



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

**Date:** April 27, 2022

**To:** Distribution List (See Attachment A)

**From:** Avleen Aujla, Assistant Planner, Planning and Community Development

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

**Comment Period:** April 27, 2022 – May 31, 2022

**Respond By:** May 31, 2022

**Public Hearing Date:** June 16, 2022

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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 Mitigated 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 Mitigated Negative Declaration.

All applicable project documents are available for review at: Stanislaus County Department of Planning and Community Development, 1010 10<sup>th</sup> 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.

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**Applicant:** Sanghera Investments, Inc., Haren Sanghera

**Project Location:** N. Golden State Blvd, between Nunes and E. Keyes Roads, west of N. Golden State Boulevard, east of State Highway 99, in the Community of Keyes.

**APN:** 045-074-004

**Williamson Act Contract:** N/A

**General Plan:** Planned Development

**Current Zoning:** Planned Development (P-D) (332)

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



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

The project also proposes development of 60 gravel truck and trailer parking spaces, a truck washing station, and gas fueling station on the site. The trucks are utilized to transfer goods to and from various agriculture producers and grocery stores throughout Arizona, California, Nevada, and Texas. A paved employee parking lot with 67 parking spaces is also proposed to be developed, 51 for drivers and 16 for office employees. Landscaping, made up of a mixture of drought-resistant trees, shrubs, and groundcover, will be installed along the site's road frontage, and throughout the employee parking lot. On all sides of the project, solid fencing or another more decorative fencing will be installed. The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product. However, no product will be stored on-site. Approximately 5-7 drivers will be on-site on any given day. It is estimated that there will be a maximum of 10 trucks and 10 trailers parked at the facility during any given time; however, the site will accommodate the parking of up to 60 trucks, which will be off-site on delivery the majority of the time. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7.

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





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

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		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
X	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		STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: TURLOCK	X	STAN CO PARKS & RECREATION
X	COMMUNITY SERVICES DIST: KEYES	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SUPERVISOR DIST 2: CHIESA
X	FIRE PROTECTION DIST: KEYES	X	STAN COUNTY COUNSEL
X	GSA: WEST TURLOCK SUB-BASIN	X	StanCOG
	HOSPITAL DIST:	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: TURLOCK	X	STANISLAUS LAFCO
X	MOSQUITO DIST: TURLOCK		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	SURROUNDING LANDOWNERS
X	MUNICIPAL ADVISORY COUNCIL: KEYES	X	TELEPHONE COMPANY: AT&T
X	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
X	POSTMASTER: KEYES		US ARMY CORPS OF ENGINEERS
X	RAILROAD: UNION PACIFIC		US FISH & WILDLIFE
X	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
X	SCHOOL DIST 1: KEYES UNION		USDA NRCS
X	SCHOOL DIST 2: TURLOCK UNIFIED		WATER DIST:
	WORKFORCE DEVELOPMENT		
X	STAN CO AG COMMISSIONER		
	TUOLUMNE RIVER TRUST		



## STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** \_\_\_\_\_

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

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).

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Response prepared by:






Name	Title	Date
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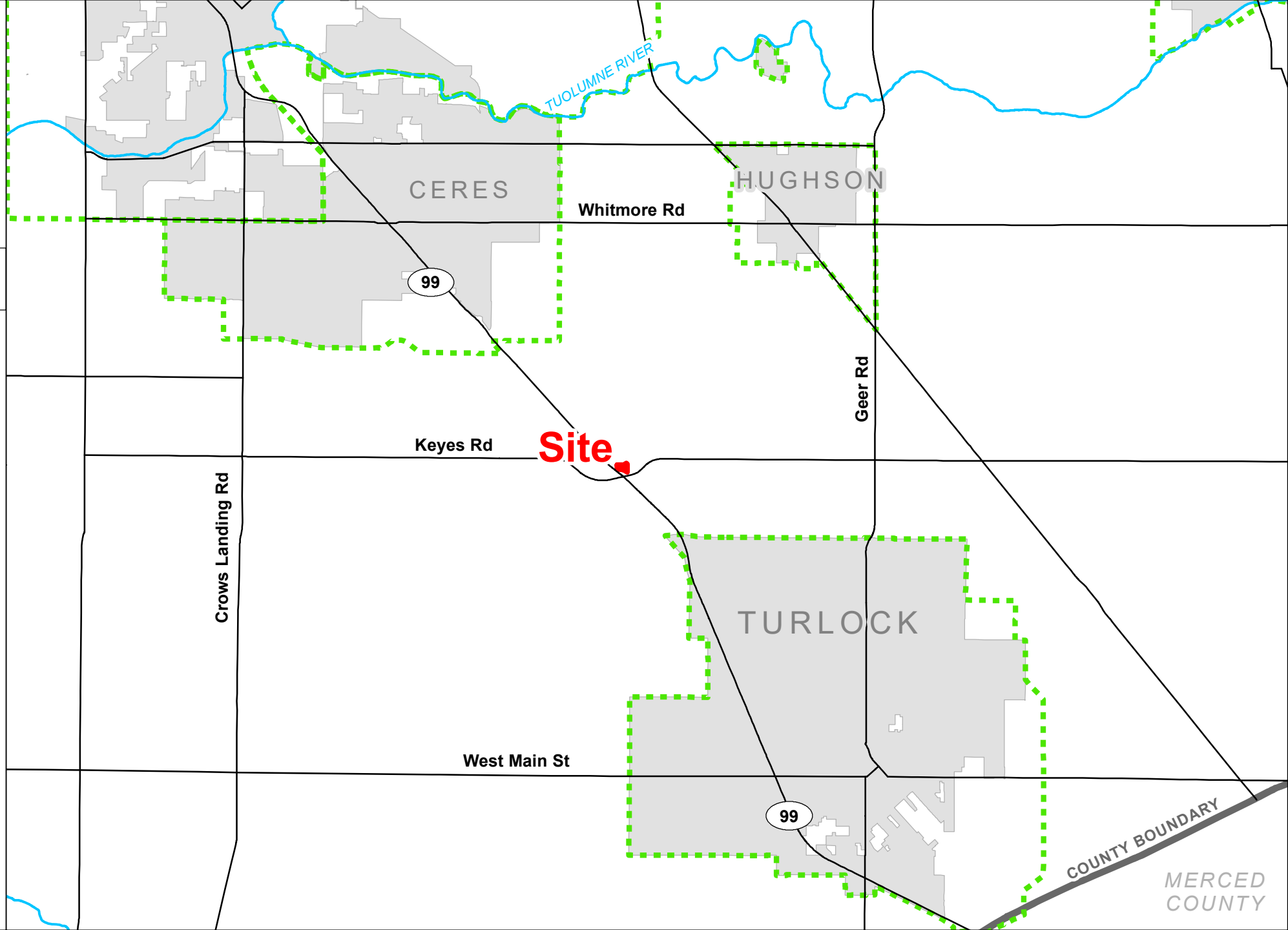
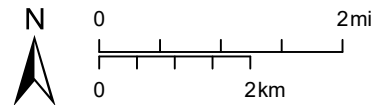
# SANGHERA INVESTMENTS INC

## UP PLN2021-0078

### AREA MAP

#### LEGEND

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




# SANGHERA INVESTMENTS INC








## UP PLN2021-0078

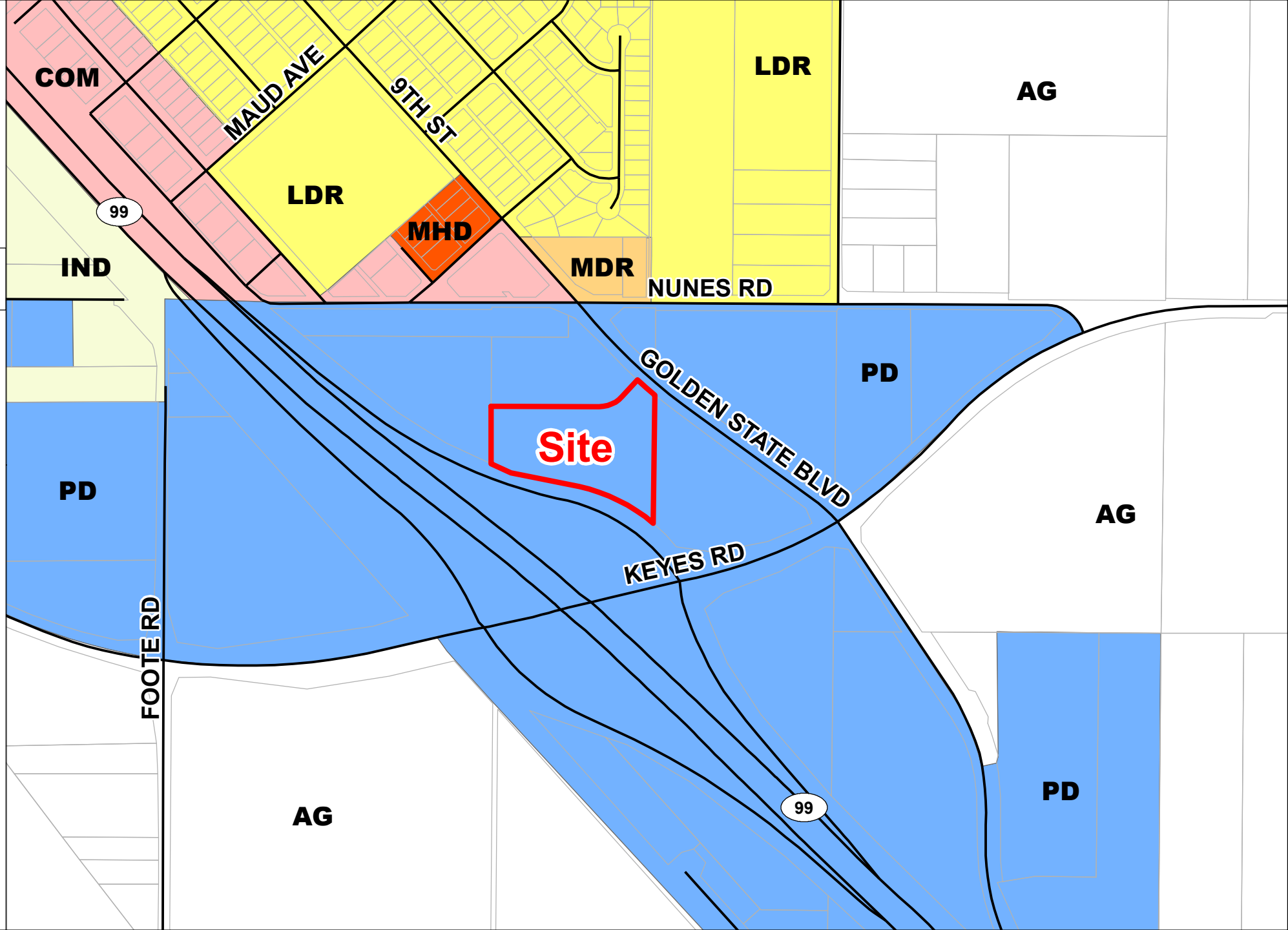
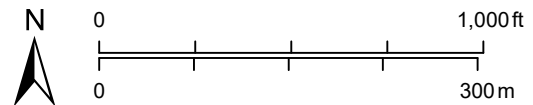
### GENERAL PLAN MAP

#### LEGEND

-  Project Site
-  Parcel
-  Road

#### General Plan

-  Agriculture
-  Planned Development
-  Commercial
-  IND
-  Low Density Residential
-  MDR
-  MHD












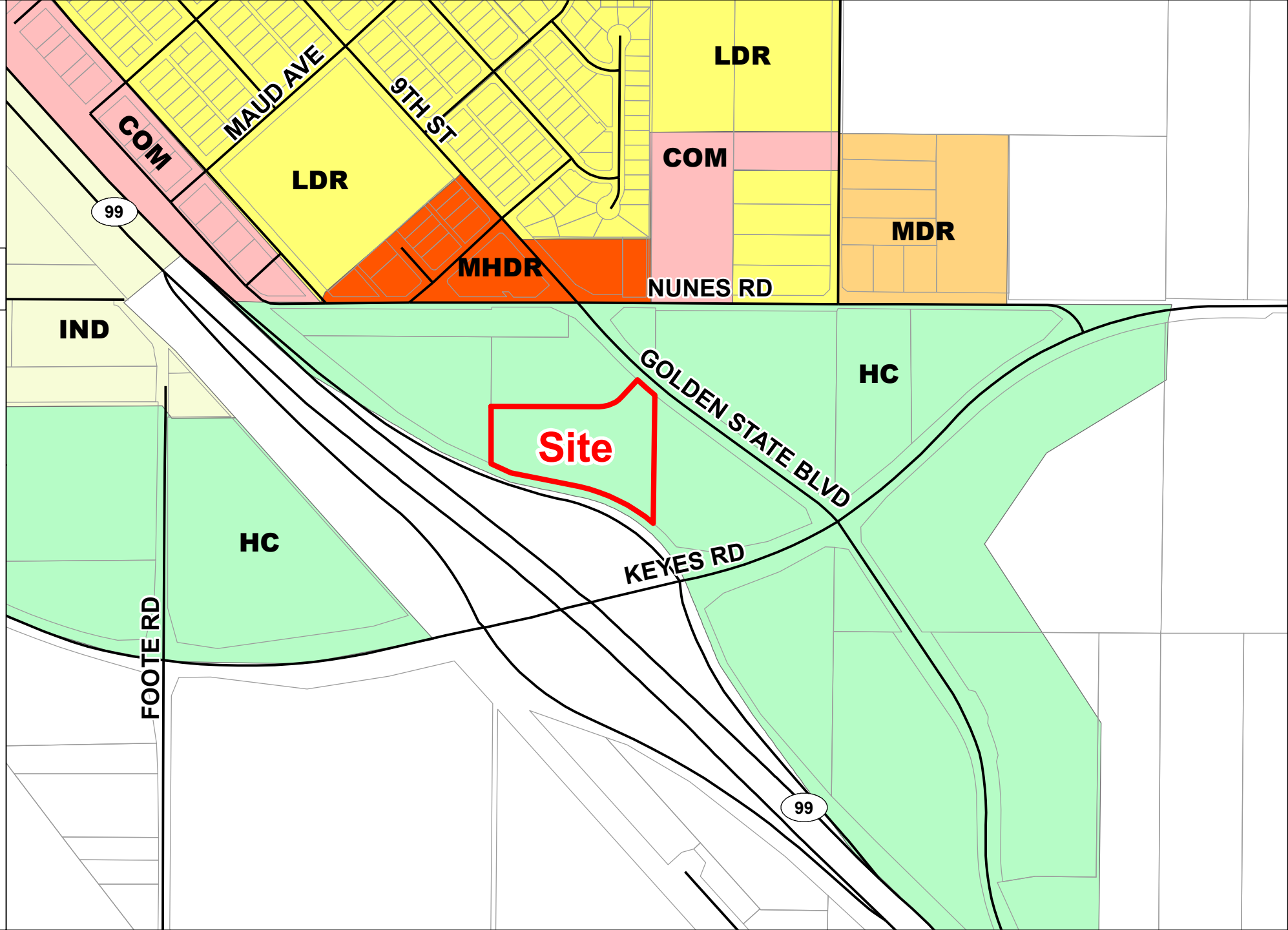
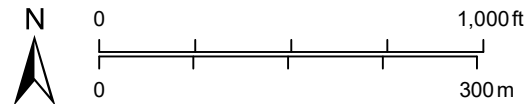
# SANGHERA INVESTMENTS INC

## UP PLN2021-0078

### COMMUNITY PLAN MAP

#### LEGEND

-  Project Site
  -  Sphere of Influence
  -  Parcel
  -  Road
- Community Plan**
-  Industrial
  -  Commercial
  -  Commercial - Highway
  -  Residential - Medium-High
  -  Residential - Low




# SANGHERA INVESTMENTS INC











## UP PLN2021-0078

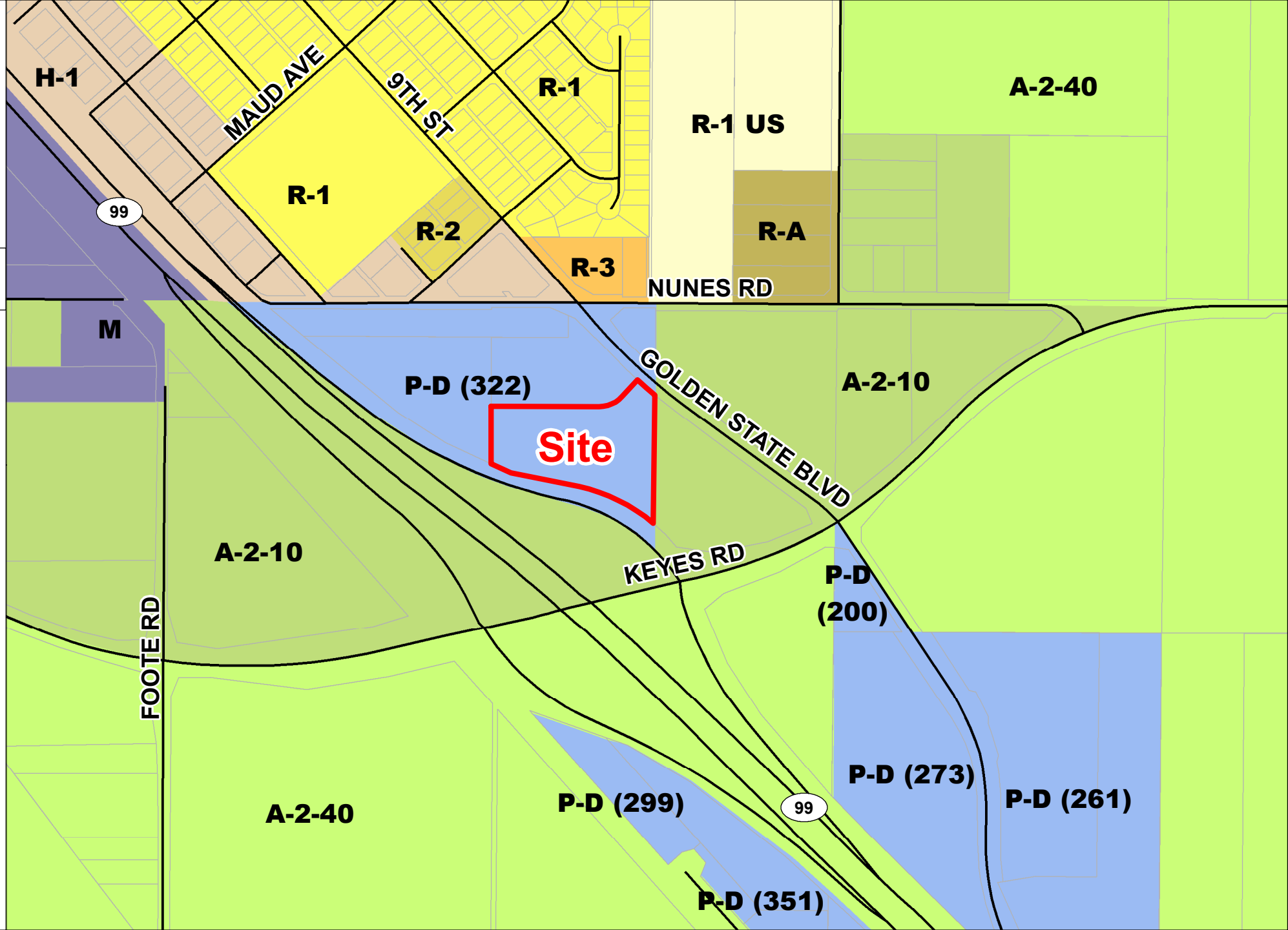
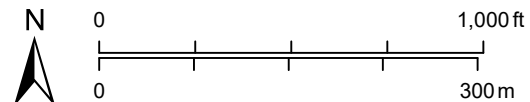
### ZONING MAP

#### LEGEND

-  Project Site
-  Parcel
-  Road

#### Zoning Designation

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



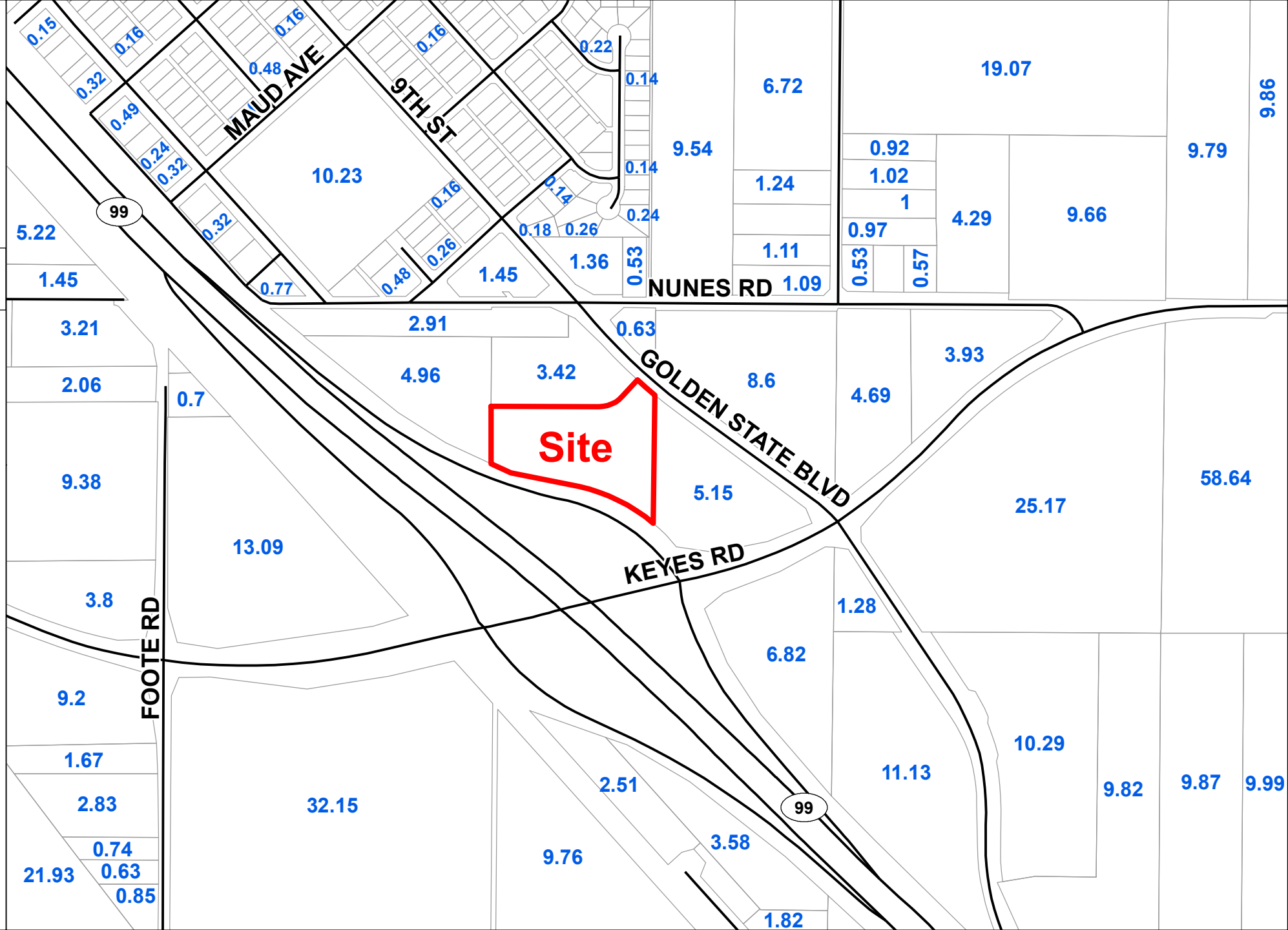
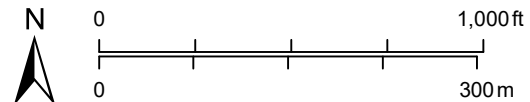
# SANGHERA INVESTMENTS INC

## UP PLN2021-0078

### ACREAGE MAP

#### LEGEND

-  Project Site
-  Parcel/Acres
-  Road





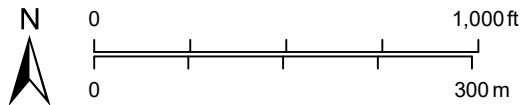
# SANGHERA INVESTMENTS INC

UP  
PLN2021-0078

2021 AERIAL AREA MAP

## LEGEND

-  Project Site
-  Road





# SANGHERA INVESTMENTS INC

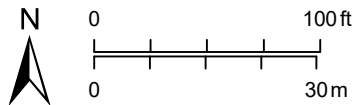
UP  
PLN2021-0078

## 2021 AERIAL SITE MAP

### LEGEND

 Project Site

 Road





# KEYES - TRY-US TRANSPORTATION

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



OWNER

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

PLANNING DEPARTMENT SUBMITTAL

**KEYES - TRY-US TRANSPORTATION**

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

<p><b>PROJECT DESCRIPTION</b></p> <p>NEW CONSTRUCTION OF FOUR (4) BUILDINGS AND SITE IMPROVEMENTS LOCATED ON A 5.23 ACRE SITE INCLUDING:</p> <ul style="list-style-type: none"> <li>• 2-STORY OFFICE BUILDING (6,500 SF)</li> <li>• 1-STORY SHOPS BUILDING (6,000 SF)</li> <li>• 1-STORY DOCK BUILDING (3,900 SF)</li> <li>• 1-STORY SECURITY GUARD KIOSK (194 SF)</li> <li>• FUELING STATION INCLUDING FUEL TANK</li> <li>• WASH AREA</li> <li>• DRIVER PARKING</li> <li>• EMPLOYEE PARKING</li> <li>• PERIMETER FENCING</li> <li>• LANDSCAPING ALONG NORTH AND EAST PROPERTY LINE, OFFICE BUILDING AND PARKING LOTS</li> </ul>	<p><b>VICINITY MAP</b></p>	<p><b>SHEET INDEX</b></p> <table border="1"> <thead> <tr> <th colspan="2">PLANNING</th> </tr> </thead> <tbody> <tr> <td>A0</td> <td>COVER SHEET</td> </tr> <tr> <td>A1</td> <td>SITE PLAN</td> </tr> <tr> <td>A2</td> <td>FLOOR PLANS</td> </tr> <tr> <td>A3</td> <td>OFFICE BUILDING &amp; SECURITY GUARD KIOSK - EXTERIOR ELEVATIONS</td> </tr> <tr> <td>A4</td> <td>SHOPS &amp; DOCK BUILDINGS - EXTERIOR ELEVATIONS</td> </tr> <tr> <td>A5</td> <td>MATERIAL BOARD</td> </tr> <tr> <td>L0</td> <td>PRELIMINARY LANDSCAPE PLAN</td> </tr> </tbody> </table>	PLANNING		A0	COVER SHEET	A1	SITE PLAN	A2	FLOOR PLANS	A3	OFFICE BUILDING & SECURITY GUARD KIOSK - EXTERIOR ELEVATIONS	A4	SHOPS & DOCK BUILDINGS - EXTERIOR ELEVATIONS	A5	MATERIAL BOARD	L0	PRELIMINARY LANDSCAPE PLAN
PLANNING																		
A0	COVER SHEET																	
A1	SITE PLAN																	
A2	FLOOR PLANS																	
A3	OFFICE BUILDING & SECURITY GUARD KIOSK - EXTERIOR ELEVATIONS																	
A4	SHOPS & DOCK BUILDINGS - EXTERIOR ELEVATIONS																	
A5	MATERIAL BOARD																	
L0	PRELIMINARY LANDSCAPE PLAN																	

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

## PROJECT TEAM

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

ARCHITECT **DVB architecture**  
5221 DEER VALLEY ROAD, #150  
RESCUE, CA 95672  
(916) 316-6759

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

NOT FOR CONSTRUCTION

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

COVER SHEET

Project Number

20033

Drawn By

DVB

Checked By

DVB

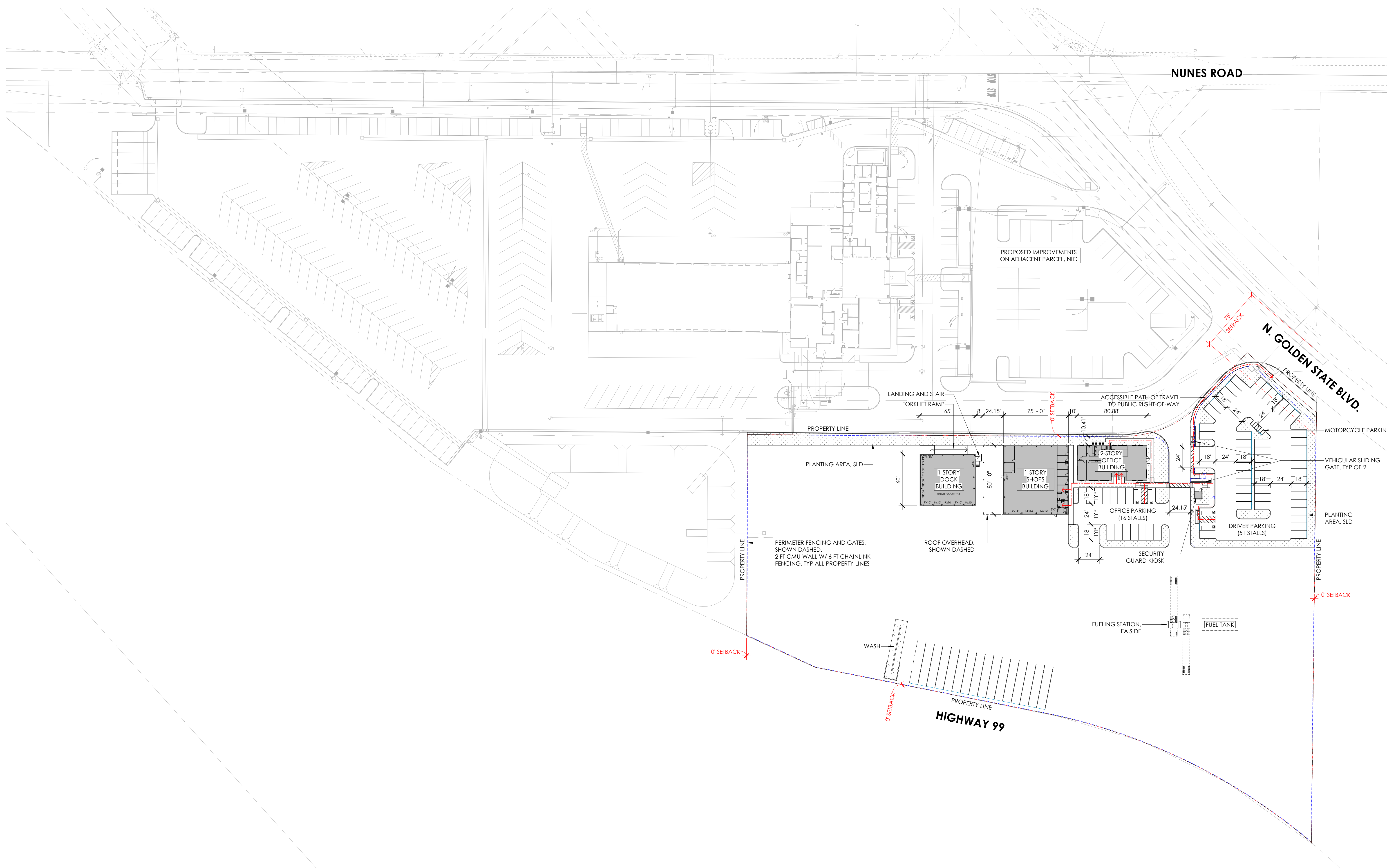
**A0**



<b>ZONING:</b>	
APN:	045-050-012
GENERAL PLAN:	PD - PLANNED DEVELOPMENT
COMMUNITY PLAN:	HC - HIGHWAY COMMERCIAL
CURRENT ZONING:	P-D 332 (H-1 - HIGHWAY FRONTAGE)
FRONT BUILDING SETBACK:	75' MIN FROM CL OF STREET
SIDE BUILDING SETBACK:	0' MIN
REAR BUILDING SETBACK:	0' MIN
MAX BUILDING HEIGHT ALLOWED:	35'
PROPOSED BUILDING HEIGHT:	31'-3" = OK
MAX NUMBER OF STORIES ALLOWED:	N/A
PROPOSED NUMBER OF STORIES:	2

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

OWNER: \_\_\_\_\_  
 CONTRACTOR: \_\_\_\_\_  
 This drawing is not final or to be used for construction until it is signed by the architect and the owner.



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

**NOT FOR CONSTRUCTION**

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

**SITE PLAN**

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

Project Number: 20033  
 Drawn By: DVB  
 Checked By: DVB

**A1**



OWNER \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_  
 This drawing is not final or to be used for construction until it is signed by the architect and the owner.

PLANNING DEPARTMENT SUBMITTAL

**KEYES - TRY-US TRANSPORTATION**

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

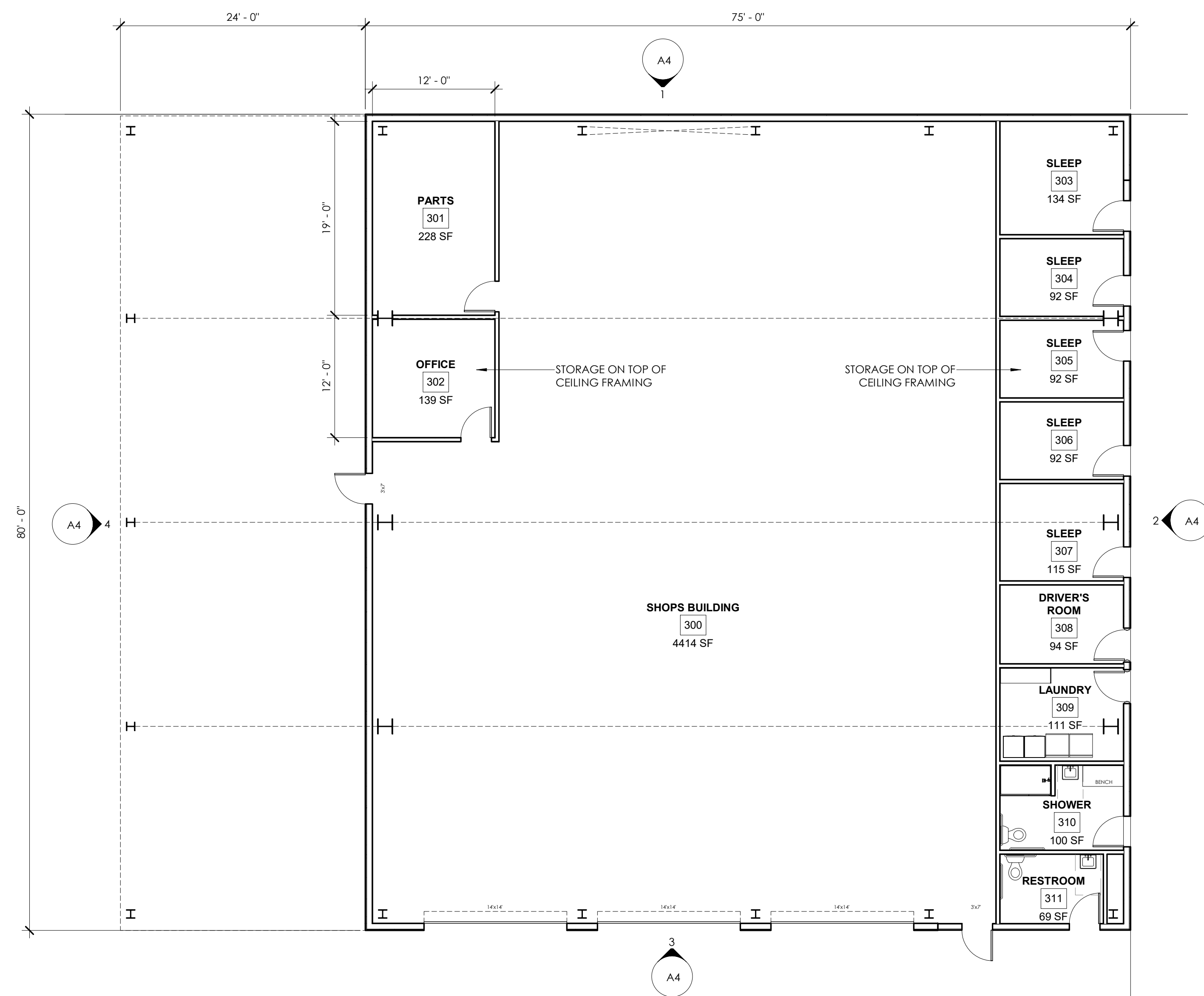
NOT FOR CONSTRUCTION

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

FLOOR PLANS

Project Number  
 20033  
 Drawn By  
 DVB  
 Checked By  
 DVB

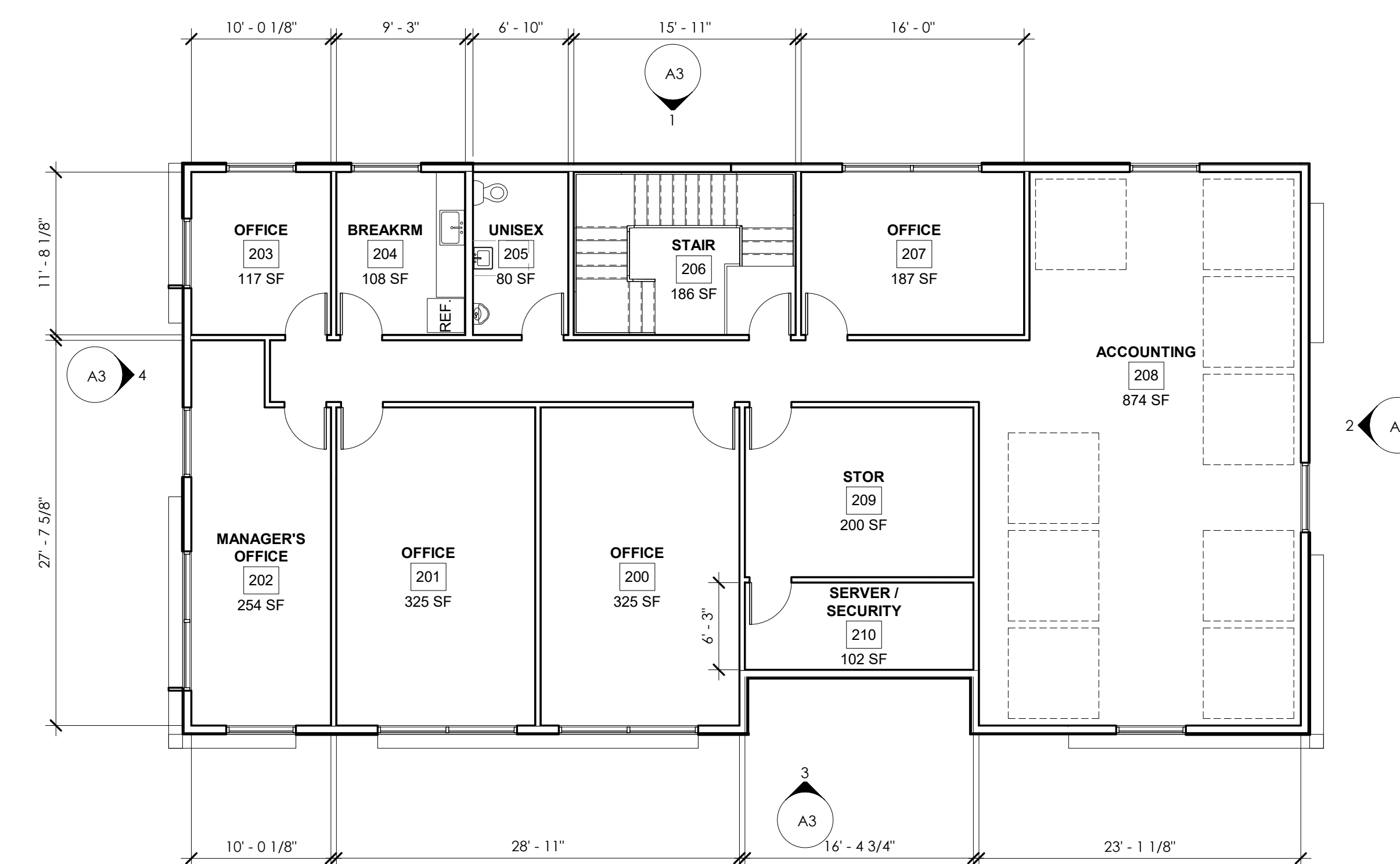
**A2**



SHOPS BUILDING - FLOOR PLAN

1/8" = 1'-0"

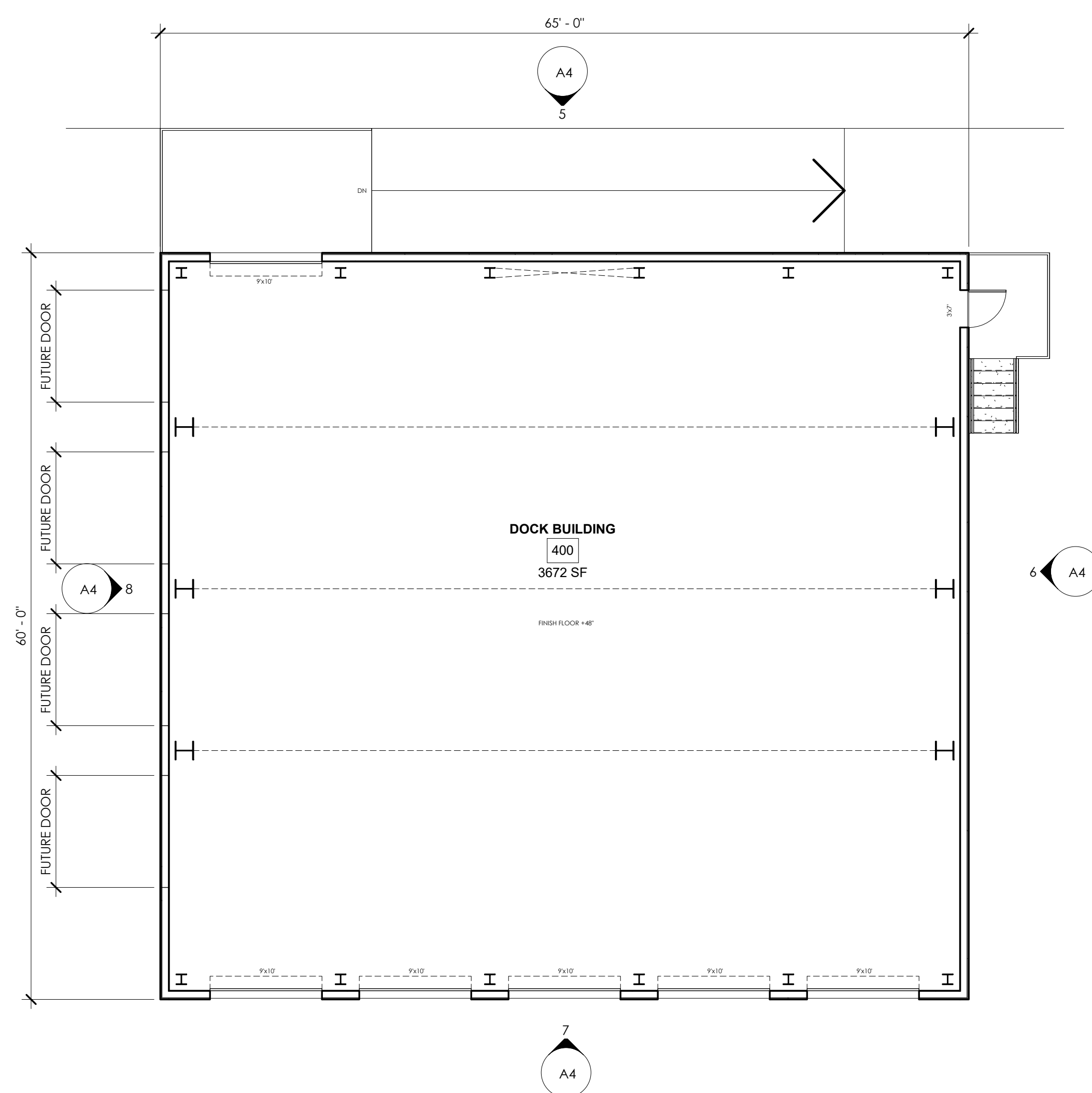
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OFFICE BUILDING - SECOND FLOOR PLAN

1/8" = 1'-0"

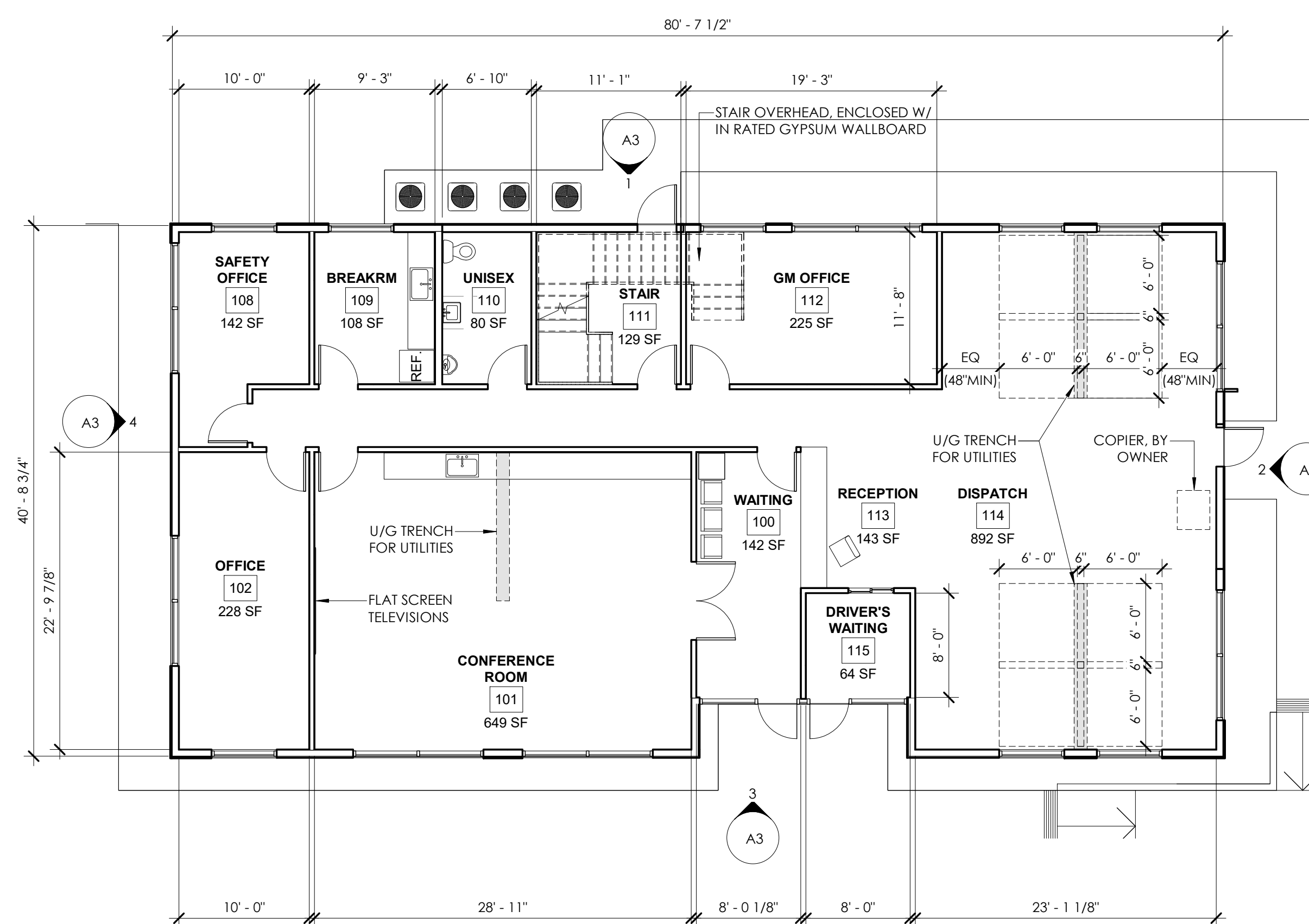
1



DOCK BUILDING - FLOOR PLAN

1/8" = 1'-0"

4



OFFICE BUILDING - GROUND FLOOR PLAN

1/8" = 1'-0"

2



OWNER

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

PLANNING DEPARTMENT SUBMITTAL

**KEYES - TRY-US TRANSPORTATION**

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

NOT FOR CONSTRUCTION

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

**OFFICE BUILDING & SECURITY GUARD KIOSK - EXTERIOR ELEVATIONS**

Project Number

20033

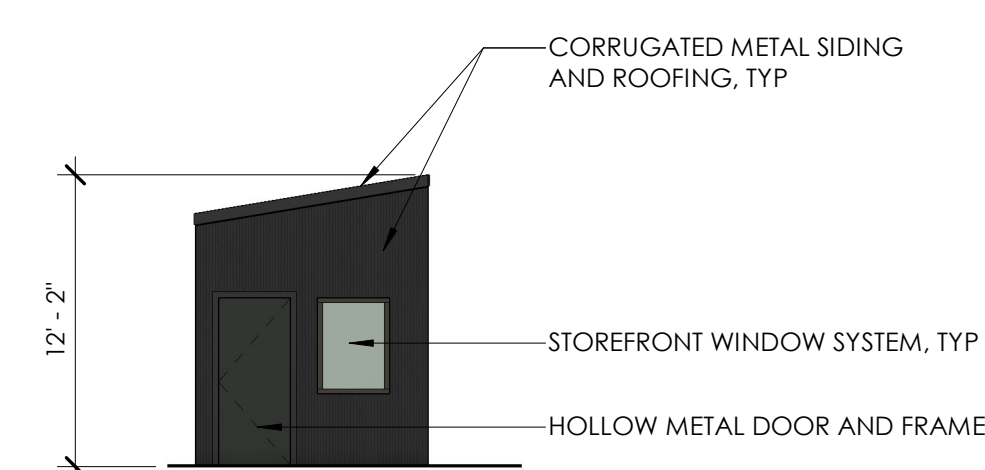
Drawn By

DVB

Checked By

DVB

**A3**



SECURITY GUARD KIOSK - NORTH ELEVATION

1/8" = 1'-0"

5



OFFICE BUILDING - NORTH ELEVATION

1/8" = 1'-0"

1



SECURITY GUARD KIOSK - EAST ELEVATION

1/8" = 1'-0"

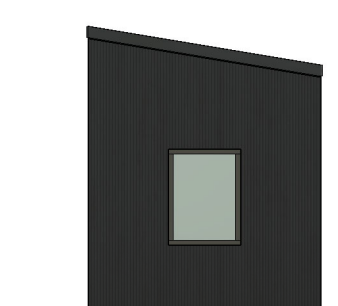
6



OFFICE BUILDING - EAST ELEVATION

1/8" = 1'-0"

2



SECURITY GUARD KIOSK - SOUTH ELEVATION

1/8" = 1'-0"

7



OFFICE BUILDING - SOUTH ELEVATION

1/8" = 1'-0"

3



SECURITY GUARD KIOSK - WEST ELEVATION

1/8" = 1'-0"

8

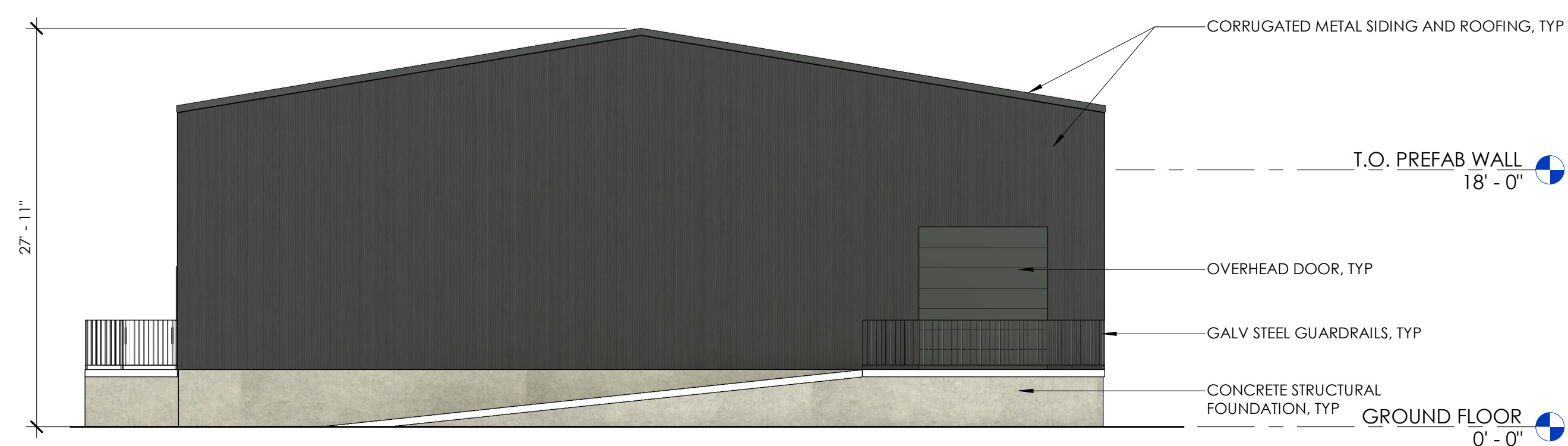


OFFICE BUILDING - WEST ELEVATION

1/8" = 1'-0"

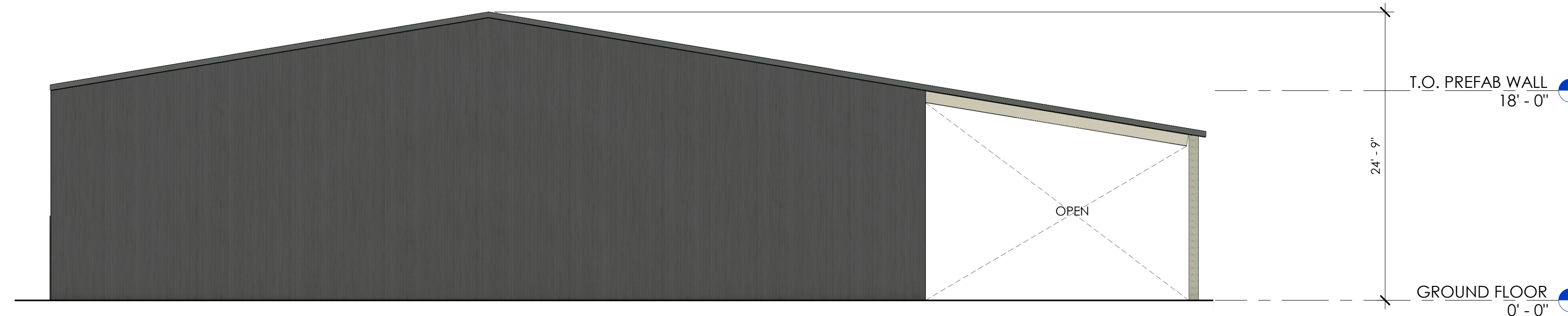
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DOCK BUILDING - NORTH ELEVATION

1/8" = 1'-0" 5



SHOPS BUILDING - NORTH ELEVATION

1/8" = 1'-0" 1



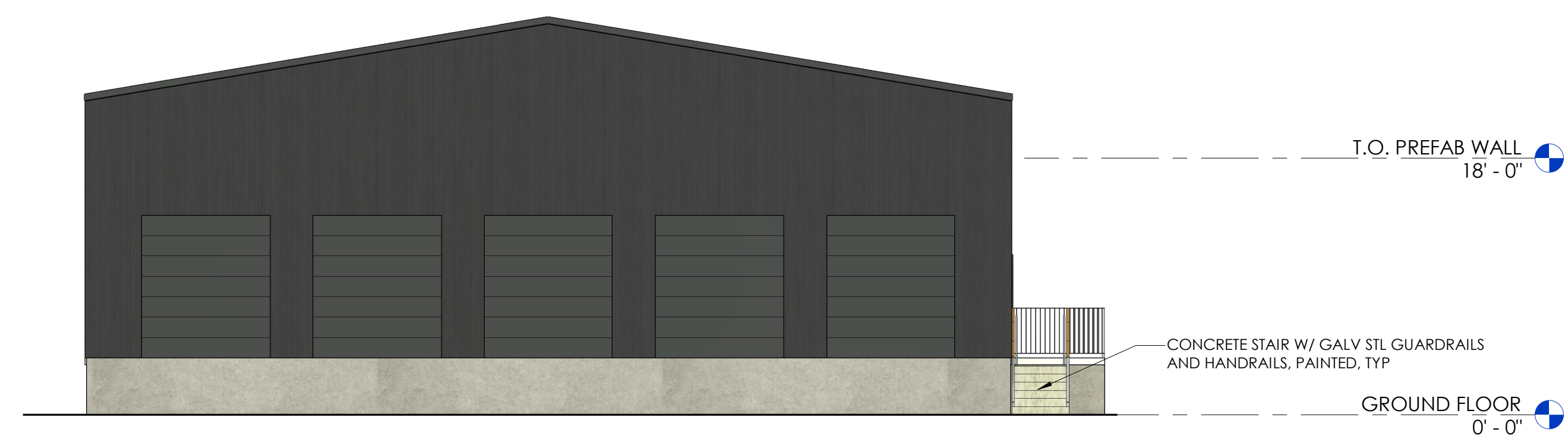
DOCK BUILDING - EAST ELEVATION

1/8" = 1'-0" 6



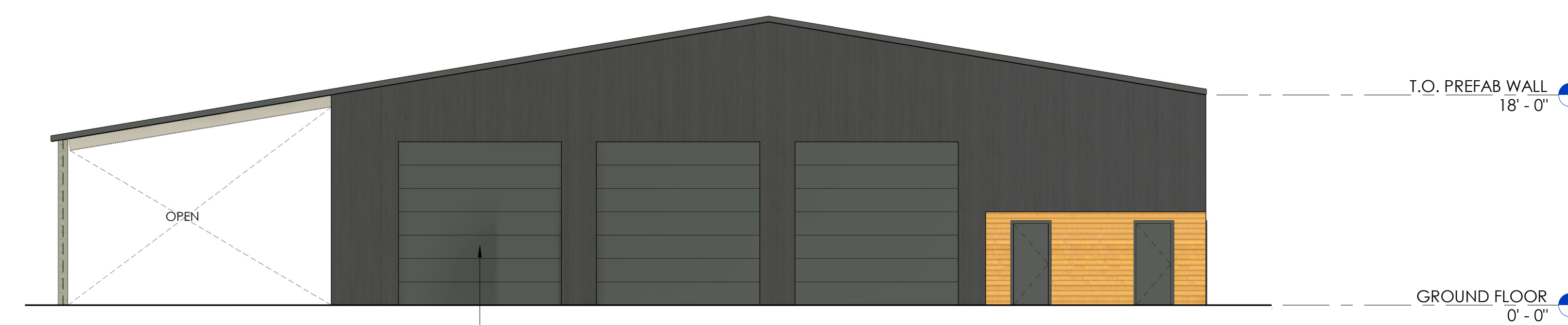
SHOPS BUILDING - EAST ELEVATION

1/8" = 1'-0" 2



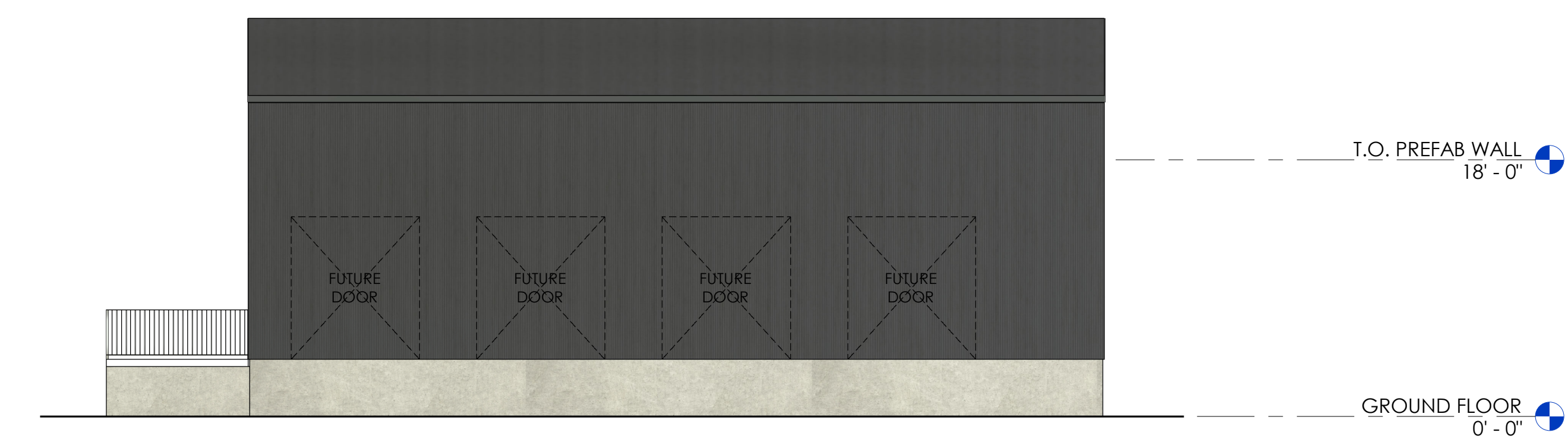
DOCK BUILDING - SOUTH ELEVATION

1/8" = 1'-0" 7



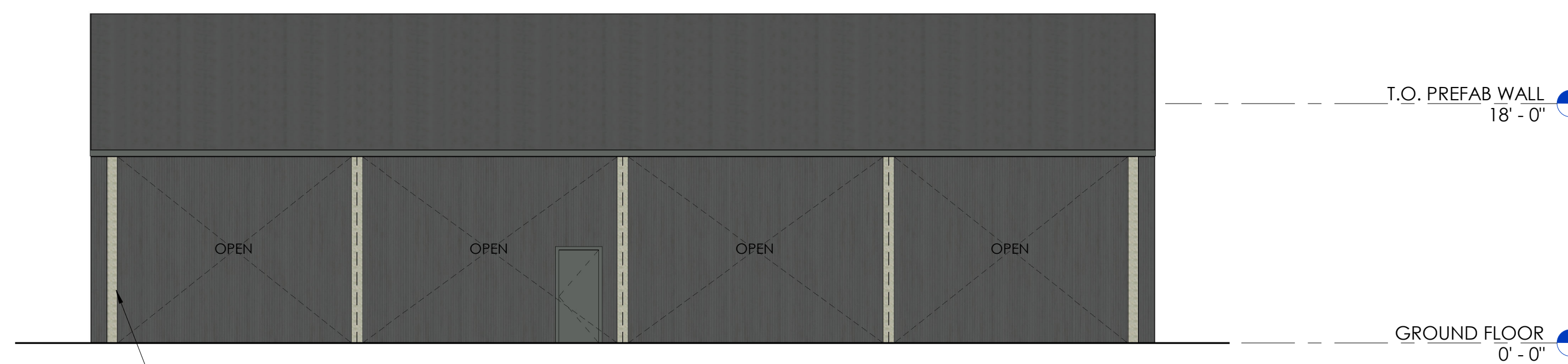
SHOPS BUILDING - SOUTH ELEVATION

1/8" = 1'-0" 3



DOCK BUILDING - WEST ELEVATION

1/8" = 1'-0" 8



SHOPS BUILDING - WEST ELEVATION

1/8" = 1'-0" 4

PLANNING DEPARTMENT SUBMITTAL

**KEYES - TRY-US TRANSPORTATION**

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

NOT FOR CONSTRUCTION

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

SHOPS & DOCK BUILDINGS - EXTERIOR ELEVATIONS

Project Number

20033

Drawn By

DVB

Checked By

DVB

**A4**

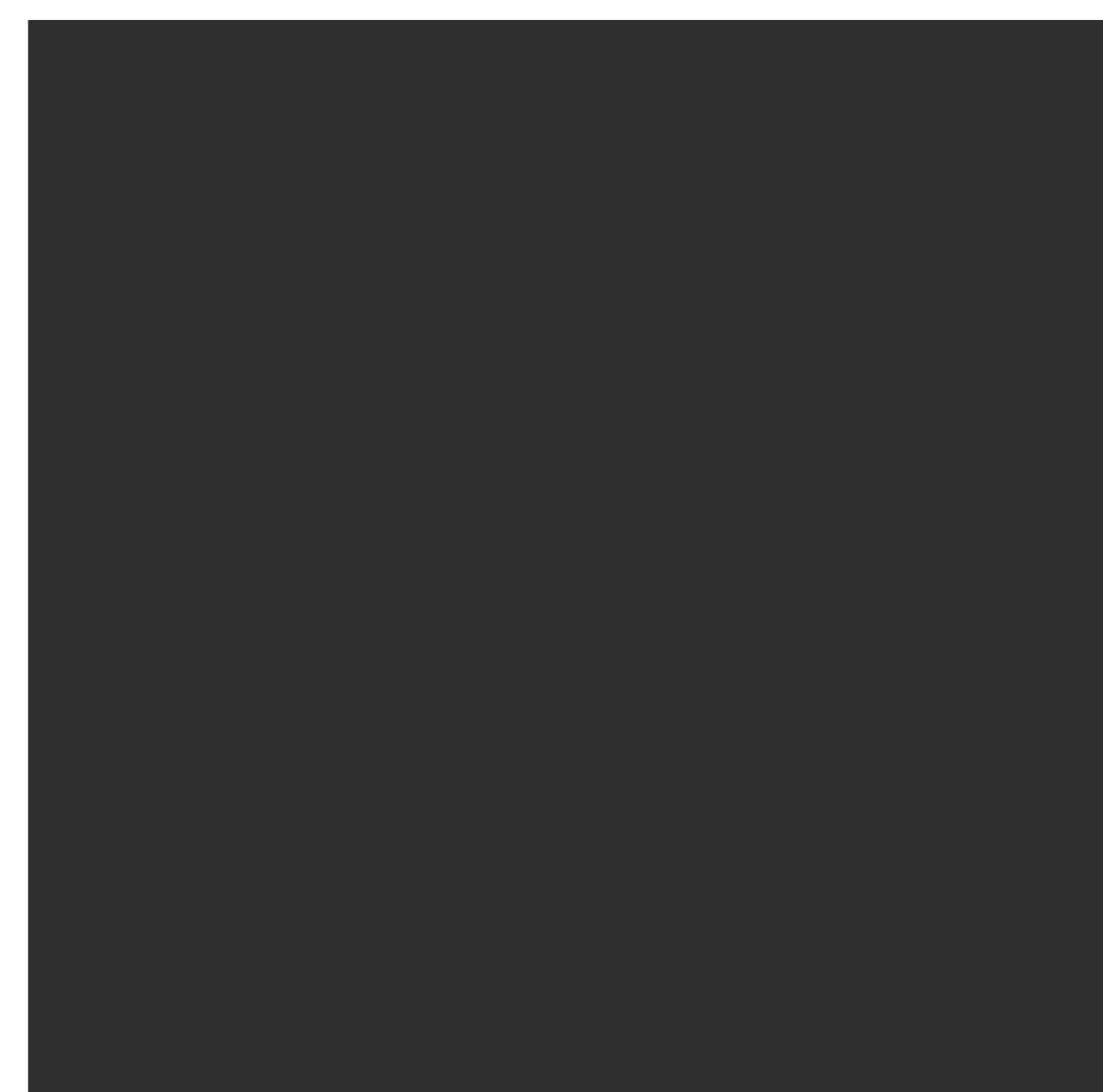




EXTERIOR ELEVATION

1/8" = 1'-0"

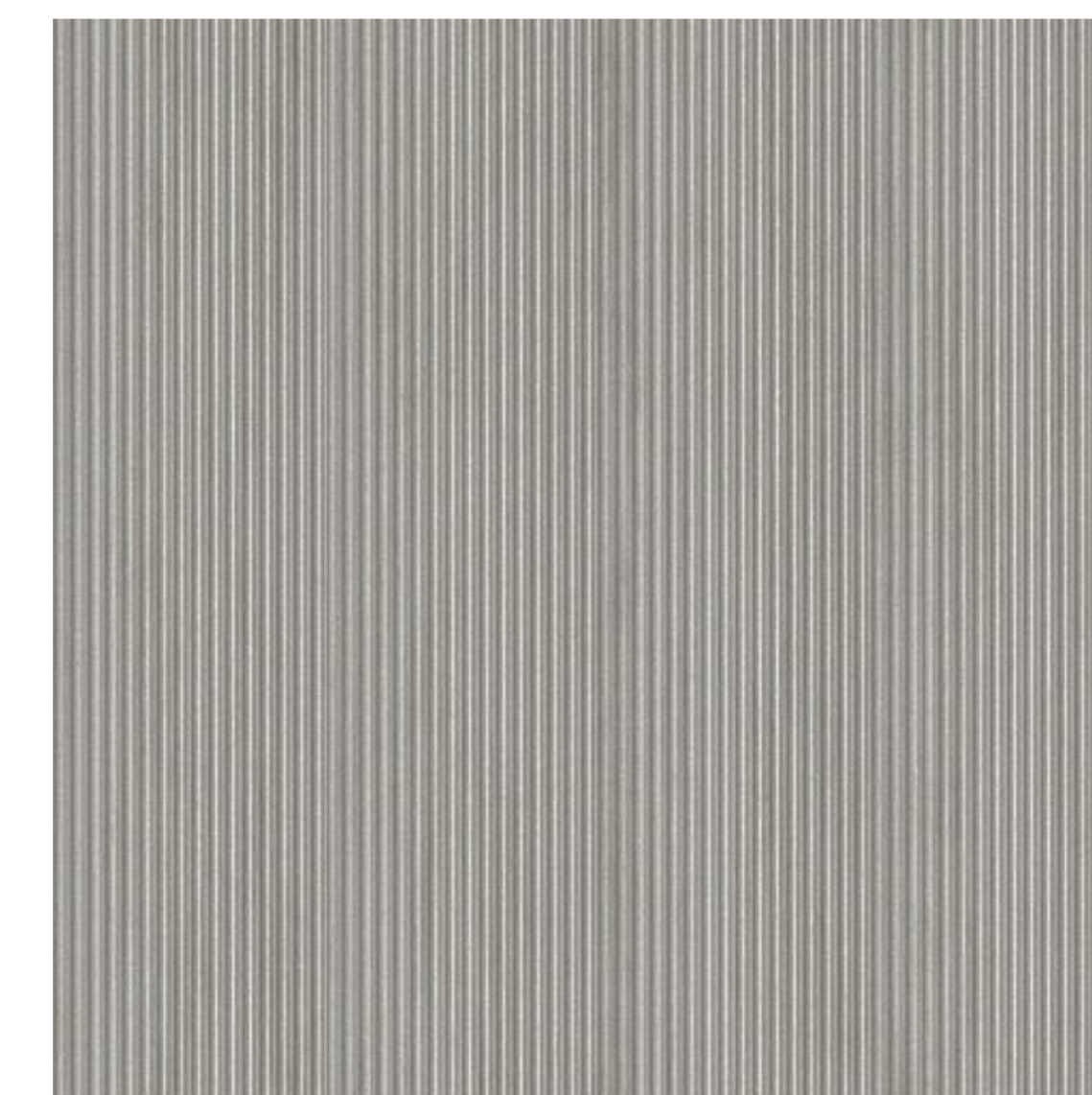
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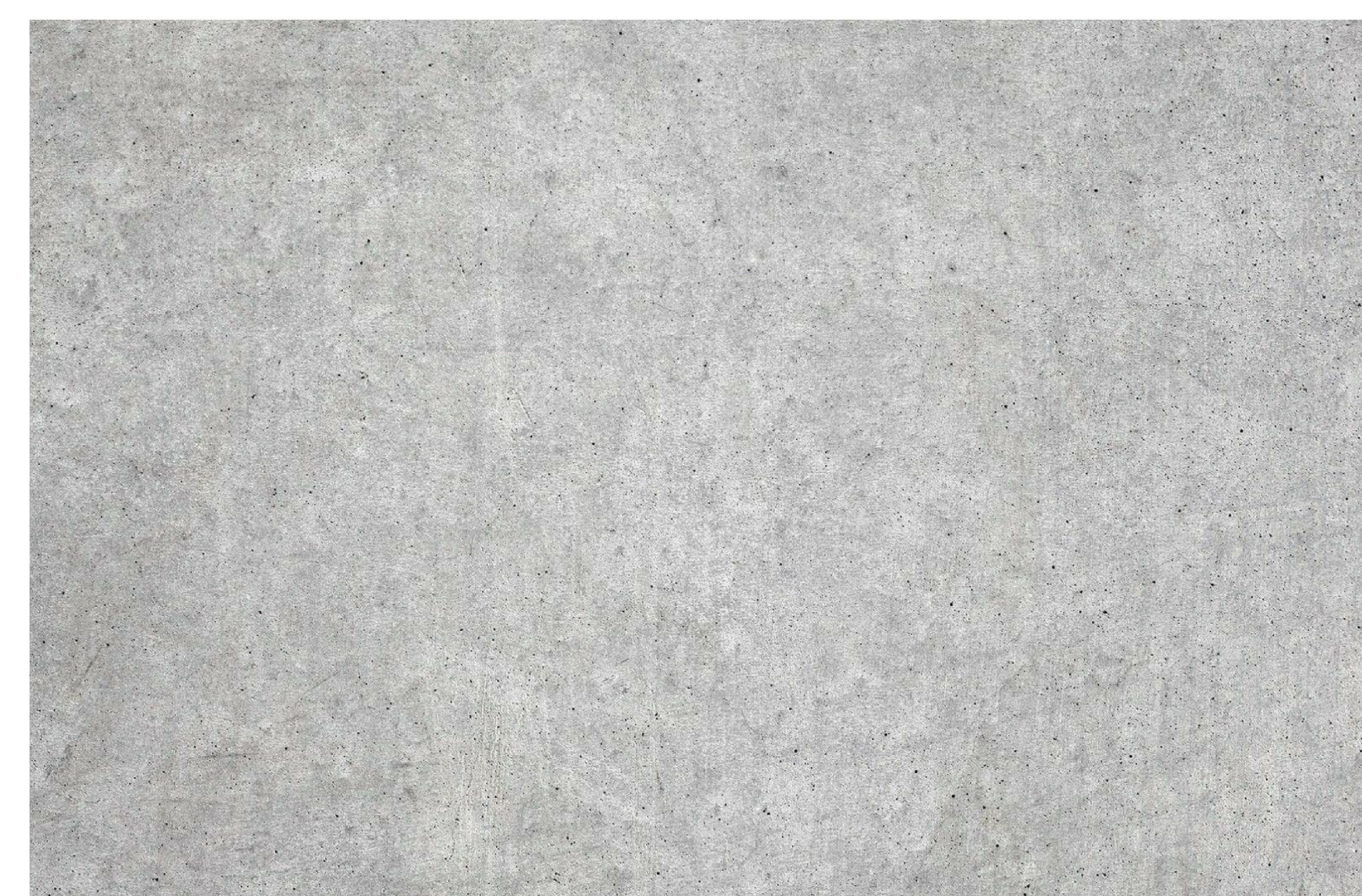
**METAL FINISH (PT-2)**  
MANUFACTURER: TBD  
FINISH: BLACK



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



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



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



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

PLANNING DEPARTMENT SUBMITTAL

**KEYES - TRY-US TRANSPORTATION**

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

NOT FOR CONSTRUCTION

11/03/21 PLANNING DEPARTMENT RESUBMITTAL

**MATERIAL BOARD**

Project Number  
20033  
Drawn By  
DVB  
Checked By  
DVB

**A5**









**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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

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## CEQA INITIAL STUDY

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

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

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

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

The project also proposes development of 60 gravel truck and trailer parking spaces, a truck washing station, and gas fueling station on the site. The trucks are utilized to transfer goods to and from various agriculture producers and grocery stores throughout Arizona, California, Nevada, and Texas. A paved employee parking lot with 67 parking spaces is also proposed to be developed, 51 for drivers and 16 for office employees. Landscaping, made up of a mixture of drought-resistant trees, shrubs, and groundcover, will be installed along the site's road frontage, and throughout the employee parking lot. On all sides of the project, solid fencing or another more decorative fencing will be installed. The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product. However, no product will be stored on-site. Approximately 5-7 drivers will be on-site on any given day. It is estimated that there will be a maximum of 10 trucks and 10 trailers parked at the facility during any given time; however, the site will accommodate the parking of up to 60 trucks, which will be off-site on delivery the majority of the time. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7.

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9. **Surrounding land uses and setting:** Vacant and agricultural property to the east, west, and south; Hwy 99 to the south and west; the Community of Keyes to the north; and light industrial development to the south.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** Stanislaus County Department of Public Works  
Stanislaus County Department of Environmental Resources  
Stanislaus Fire Prevention Bureau  
LAFCO  
Keyes Community Services District  
San Joaquin Valley Air Pollution Control District  
CA Department of Fish and Wildlife
11. **Attachments:**
1. Mitigation Monitoring and Reporting Program (MMRP) for the Keyes Community Plan, adopted April 18, 2000 (MMRP Keyes)
  2. Biological Survey dated June 26, 2015, conducted by Moore Biological Consultants
  3. Archaeological Inventory Survey, dated April 30, 2015, prepared by the Genesis Society
  4. MMRP for UP PLN2021-0078 – Sanghera Investments

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics           | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology / Soils                 | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology / Water Quality       | <input type="checkbox"/> Land Use / Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population / Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                      | <input checked="" type="checkbox"/> Transportation        | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems     | <input type="checkbox"/> Wildfire                         | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature on File

April 13, 2022

Prepared by Avleen Aujla, Assistant Planner

Date

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

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

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

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

**ISSUES**

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

**Discussion:** The site itself is not considered to be a scenic resource or unique scenic vista. The site is currently bordered by State Route (SR) 99, Nunes Road, and North Golden State Boulevard, in the unincorporated community of Keyes, just north of the Keyes Road Overpass and the northbound SR 99 on and off ramps. The project site is within the Keyes Community Plan boundaries. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from SR 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along SR 99/Keyes Road Interchange; and the development of “Gateway” treatments and positive, high quality landscaped edges along SR 99 and major roads.

Though the project is located outside the City of Turlock’s Sphere of Influence (SOI), it is located within one-mile of the City’s SOI and within the City’s General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock identifies Golden State Boulevard as an expressway and requires it to have a minimum 20-foot wide landscaped area to be installed along its road frontage, as well as a minimum 10-foot wide landscaped area to be installed along the property boundary facing State Route 99. The City of Turlock’s response also indicated that the landscaped areas should include a mix of trees, shrubs, and drought tolerant plants to provide screening of the truck parking areas. Conditions of approval will be added to the project requiring the applicant to meet applicable City standards and design guidelines. Landscaping is also proposed to be installed throughout the paved employee parking lot. Solid fencing or another more decorative fencing will be installed around the perimeter of the site. The development standards for P-D (332), which apply to this project, require a landscape and signage plan be submitted to County Planning for review and approval and that the height, site area, and setbacks be in compliance with Section 21.48.040 of the County Zoning Ordinance.

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

**Mitigation:**

1. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.

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

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

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

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

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

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

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

**Mitigation:** None.

**References:** Natural Resources Conservation Service Soil Survey; application information; Keyes Community Plan, EIR and MMRP adopted April 2000; Development Standards for P-D (332), approved under Rezone No. 2015- 0032 –Belkorp AG by the Board of Supervisors on November 3, 2015; Stanislaus Soil Survey (1957); Stanislaus County Zoning Ordinance; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County GIS; and the 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 Included	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those odors adversely affecting a substantial number of people?			X	

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

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

Construction emissions result from on-site and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM10) from disturbed soil. Additionally, paving operations and application of architectural coatings would release VOC emissions. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces.

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

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

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

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

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

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

**Mitigation:** None.

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



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

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

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

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

**Mitigation:**

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

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

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant 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 this project will result in significant impacts to any archaeological or cultural resources. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. Development Standards for the P-D (332) zoning district, which applies to this project, require that if there is discovery of cultural resources during any ground disturbing, that construction activities will halt and the appropriate authorities will be notified.

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

**Mitigation:** None.

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

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

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

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

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

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

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

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

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

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

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

**Mitigation:** None.

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

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

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

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the preparation of geotechnical reports and regarding septic systems prior to construction to ensure that they are developed appropriately based on the project site’s soil type. The Building Permits Division reviews building permits and determines if geotechnical reports are required with submission of building permits. After adoption of the Keyes Community Plan MMRP the Keyes Community Services District (CSD) was able to expand their ability to service property within the Keyes Community Plan boundary with public sewer. The project has received a will serve letter from the Keyes CSD for both public water and sewer services. Accordingly, mitigation regarding septic is not required and has not been applied to this project. Additionally, a referral response received from DER indicated that if for some reason the project was unable to hook up to the Keyes CSD for sewer service, that the site would be subject to installing a Measure X septic system that would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

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

**Mitigation:** None.

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

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

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

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

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

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

Construction emissions result from on-site and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM<sub>10</sub>) from disturbed soil. Additionally, paving operations and application of architectural coatings would release VOC emissions. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM<sub>10</sub> and PM<sub>2.5</sub> emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Off-site emissions are

caused by motor vehicle exhaust from trucking operations, delivery vehicles, worker traffic, and road dust (PM10 and PM2.5). Operational or long-term emissions occur over the life of the project. Sources of emissions may include motor vehicles and trucks, energy usage, water usage, and waste generation, and area sources such as consumer products and landscaping activities. The primary pollutants of concern during project construction and operation are ROG, NOX, PM10, and PM2.5. The SJVAPCD GAMAQI adopted in 2015 contains thresholds for CO, NOX, ROG, SOX, PM10, and PM2.5. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations.

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

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

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

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

**Mitigation:** None.

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

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

**Discussion:** In addition to truck parking, loading, and unloading, the project proposes minor truck maintenance, and truck fueling and washing station. The project was referred to the Department of Environmental Resources (DER) Hazardous Materials (Haz Mat) Division who responded that the project applicant is required to obtain all applicable permits through Haz Mat, must submit hazardous materials business information into the California Electronic Reporting System (CERS), must complete a Phase I/II Study if any previous structures existed, and shall install protective infrastructure to the proposed truck wash to prevent hazardous waste contamination from entering the storm drain system. A hazardous waste plan will be required to be submitted as a part of normal business operations and will be reviewed by Haz Mat and the Fire Department. Additionally, the Haz Mat response indicated that if the project involves the installation of monitoring wells and/or borings, the applicant must submit a current permit application for groundwater monitoring wells and exploratory borings to the Hazardous Materials Division (HMD) within DER. No monitoring wells are anticipated as the project will be served the Keyes CSD for public water.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project meet the City's standards for sewer services, including installation of grease, sand, and oil interceptors. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding hazardous materials. However, the mitigation required that standard Haz Mat permitting and regulations be met. Additionally, the Development Standards for the P-D (332) zoning district already requires that the development comply with Haz Mat permitting requirements. Conditions of approval will be added to the project requiring that the truck washing area meet Haz



Mat standards prior to issuance of any building permit and that construction shall halt in the event that previously unidentified contamination is discovered during grading and construction activities to ensure that measures are taken to reduce potential hazards.

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

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

**Mitigation:** None.

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

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

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

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

Though the project is located outside the City of Turlock’s Sphere of Influence (SOI), it is located within one-mile of the City’s SOI and within the City’s General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project meet the City’s standards for landscaping and for sewer services, including installation of grease, sand, and oil interceptors. Conditions of approval will be added to the project requiring the applicant to meet applicable City landscape standards and design guidelines. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock’s standards, as they are the provider of sewer services.

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

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

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

**Mitigation:** None.

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

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

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

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

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

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project meet the City's standards for landscaping and for sewer services, including installation of grease, sand, and oil interceptors. Conditions of approval will be added to the project requiring the applicant to meet applicable City landscape standards and design guidelines. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services.

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

**Mitigation:** None.

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

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.

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

**Mitigation:** None.

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

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

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

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

**Mitigation:** None.

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

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

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

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

**Mitigation:** None.

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

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

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

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of applicable fire, parks, and public facility fees. Development standards regarding the payment of public facility and fire fees were applied to the P-D (332) zoning district, which also applies to the project. Residential subdivisions are required to pay park in lieu fees or to dedicate parkland based on the policies included in the State of California's Quimby Act and the Stanislaus County's Conservation and Open Space Element. However, as a highway commercial use the proposed development will only be responsible for paying the parks fees identified in the public facility fee schedules adopted by applicable jurisdiction. P-D (332) development standards also require that the project site annex into the Keyes Community Services Area for streetlights and that TID standards be met for the connection to electrical services and for protection of and/or removal of existing irrigation infrastructure.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project meet the City's standards for sewer services, including installation of grease, sand, and oil interceptors. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services.

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

**Mitigation:** None.

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

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

**Mitigation:** None.

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

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

**Discussion:** The project will receive access via County maintained Golden State Boulevard. The project proposes 13 employees during a maximum shift and three employees during a minimum shift. Drivers reporting to the site arrive on an as-needed basis for refueling, or for the loading and offloading of product; however, only 5-7 drivers and a maximum of 10 trucks and 10 trailers parked at the facility are anticipated during any given day. The days and hours of operation for the office and shop will be Monday to Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. to 1:00 p.m. However, trucks will have access to the facility 24/7. If you calculate the maximum number of trips for the project based on 30 trucks leaving the site per day (based on 30 spaces for trucks and 30 for trailers), 30 truck drivers driving to and from the site per day, and two shifts of 13 employees per day, the maximum number of trips for the project would include 112 vehicle trips (52 employee and 60 truck driver vehicle trips) and 60 truck trips per day. However, the applicant indicates the actual employee and truck trips per day will be much lower than this. Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. The approval of the P-D (332) zoning district preceded the implementation of SB743 on July 1, 2020. The proposed operation will include truck trips that are part of an existing movement of goods throughout the western United States.

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

Public Works provided conditions of approval regarding a restriction on parking, loading or unloading of vehicles in the road right-of-way, installation of any signs and/or markings, requirements than an encroachment permit be obtained, and that all driveway locations and widths be approved by Public Works and completed to Public Works standards. These requirements are included in the development standards for the P-D (332) zoning district, which are applicable to the project site. Additionally, the development standards for the P-D (332) zoning district require that the project site annex into the Keyes Community Services Area for streetlights and that road improvements be made to County Public Works standards. The County Public Works response also requested that a cross access easement be recorded for parcels (APN: 045-074-004 and 045-074-002). This will be incorporated into the conditions of approval for the project. Caltrans provided a referral response requesting a traffic impact study be completed for the project. However, after staff provided Caltrans with the environmental review that was prepared for the P-D (332) zoning district a revised response was provided indicating a less than significant impact from the project. The revised Caltrans response also stated that if the proposed development anticipates Surface Transportation Assistance Act (STAA) truck access, a terminal access application would need to be submitted to Caltrans to evaluate the route for STAA Truck use. This will be incorporated into the conditions of approval applied to the project.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project install commercial driveway approaches. This will be required per County Public Works Standards and Specifications and will be verified with review of the required encroachment permits for the new driveways to serve the proposed development.

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

**Mitigation:**

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

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

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

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

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

**Mitigation:** None.

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



XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has 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 site is served by the Keyes Community Services District (CSD) for public water and sewer and the Turlock Irrigation District (TID) for power and irrigation water. A Will Serve letter received from the Keyes CSD indicated that the installation of all sewer and water service line connections shall be in accordance to District standards and to plans approved by the District, at the owner's expense, and all District connection, facility, and inspection fees must be paid upon application for connections. Approval for connecting is also required from the Stanislaus County Local Agency Formation Commission (LAFCO). A referral response received from the Department of Environmental Resources (DER) indicated that if for some reason the development is unable to hook-up to the Keyes CSD for water and sewer services, that the project would be required to be permitted as a public water system and would be required to meet Measure X standards for on-site private waste systems. These requirements will be incorporated into the project as conditions of approval.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock requested the project meet the City's standards for sewer services, including installation of grease, sand, and oil interceptors. However, conditions regarding sewer services will be governed by the Keyes CSD standards, not the City of Turlock's standards, as they are the provider of sewer services.

The project is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding stormwater, water supply and quality, and regarding the preparation of geotechnical reports prior to installation of an onsite septic system. The water supply and sewer services will be provided by Keyes CSD which makes the mitigation regarding those subjects inapplicable. The mitigation measures regarding water quality and stormwater management are being met through the application of standard regulatory permitting which are required to be obtained as incorporated into the Development Standards for the P-D (332) zoning district. P-D (332) development standards also require that the project site annex into the Keyes Community Services Area for streetlights and that TID standards be met for the connection to electrical services and for protection of and/or removal of existing irrigation infrastructure.

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

**Mitigation:** None.

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

<b>XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Included</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	
<b>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?</b>			<b>X</b>	

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

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

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

**Mitigation:** None.

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a 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 site is currently bordered by State Route (SR) 99, Nunes Road, and North Golden State Boulevard, in the unincorporated community of Keyes, just north of the Keyes Road Overpass and the northbound SR 99 on and off ramps. The site has a General Plan designation of Planned Development, a Keyes Community Plan designation of Highway Commercial, and a zoning designation of Planned Development (P-D) (332), which was established by Rezone No. PLN2015-0032 – Belcorp Ag and was approved by the Board of Supervisors on November 3, 2015, to allow for the development of various Highway Commercial uses on five parcels. The applicant is requesting to construct a truck terminal that facilitates fueling, parking, loading, and unloading for company owned trucks and its drivers on a 5.23 acre parcel. Under the P-D (332) zoning district, truck terminals require a use permit. In order to approve a use permit the decision making body must find that the establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

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

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

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

**Mitigation:** None.

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

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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 April 5, 2016.

**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

<sup>1</sup>

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


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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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**MITIGATION MONITORING PLAN  
KEYES COMMUNITY PLAN UPDATE**

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

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# MOORE BIOLOGICAL CONSULTANTS

June 26, 2015

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

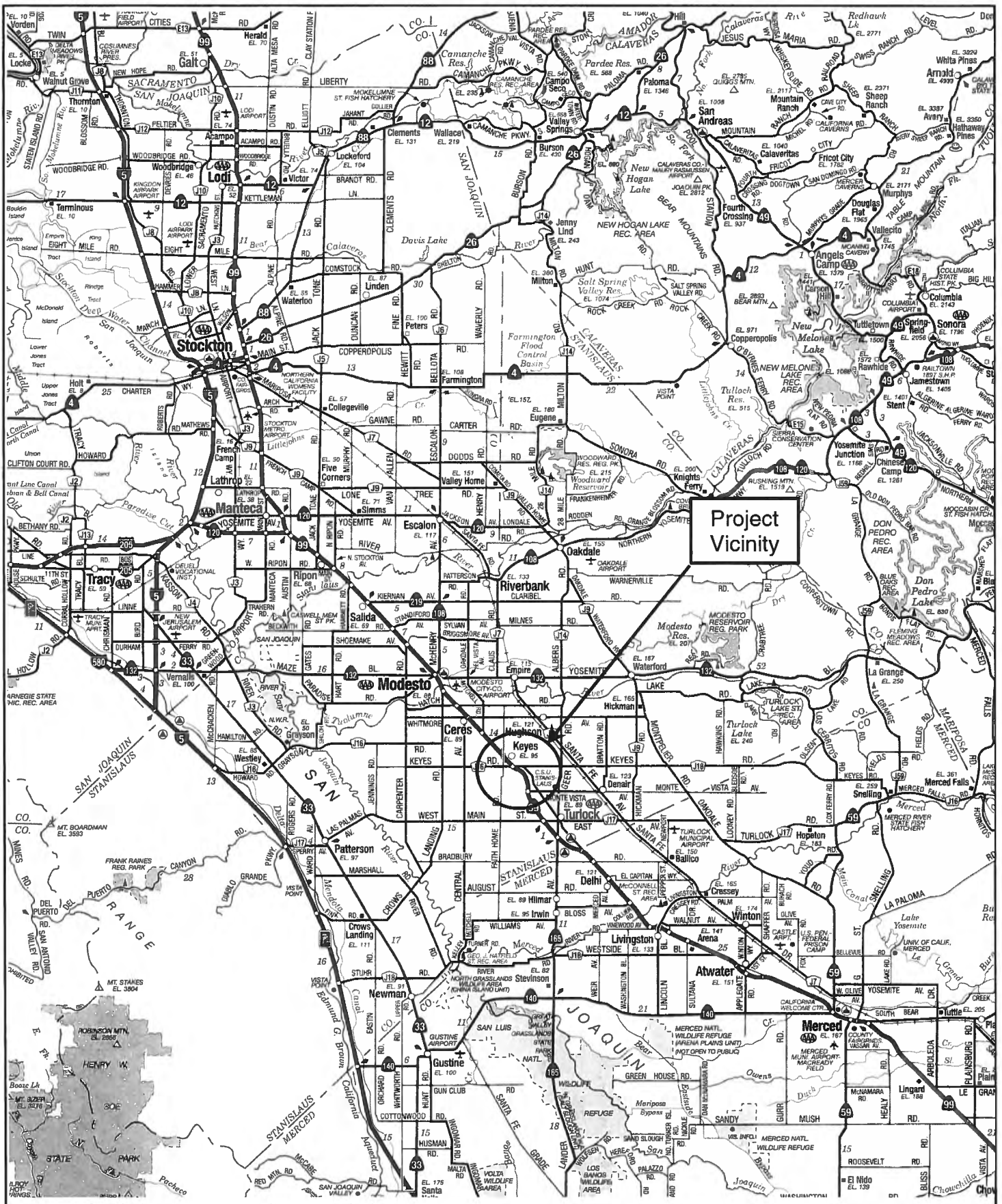
Subject: "BELKORP AG PROJECT", STANISLAUS COUNTY, CALIFORNIA:  
BIOLOGICAL ASSESSMENT

Dear Rod:

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

## **Project Overview**

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



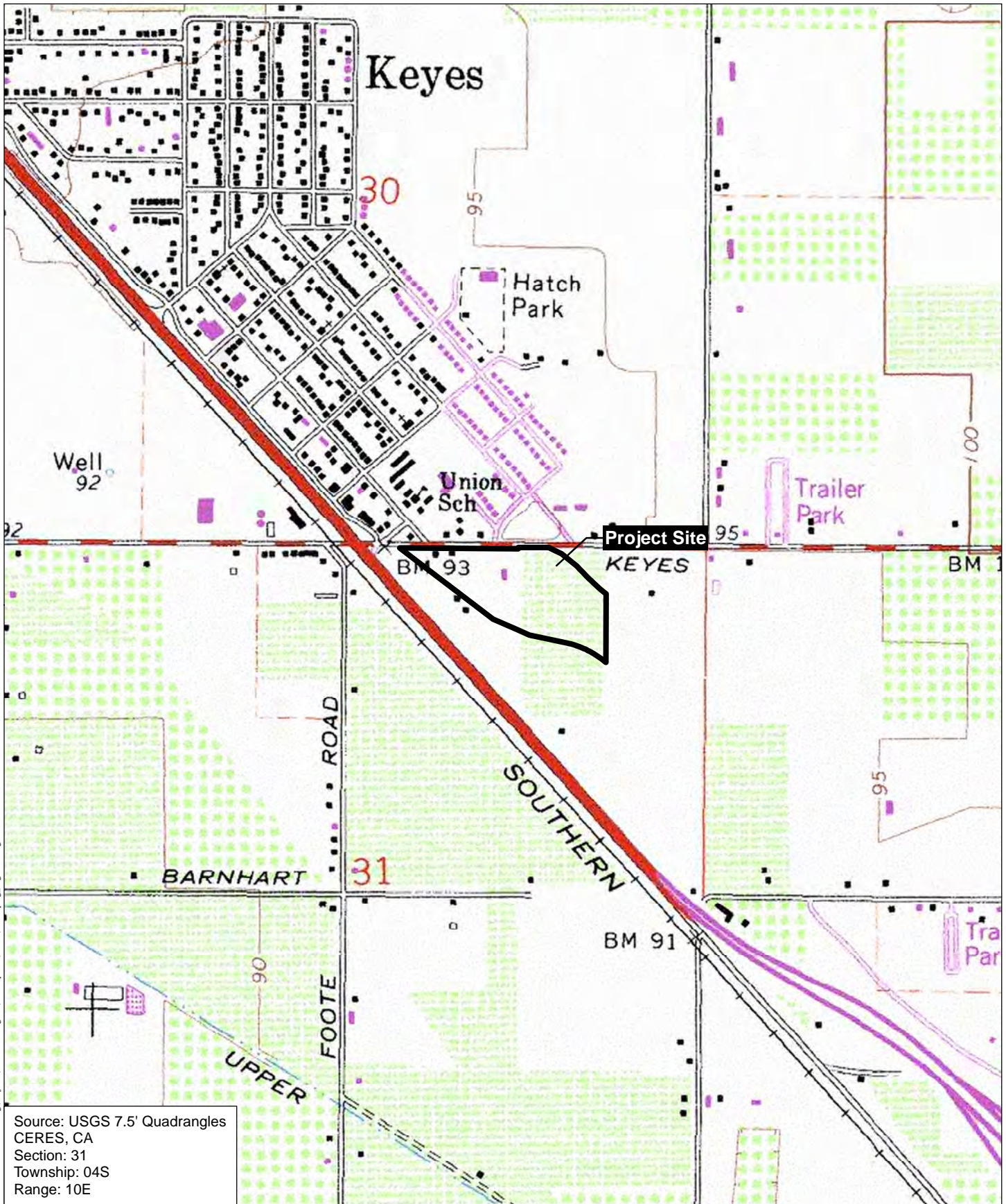
Source: Calif. State Automobile Association

**Moore Biological  
Consultants**



**FIGURE 1  
PROJECT VICINITY**

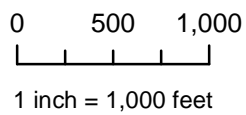




Source: USGS 7.5' Quadrangles  
 CERES, CA  
 Section: 31  
 Township: 04S  
 Range: 10E

**Figure 2**

Moore Biological  
 Consultants



Map Date: June 2015

**PROJECT LOCATION**

**Belkorp AG**  
 Stanislaus County, CA



## Methods

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

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

## Results

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

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

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





Nunes Rd.

Project Site

99

Imagery ©2015, DigitalGlobe, U.S. Geological Survey

Google

**Figure 3**

Moore Biological  
Consultants

0 100 200  
1 inch = 200 feet



**AERIAL**

**Belkorp AG**

Stanislaus County, CA

Map Date: June 2015

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

TABLE 1  
PLANT SPECIES OBSERVED IN THE PROJECT SITE

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

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

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

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

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

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

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

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

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

TABLE 2  
WILDLIFE SPECIES DOCUMENTED IN THE PROJECT SITE

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**Birds**

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

**Mammals**

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

**Reptiles**

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



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

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

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

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

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

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

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

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

TABLE 3

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

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

TABLE 3

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

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

TABLE 3

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

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

TABLE 3

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

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

## Notes:

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

## Conclusions and Recommendations

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

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

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

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

Sincerely,



Diane S. Moore, M.S.  
Principal Biologist

## References and Literature Consulted

ACOE (U.S. Army Corps of Engineers). 1987. Technical Report Y87-1. U.S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, MI.

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Sawyer & Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento. California.

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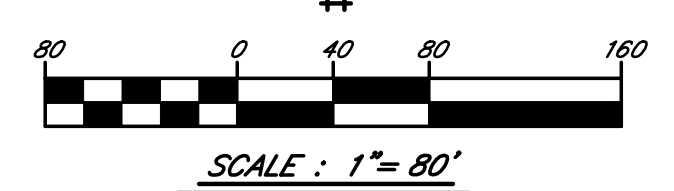
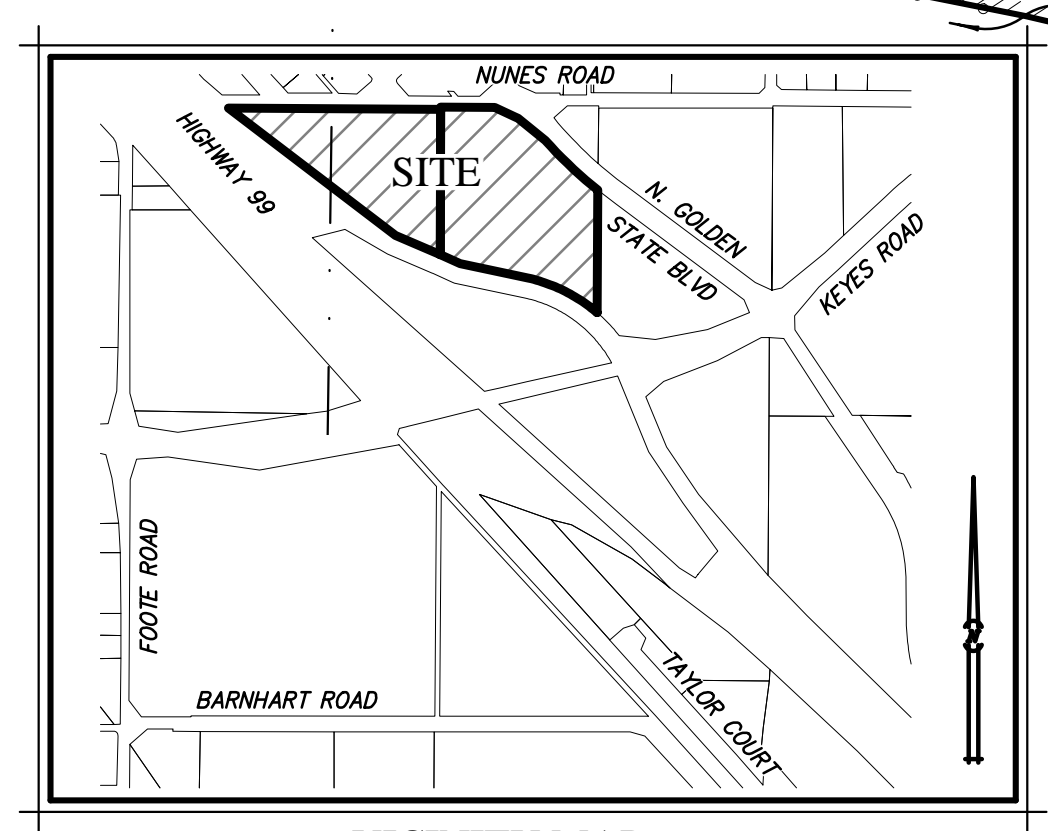
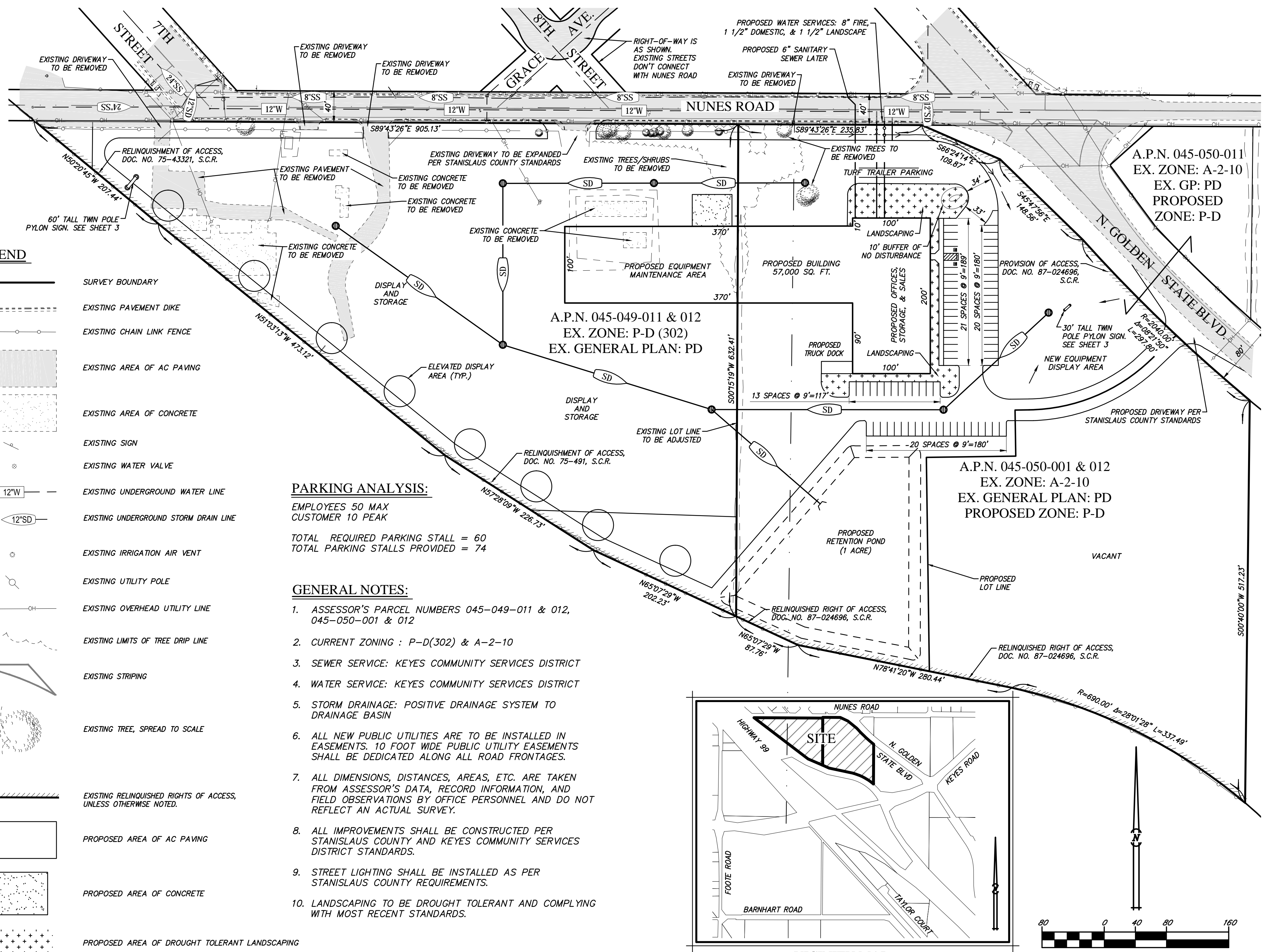
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USFWS. 2006. Part II, Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Red-Legged Frog, and Special Rule Exemption Associated with Final Listing for Existing Routine Ranching Activities, Final Rule. Federal Register Vol. 71, No. 71, April 13.

Attachment A

Site Plan





**LEGEND**

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

**PARKING ANALYSIS:**

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

**GENERAL NOTES:**

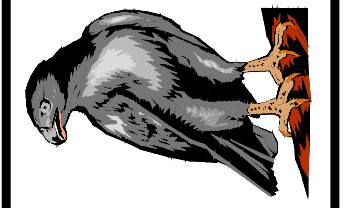
1. ASSESSOR'S PARCEL NUMBERS 045-049-011 & 012, 045-050-001 & 012
2. CURRENT ZONING : P-D(302) & A-2-10
3. SEWER SERVICE: KEYES COMMUNITY SERVICES DISTRICT
4. WATER SERVICE: KEYES COMMUNITY SERVICES DISTRICT
5. STORM DRAINAGE: POSITIVE DRAINAGE SYSTEM TO DRAINAGE BASIN
6. ALL NEW PUBLIC UTILITIES ARE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

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

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

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

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



Attachment B

CNDDDB Summary Report and Exhibits

& USFWS Species List



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

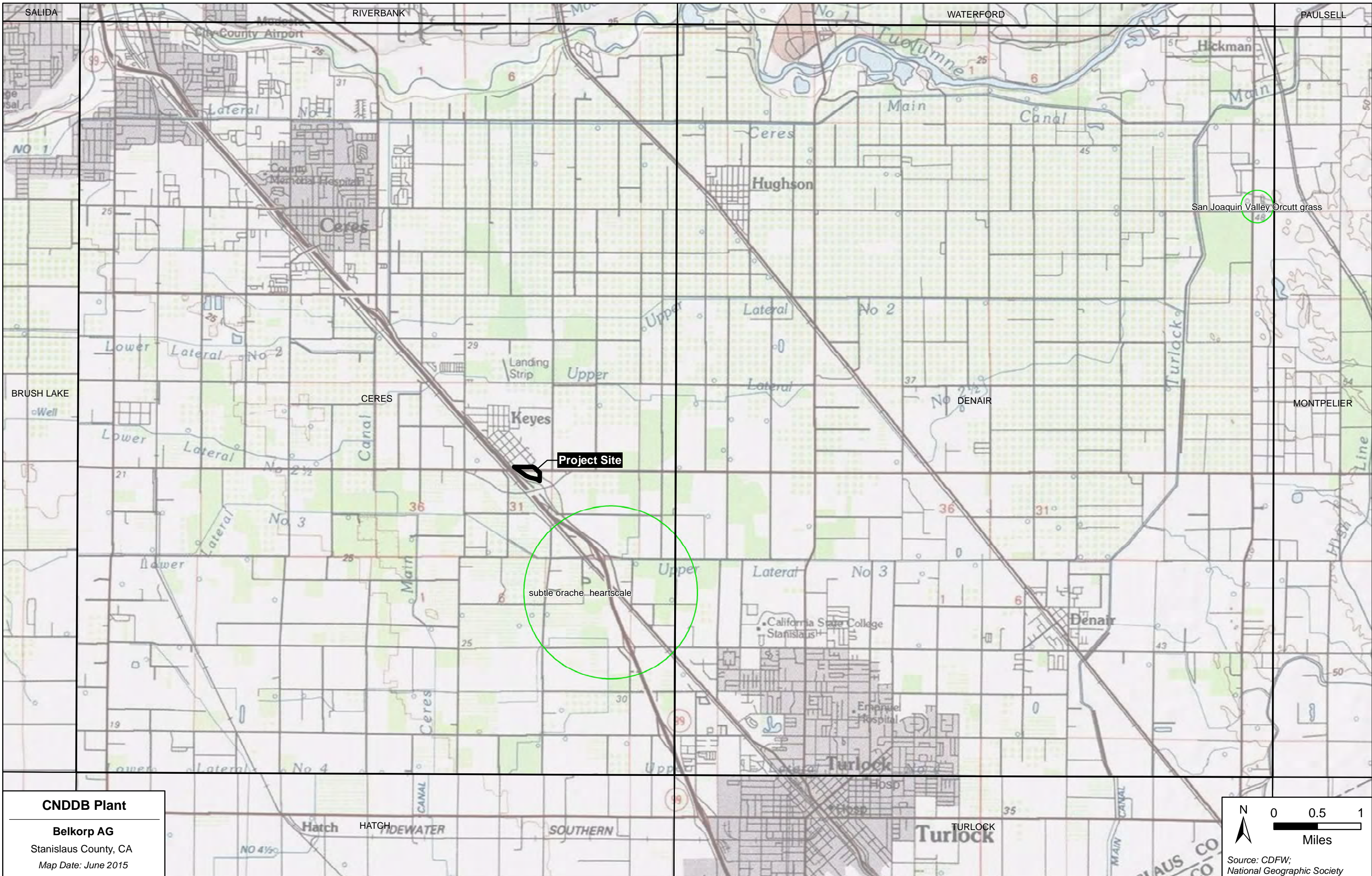


**Query Criteria:** Quad is (Ceres (3712058) or Denair (3712057))

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

**Record Count: 11**

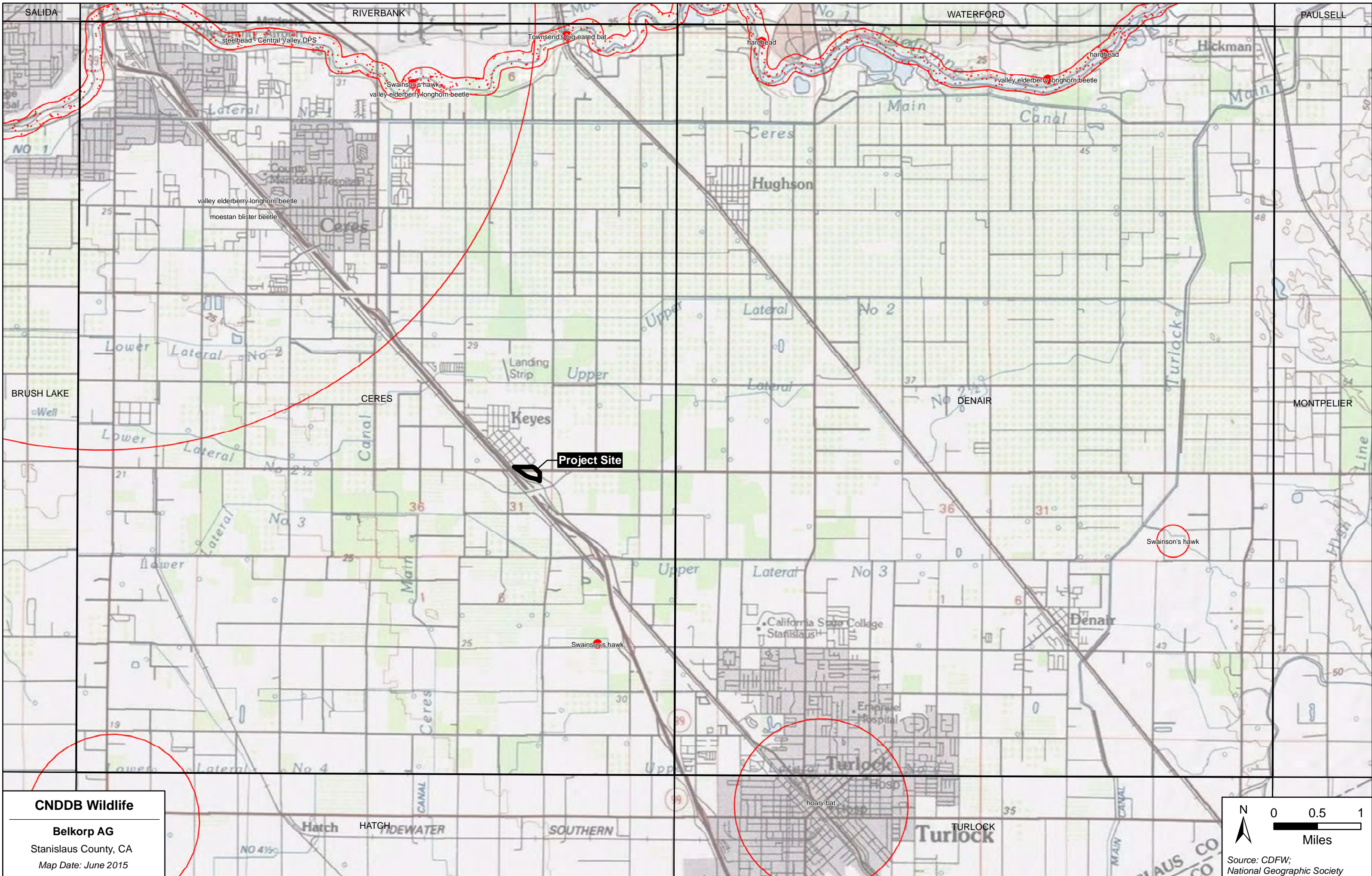




**CNDDDB Plant**  
**Belkorp AG**  
Stanislaus County, CA  
Map Date: June 2015

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





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

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



US Fish &amp; Wildlife Service

# IPaC Trust Resource Report



## Project Description

NAME

Belkorp AG

PROJECT CODE

NY5M3-FJE4R-GUTLA-BIQTE-LKUULM

LOCATION

Stanislaus County, California

DESCRIPTION

No description provided



## U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

**Sacramento Fish And Wildlife Office**

Federal Building

2800 COTTAGE WAY, ROOM W-2605

Sacramento, CA 95825-1846

(916) 414-6600

# Endangered Species

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

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

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

## Amphibians

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

Threatened

#### CRITICAL HABITAT

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

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

### California Tiger Salamander *Ambystoma californiense*

Threatened

#### CRITICAL HABITAT

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

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

## Crustaceans

### Vernal Pool Fairy Shrimp *Branchinecta lynchi*

Threatened

#### CRITICAL HABITAT

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

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

### Vernal Pool Tadpole Shrimp *Lepidurus packardii*

Endangered

#### CRITICAL HABITAT

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

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

## Fishes

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

**Threatened**

CRITICAL HABITAT

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

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

**Threatened**

CRITICAL HABITAT

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

## Insects

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

**Threatened**

CRITICAL HABITAT

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

## Reptiles

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

**Threatened**

CRITICAL HABITAT

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

## Critical Habitats

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

There is no critical habitat within this project area



Attachment C

Photographs



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



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





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



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





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



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





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









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

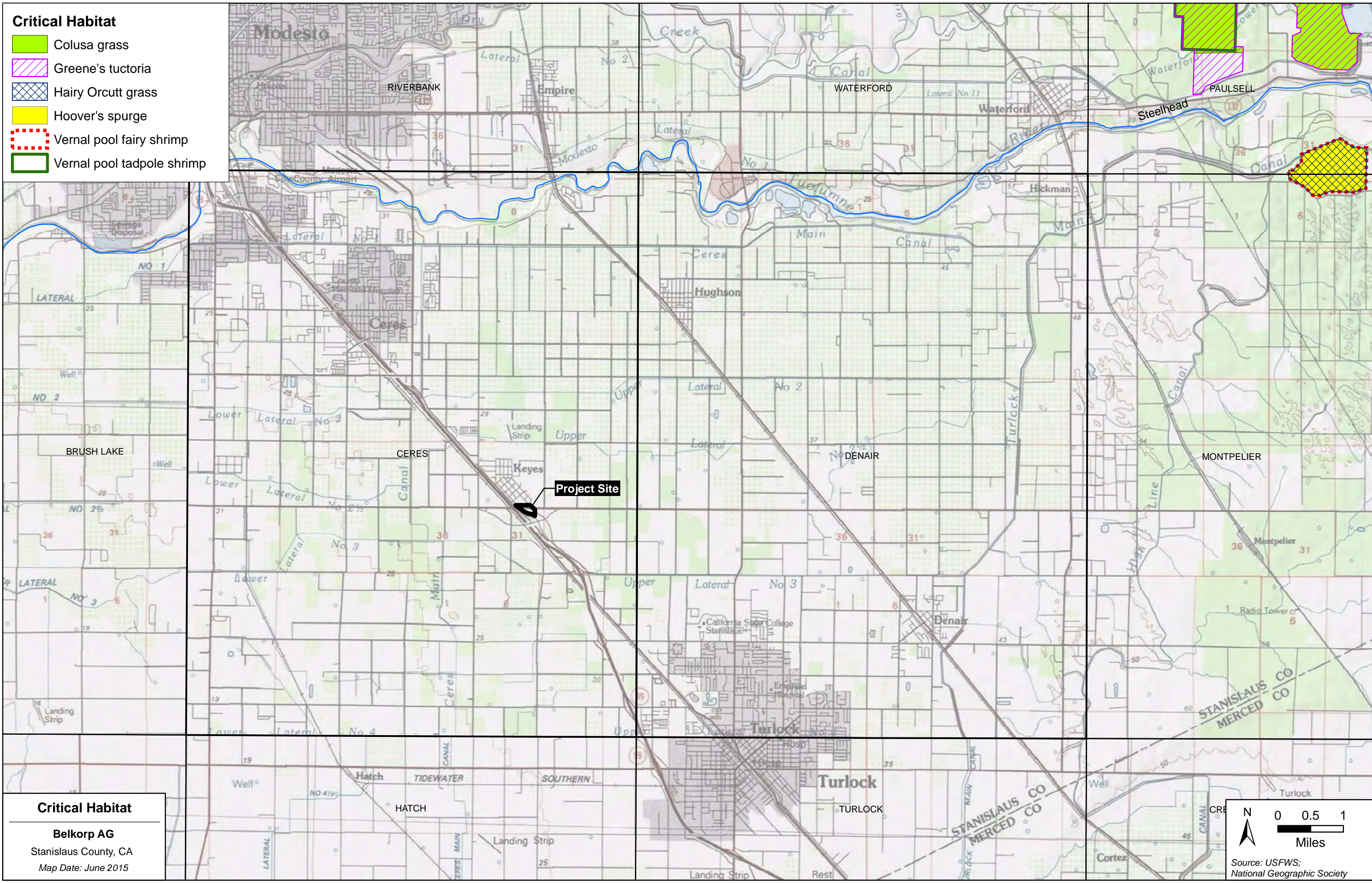


Old detention basin along Nunes Road, looking west; 06/10/15. This small basin is in the vicinity of the old foundations and was likely constructed when the site was previously developed.

Attachment D  
Designated Critical Habitat



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



**Critical Habitat**

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

N  
0 0.5 1  
Miles

Source: USFWS;  
National Geographic Society



# **ARCHAEOLOGICAL INVENTORY SURVEY**

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

Prepared for

**Hawkins & Associates Engineering, Inc.**

436 Mitchell Road  
Modesto, CA 95354

Author

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

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

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

April 30, 2015

*GENESIS SOCIETY - PARADISE, CALIFORNIA*

---

*ARCHAEOLOGICAL - HISTORICAL - CULTURAL RESOURCE MANAGEMENT SERVICES*

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## ATTACHMENTS

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

# 1. INTRODUCTION

## Project Background

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

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

## Scope of Work

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

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

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

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

## Location

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

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

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

## 2. RECORDS SEARCH and SOURCES CONSULTED

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

### Records at Central California Information Center

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

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

## Other Sources Consulted

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

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

## Native American Consultation

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

# 3. Environmental and Cultural Context

## Environmental Context

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

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

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

## Cultural Context

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

### **Survey Coverage**

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

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

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

## General Observations

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

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

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

## Prehistoric Resources

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

## Historic-Era Resources

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

## 5. PROJECT EFFECTS

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

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

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

## 6. PROJECT SUMMARY

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

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

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

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

## 7. REFERENCES CITED and/or UTILIZED

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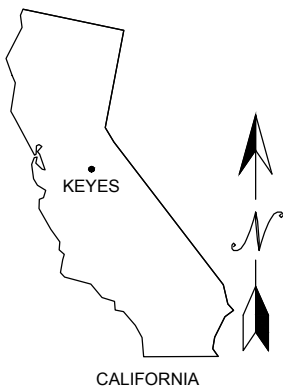
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REFERENCE: 7.5 MINUTE USGS QUADRANGLE KEYES, CALIFORNIA. DATED 1987 AND PHOTOREVISED FROM 1969



Washington  
Issaquah | Bellingham | Seattle

Oregon  
Portland

California  
Oakland | Sacramento

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**FIGURE 1**

SITE VICINITY MAP  
COCHRAN PROPERTY  
4612 NUNES ROAD  
KEYES, CALIFORNIA

FARALLON PN: 527-017

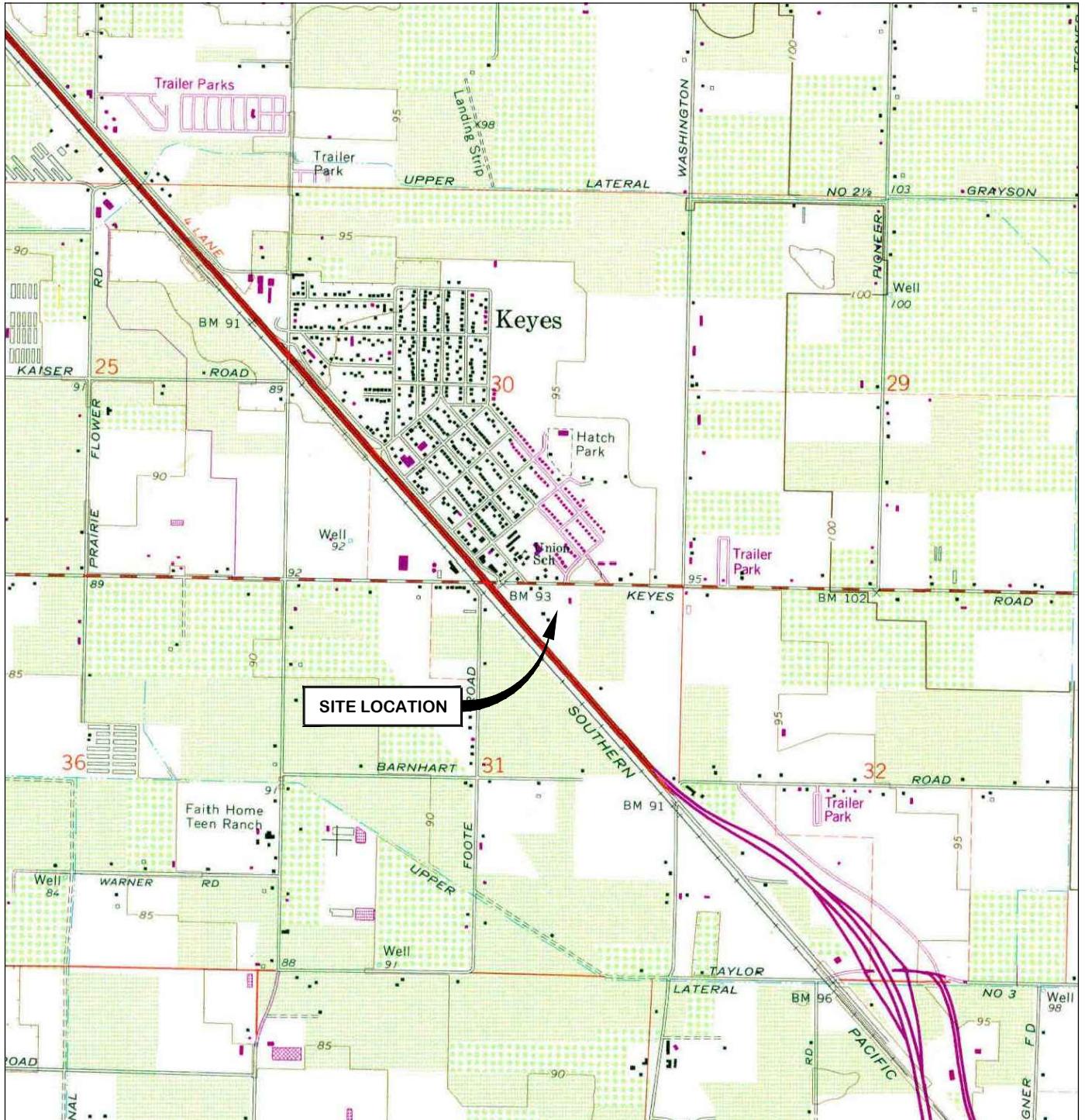
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Checked By: TH

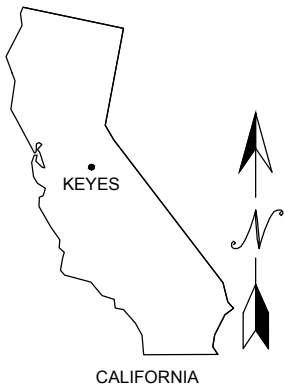
Date: 11/25/2014

Disk Reference: 527-017c





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



Washington  
Issaquah | Bellingham | Seattle

Oregon  
Portland

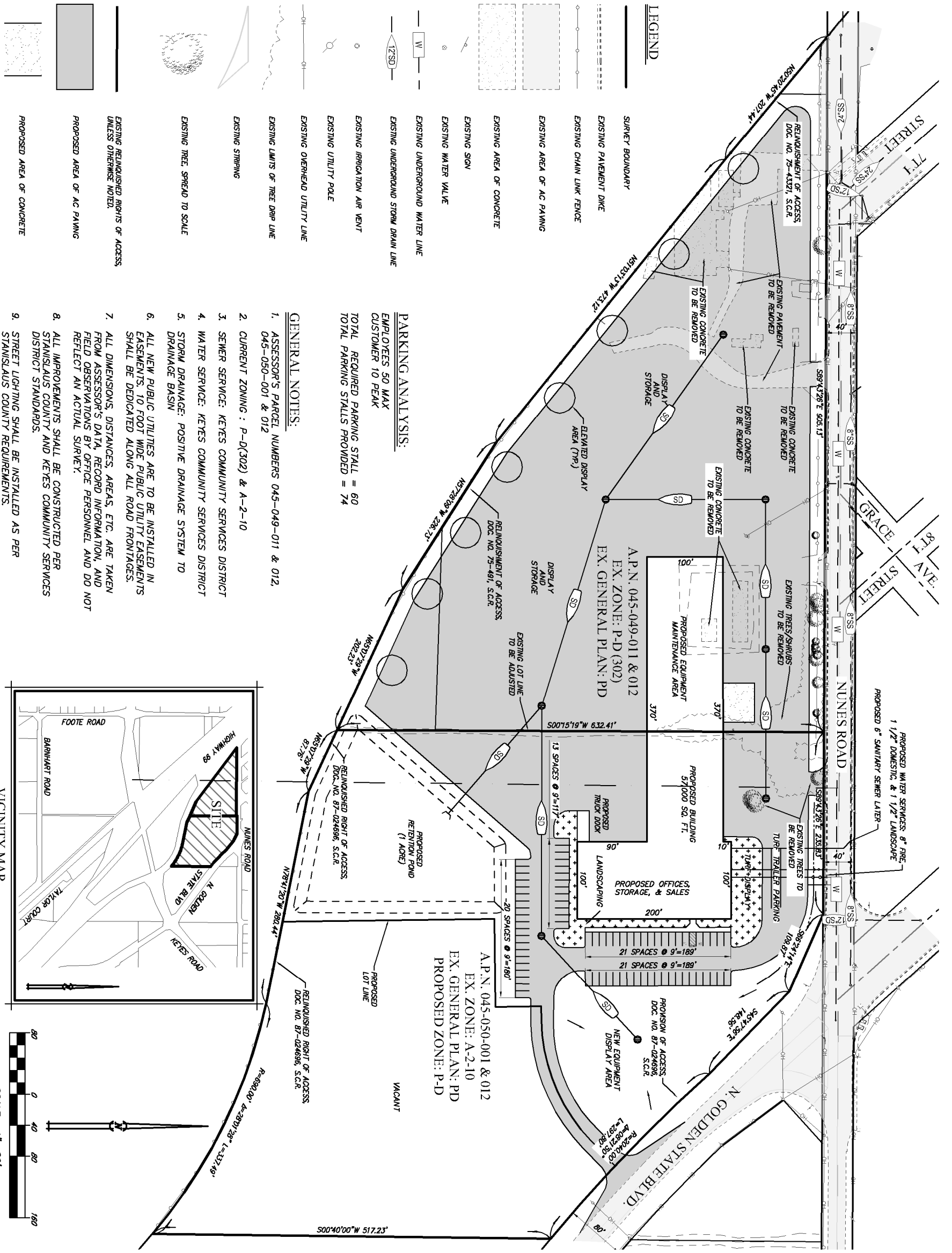
California  
Oakland | Sacramento

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**FIGURE 1**

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



**LEGEND**

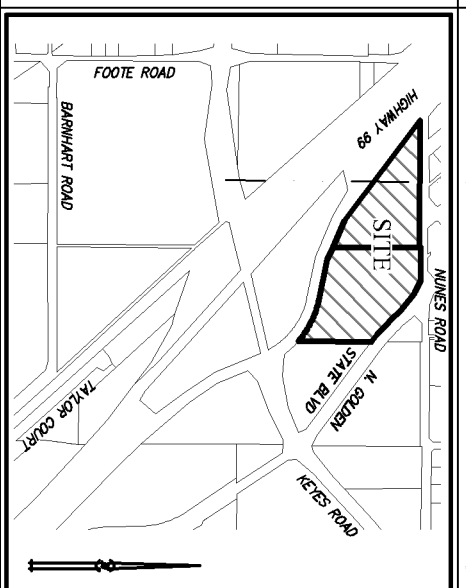
- SURVEY BOUNDARY
- EXISTING PAVEMENT DIKE
- EXISTING CHAIN LINK FENCE
- EXISTING AREA OF AC PAVING
- EXISTING AREA OF CONCRETE
- EXISTING SIGN
- EXISTING WATER VALVE
- EXISTING UNDERGROUND WATER LINE
- EXISTING UNDERGROUND STORM DRAIN LINE
- EXISTING IRRIGATION AIR VENT
- EXISTING UTILITY POLE
- EXISTING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

**PARKING ANALYSIS:**

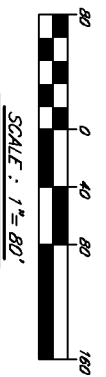
EMPLOYEES 50 MAX  
 CUSTOMER 10 PEAK  
 TOTAL REQUIRED PARKING STALL = 60  
 TOTAL PARKING STALLS PROVIDED = 74

**GENERAL NOTES:**

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



VICINITY MAP  
NO SCALE



SCALE : 1" = 80'

SHEET  
1.  
OF  
2.



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

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

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

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





## CENTRAL CALIFORNIA INFORMATION CENTER

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

---

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

**Date:** 3/23/2015

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

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

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

Dear Ms. Halstead:

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

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

The following details the results of the records search:

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

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

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

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

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

CCIC Report #ST-00859

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

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

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

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

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

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



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

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

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

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

Sincerely,

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

# GENESIS SOCIETY

*a Corporation Sole*

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

April 28, 2015

## **Native American Heritage Commission**

1550 Harbor Boulevard,  
West Sacramento, California 95691

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

Dear Commission:

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

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

Thanks in advance for your assistance.

Regards,



**Sean Michael Jensen, Administrator**

# Stanislaus County

## Planning and Community Development

1010 10th Street, Suite 3400  
Modesto, CA 95354

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

### Mitigation Monitoring and Reporting Program

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

April 13, 2022

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

#### MITIGATION MONITORING AND REPORTING PROGRAM:

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

#### I. AESTHETICS

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

Who Implements the Measure: Applicant.

When should the measure be implemented: During building design.

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

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

Other Responsible Agencies: None.

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

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

Who Implements the Measure: Applicant.

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

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

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

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

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

Who Implements the Measure: Applicant

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

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

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

Other Responsible Agencies: Stanislaus County Planning and Community



Development Department, Planning Division.

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

Who Implements the Measure: Applicant

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

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

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

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

#### XVI. TRANSPORTATION/TRAFFIC

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

Who Implements the Measure: Applicant

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

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

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

Other Responsible Agencies: Stanislaus County Public Works Department.

I, the undersigned, do hereby certify that I understand and agree to be responsible for implementing the Mitigation Program for the above listed project.

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Signature on File April 13, 2022  
Person Responsible for Implementing Mitigation Program Date