project site will be reviewed as part of the grading and building permit review process. No expansion to the existing septic systems are proposed as a part of this project. However, any future construction must be reviewed and approved by DER, and must adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setback from wells to prevent negative impacts to groundwater quality.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California's groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the Oakdale Irrigation District GSA which is a part of San Joaquin Valley – Eastern San Joaquin basin.

Goal Two, Policy Seven, of the Stanislaus County General Plan's Conservation/Open Space Element requires that new development that does not derive domestic water from pre-existing domestic and public water supply systems be required to have a documented water supply that does not adversely impact Stanislaus County water resources. This Policy is implemented by requiring proposals for development that will be served by new water supply systems be referred to appropriate water districts, irrigation districts, community services districts, the State Water Resources Board and any other appropriate agencies for review and comment. Additionally, all development requests shall be reviewed to ensure that sufficient evidence has been provided to document the existence of a water supply sufficient to meet the short and long-term water needs of the project without adversely impacting the quality and quantity of existing local water resources.

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. No additional wells are proposed; however, any future proposals for new wells will be subject to review under the County's Groundwater Ordinance and Well Permitting Program.

There are no additional wells proposed as part of this request. The project was referred to the Department of Environmental Resources (DER) and no comments were received regarding impacts to water. The project was also referred to the Oakdale Irrigation District, who responded with comments requiring all permanent improvements to remain outside of the Dorsey Lateral right-of way which runs through the parcel.

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. Any future buildings will be required to meet any prescribed measures to meet FEMA requirements during the building permit phase and will be administered the by County's Building Permits Division.

This project was referred to the Regional Water Quality Control Board (RWQCB) and no response has been received to date. A condition of approval will be added to the project that the developer contact RWQCB to determine if any permits or standards are applicable to the project that must be met prior to construction.

As a result of County regulatory requirements applicable to this project, impacts associated with hydrology and water quality are expected to have a less-than significant impact.

Mitigation: None.

References: Application information; Referral response from Stanislaus County Public Works Department, dated September 17, 2021; Referral response from Stanislaus County Environmental Review Committee, dated September 27, 2021; Referral response from the Oakdale Irrigation District, dated September 23, 2021; Stanislaus County Code; Stanislaus County General Plan and Support Documentation¹.

XI. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

Discussion: This is a request to permit an existing 70-foot lattice-style tower used to deliver broadband internet. The siting standards of Chapter 21.91 of the Zoning Ordinance require communication towers to be a monopole design; however, a lattice tower design may be approved with a use permit. The existing tower did not receive appropriate land use entitlements or building permits prior to construction. As such, a use permit is required to operate the existing unmanned communication facility. The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned A-2-40 (General Agriculture). Facilities for public utilities and communication towers are considered a Tier Three use, which are uses not directly related to agriculture, but may be necessary to serve the A-2 district or may be difficult to locate in an urban area. Some of these uses can be people-intensive and, as a result, have the potential to adversely impact agriculture; these people-intensive uses are generally required to be located within LAFCO-approved spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities. Tier three uses may be allowed when the planning commission finds that, in addition to the findings required under Section 21.96.050:

- 1.The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
- 2.The parcel on which such use is requested is not located in one of the county's "most productive agricultural areas", as that term is used in the agricultural element of the general plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future. In determining most productive agricultural areas, factors to be considered include but are not limited to soil types and potential for agricultural production; the availability of irrigation water; ownership and parcelization patterns; uniqueness and flexibility of use; the existence of Williamson Act contracts; existing uses and their contributions to the agricultural sector of the economy. Most productive agricultural areas do not include any land within LAFCO-approved spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. All projects shall incorporate a minimum 150-foot-wide buffer setback and projects which propose people-intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot-wide buffer setback. Low people-intensive Tier One and Tier Two uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities), which do not serve the general public, shall not be subject to compliance with these guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. The decision-making body shall have the ultimate authority to determine if a use is "low people-intensive". While the communication facility is considered a Tier Three use, it will be unstaffed for a majority of its operation. There is anticipated to be maintenance and repairs approximately three times a year. The applicant has proposed an alternate agricultural buffer nine feet and barbed-wire fence adjacent to the northern property line to prevent any interference to adjacent parcels agricultural operations. Due to the majority of the project's unstaffed operation and the alternative agricultural buffer, staff believes the project would meet the buffer guidelines.

There is no indication this project will interfere or conflict with other agricultural uses in the area. The project will not physically divide an established community nor conflict with any habitat conservation plans. Project impacts to land use and planning are considered to be less-than significant.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance; Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XIII. NOISE -- Would the project result in:				
	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

Discussion: The Stanislaus County General Plan identifies noise levels up to 55 dB Ldn (or CNEL) as the normally acceptable level of noise for residential uses. Additionally, the site itself is impacted by surrounding agricultural uses, for which the acceptable noise level is up to 70 dB Ldn (or CNEL). No construction is proposed as part of this project. Should future construction occur, on-site grading and construction resulting from future projects 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. No noise is generated from the operation of the tower, except in the event of a power outage requiring a generator. The generators utilized generate between 42 and 51 dB at a 25% load. Conditions of approval will be placed on the project to ensure compliance with the General Plan's Noise Element and Chapter 10.46 of the County Code – Noise Control.

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 Noise Control Ordinance (Title 10); Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the county, and will therefore not impact the County's ability to meet their RHNA. No population growth will be induced nor will any existing housing be displaced as a result of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The County has adopted Public Facilities Fees, as well as one for Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. Such fees are required to be paid at the time of building permit issuance. Conditions of approval will be added to the project to ensure these requirements are met prior to the issuance of a building permit for the unpermitted communication facility. The project was referred to the appropriate public service agencies, as well as the Stanislaus County Environmental Review Committee (ERC), which includes the Sheriff's Department.

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 regarding impacts to County services were identified.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The site has access to County-maintained Rodden Road which is identified as an 80-foot wide Local Road in the circulation Element of the General Plan.

Section 15064.3 of the CEQA Guidelines establishes specific considerations for evaluating a project's transportation impacts. 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. A technical advisory on evaluating transportation impacts in CEQA published by the Governor's Office of Planning and Research (OPR) in December of 2018, clarified the definition of automobiles as referring to on-road passenger vehicles, specifically cars and light trucks. While heavy trucks are not considered in the definition of automobiles for which VMT is calculated for, heavy-duty truck VMT could be included for modeling convenience. 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 applicant anticipates a maximum of three trips per-year with one employee onsite associated with maintenance and repairs. The VMT increase associated with the proposed project is less-than significant as the number of vehicle trips will not exceed 110 per-day.

It is not anticipated that the project would substantially affect the level of service on Rodden Road. The project was referred to Public Works and a referral response was received requiring an irrevocable offer of dedication for the remaining half-

width of Rodden Road, the removal of all vegetation encroaching onto the Road, and for any new driveways to be approved by Public Works. These requirements will be added to the project as Conditions of Approval.

Mitigation: None.

References: Application information; Governor's Office of Planning and Research Technical Advisory, December 2018; Referral response from Stanislaus County Public Works, dated September 17, 2021; Stanislaus County General Plan and Support Documentation¹.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is already improved with multiple buildings. In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC), as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. No construction is proposed as part of this project; however, if any resources are found during future construction, construction activities would halt until a qualified survey takes place and the appropriate authorities are notified.

Mitigation: None.

References: Application information; Stanislaus County General Plan and Support Documentation¹.

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion: Limitations on providing services have not been identified. Alterations to the water well and existing septic facilities are not proposed. Any intensity of these utilities will be subject to any regulatory requirements during the building permitting phase. The Department of Public Works commented that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for the existing building permit for the unpermitted communication facility, and any future building permit that will create a larger or smaller building footprint. A Storm Water Pollution Prevention Plan (SWPPP) will be required for future construction prior to the approval of any grading. These comments will be applied as conditions of approval.

The project site receives power from Pacific Gas and Electric (PG&E) and no response has been received to date. A portable generator is utilized in the event of a power outage. The site receives irrigation water from the Oakdale Irrigation District (OID). The project was referred to the District who responded that all improvements remain outside the Dorsey Lateral that runs through the property, and is requiring assurance that the communication facility will not negatively impact OID's radio and communication network for monitoring and control of OID's water operation facilities. The applicant supplied a written response stating as such, which was accepted by OID.

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

Mitigation: None.

References: Referral response from Stanislaus County Environmental Review Committee, dated September 27, 2021; Referral response from Stanislaus County Public Works, dated September 17, 2021; Referral response from Oakdale Irrigation District (OID), dated September 23, 2021; Velociter Wireless response to OID, received October 6, 2021; Stanislaus County General Plan and Support Documentation¹.

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

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	----------	--

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The terrain of the site is relatively flat, and the site has access to a County-maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection, and is served by Oakdale Rural Fire Protection District. The project was referred to the District, and no comments have been received to date. California Building and Fire Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and burning embers. A building permit for the existing communication facility 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 Material; California Fire Code Title 24, Part 9; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan and Support Documentation¹.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: The 12.19± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned A-2-40 (General Agriculture). The surrounding area is comprised of orchards with single family dwellings and ranchettes on all sides, and the City of Oakdale is located approximately one-half mile to the south. Adjacent parcels to the northwest and west are enrolled in Williamson Act contracts. The proposed use is existing and only requires a Use Permit due to the lattice style of the tower. Any 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 is required for any non-agricultural related development; residential proposals would be subject to Measure E, which requires that residential development be approved by a majority of the voting public. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

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






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

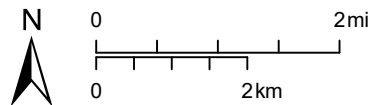
**VELOCITER
WIRELESS INC
(RODDEN RD)**

UP
PLN2021-0071

AREA MAP

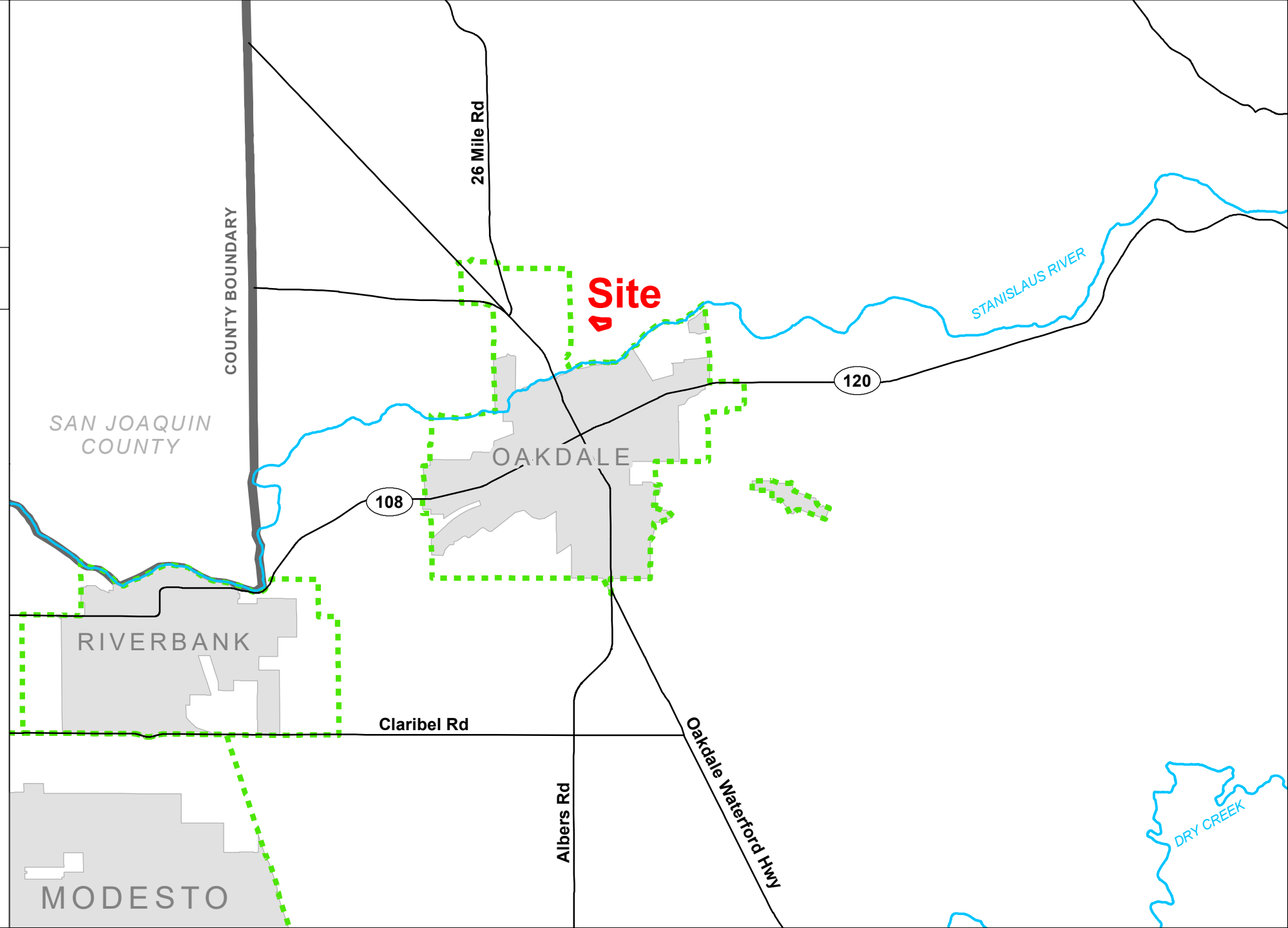
LEGEND

-
-  Project Site
 Sphere of Influence
 City
 Road
 River



Source: Planning Department GIS

Date: 8/25/2021













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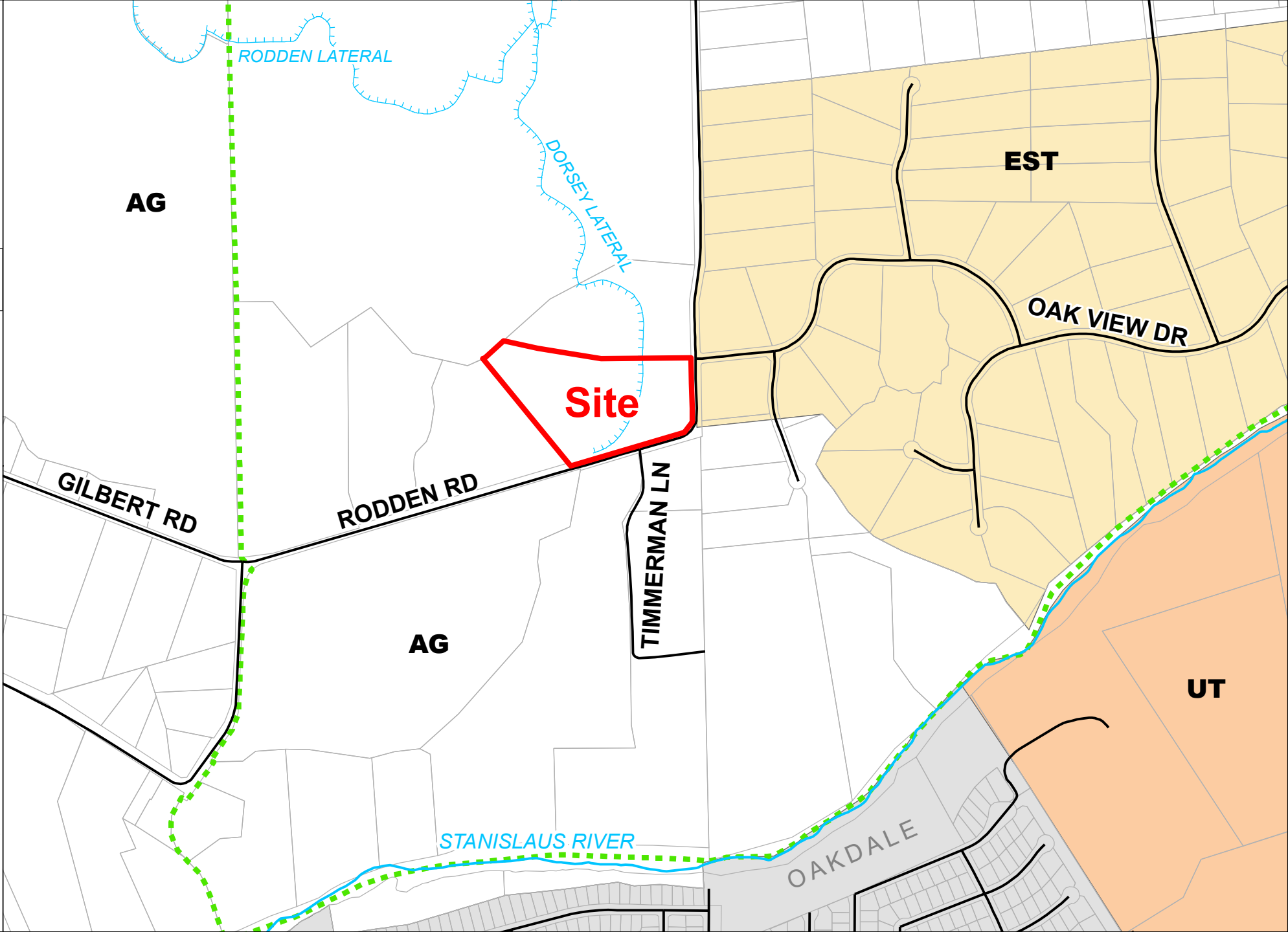
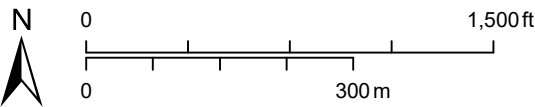
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PLN2021-0071

GENERAL PLAN MAP

LEGEND

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

- General Plan
-  Agriculture
 -  Urban Transition
 -  Estate Residential



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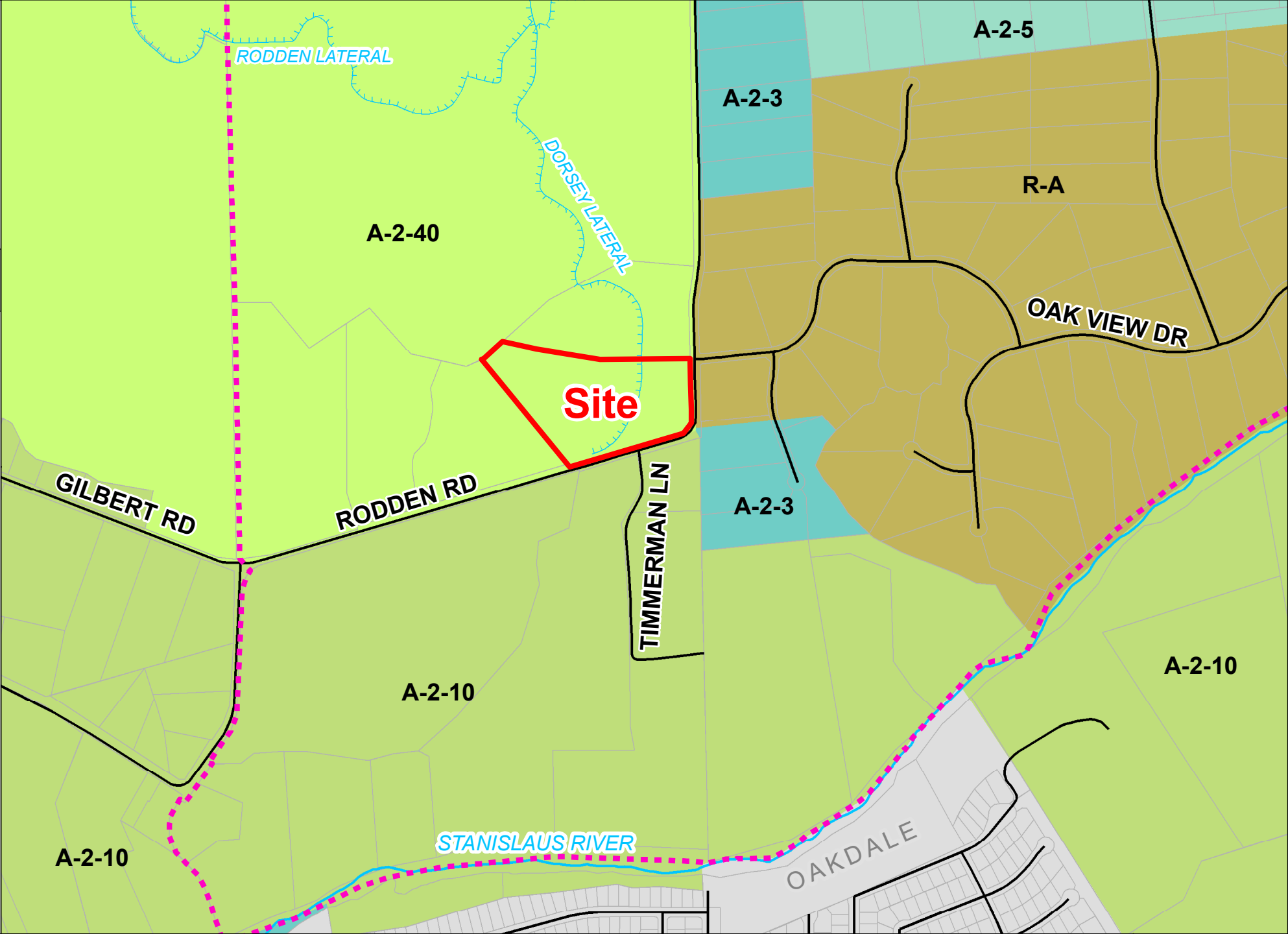
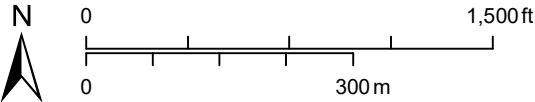
ZONING MAP

LEGEND

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

Zoning Designation

- General Agriculture 3 Acre
- General Agriculture 5 Acre
- General Agriculture 40 Acre
- General Agriculture 10 Acre
- Rural Residential








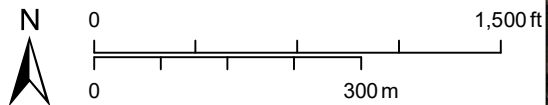
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2017 AERIAL AREA MAP

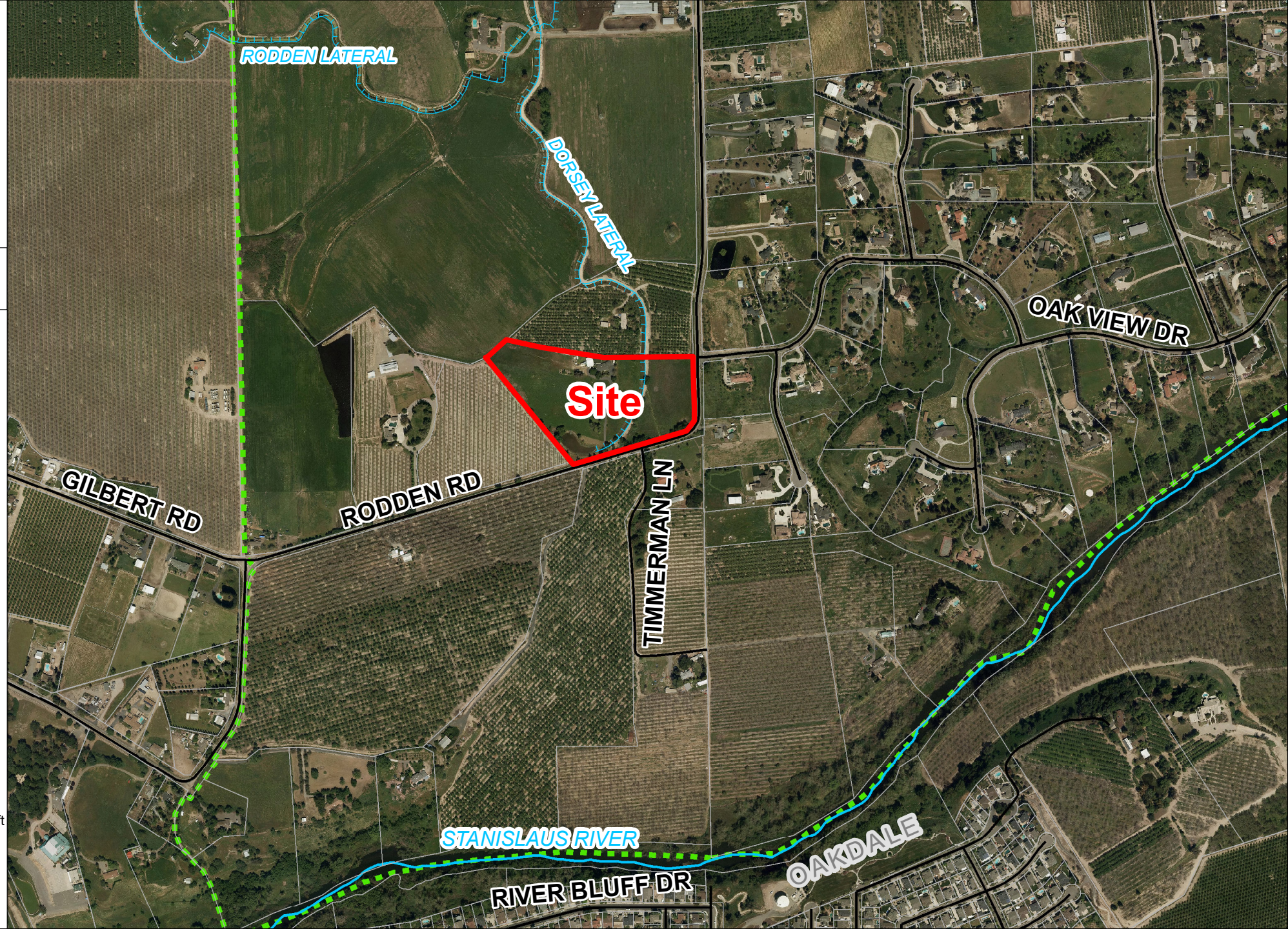
LEGEND

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



Source: Planning Department GIS

Date: 8/25/2021




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(RODDEN RD)**

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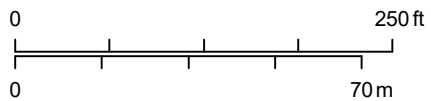
2017 AERIAL SITE MAP

LEGEND

 Project Site

 Road

 Canal










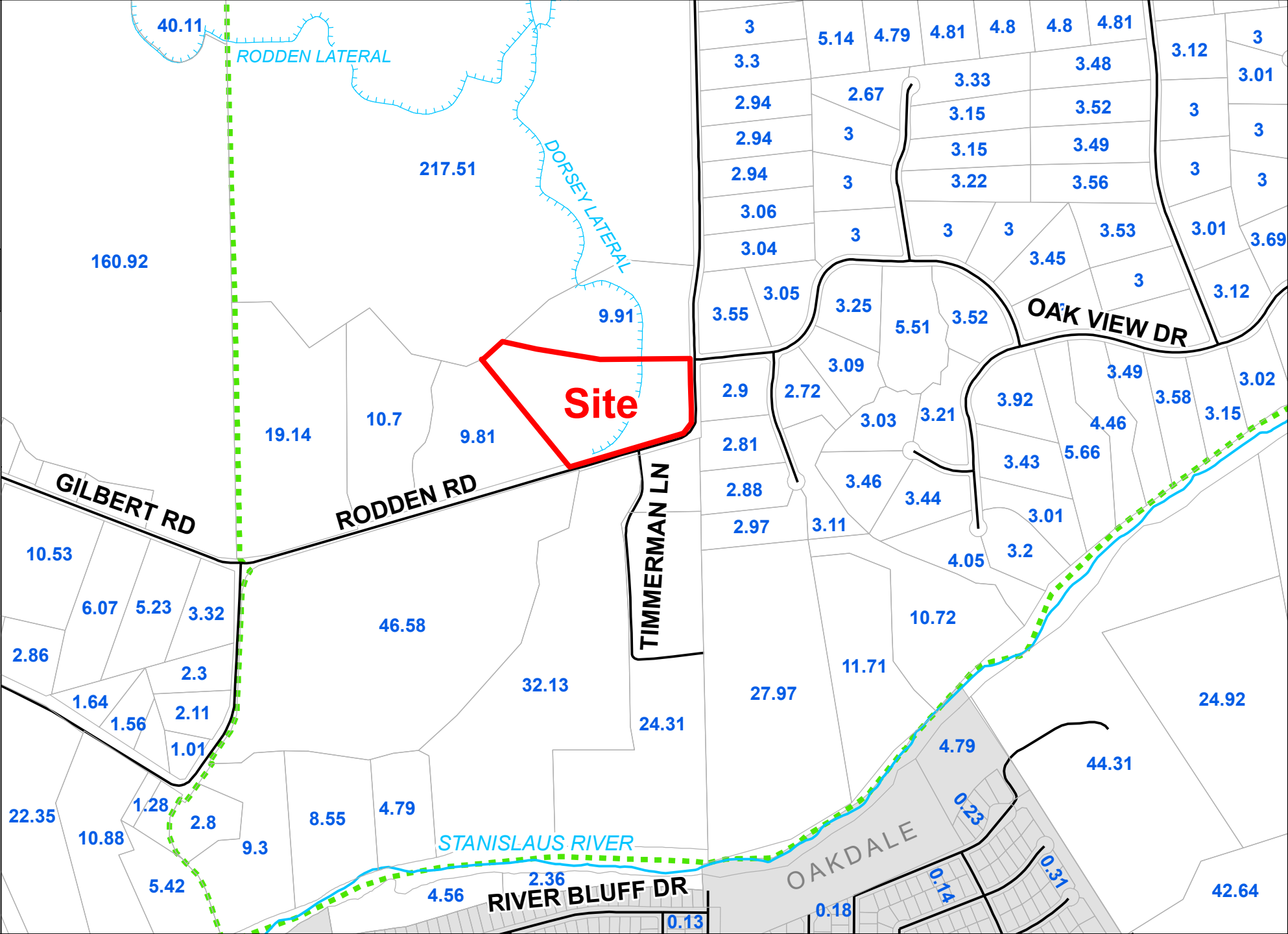
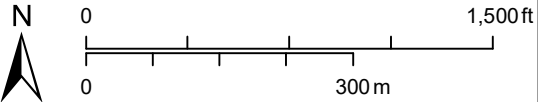
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(RODDEN RD)

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PLN2021-0071

ACREAGE MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City of
-  Parcel/Acres
-  Road
-  River
-  Canal

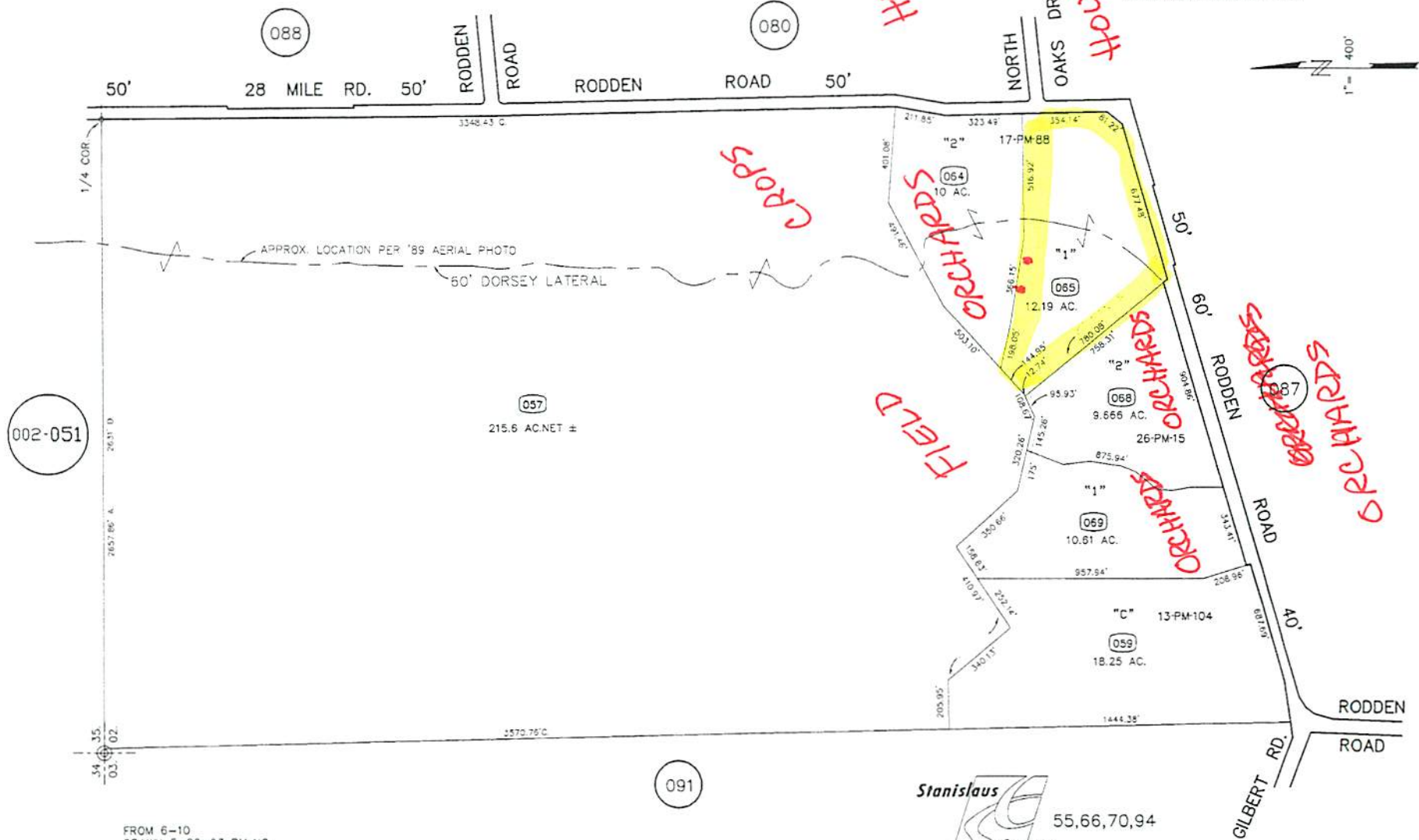
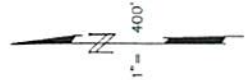


PORTION SECTION 2 T.2S. R.10E. M.D.B. & M.

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THIS MAP FOR
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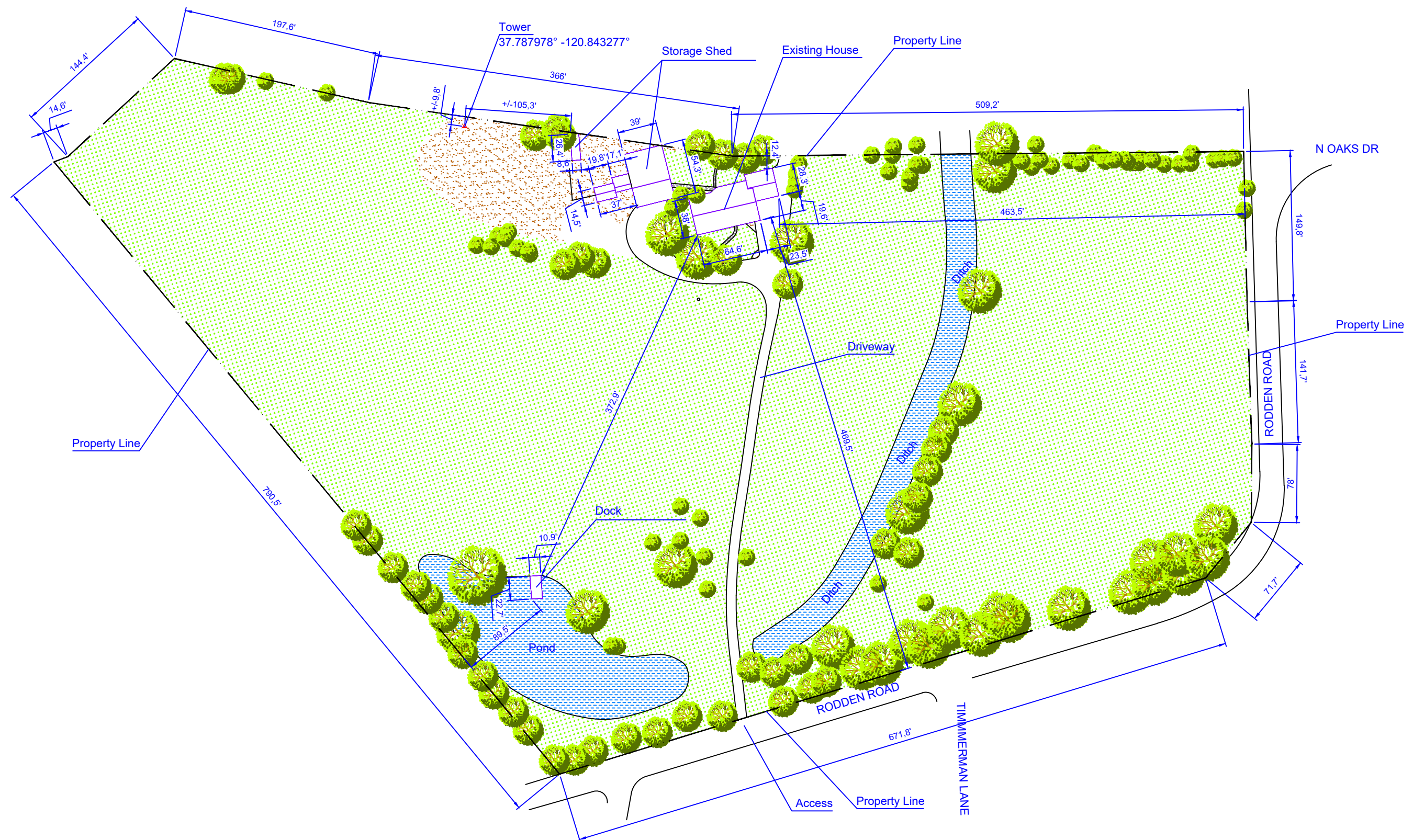
FROM 6-10
DRAWN 5-26-93 BY NC
REVISED 5-26-93 BY NC, 04-17-12 MB

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Stanislaus
County
Assessor

55,66,70,94

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8225 RODDEN RD
OAKDALE, CA 95361
Scale: 1"=100'





