

Referral Early Consultation

Date: November 16, 2023

To: Distribution List (See Attachment A)

From: Daniel Burk, Assistant Planner Planning and Community Development

Subject: USE PERMIT APPLICATION NO. PLN2023-0060 – AEMETIS BIOGAS, LLC – FAITH HOME ROAD

Respond By: December 1, 2023

****PLEASE REVIEW REFERRAL PROCESS POLICY****

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant:	Aemetis Biogas, LLC
Project Location:	6042 Faith Home Rd, between East Keyes and East Barnhart Roads, in the Keyes area.
APN:	045-045-026
Williamson Act Contract:	N/A
General Plan:	Agriculture
Current Zoning:	General Agriculture (A-2-40)

Project Description: Request to permit a 4,320 square-foot modular office and outdoor materials storage site on an 8.38± acre parcel, in the General Agriculture (A-2-40) zoning district for the Aemetis Biogas facility located on Assessor Parcel Number (APN) 045-026-039. The office is for coordination of multiple off-site dairy digester and pipeline construction projects in Stanislaus County. The digesters are accessory to the permitted dairies on each off-site location. As the modular office will be used in relation to bona fide agricultural establishments at off-site locations, a Tier Two Use Permit for an Agricultural Service Establishment is required. The request will also include staging of supplies and equipment for each project. The trailer is intended to be used for a period of no more than 24 months. Access to the site is via County-maintained Faith Home Road.

Proposed hours of operation are Monday through Friday from 8:00 am to 5:00 pm. The applicant anticipates 15 employees on a single maximum shift. The project site will include a total of 15 graveled parking spaces, located on the east and west sides of the modular office. The eastern portion of the property will be used to temporarily store liner material for the dairy digesters. Storm drainage will be handled via overland drainage. The site is served by a private well and septic system. The balance of the parcel has been developed with a storage shed used for supplies and tools and a previously approved communication facility.

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



USE PERMIT APPLICATION NO. PLN2023-0060 – AEMETIS BIOGAS, LLC – FAITH HOME ROAD Attachment A

EPT OF CONSERVATION Resources / Mine Reclamation		STAN CO ALUC
DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
EPT OF FORESTRY (CAL FIRE)	Х	STAN CO BUILDING PERMITS DIVISION
EPT OF TRANSPORTATION DIST 10	Х	STAN CO CEO
PR STATE CLEARINGHOUSE		STAN CO CSA
WQCB CENTRAL VALLEY REGION	Х	STAN CO DER
TATE LANDS COMMISSION		STAN CO ERC
ETERY DISTRICT	Х	STAN CO FARM BUREAU
TRAL VALLEY FLOOD PROTECTION	Х	STAN CO HAZARDOUS MATERIALS
OF:		STAN CO PARKS & RECREATION
IMUNITY SERVICES DIST:	Х	STAN CO PUBLIC WORKS
PERATIVE EXTENSION		STAN CO PUBLIC WORKS - SURVEY
NTY OF:		STAN CO RISK MANAGEMENT
GROUNDWATER RESOURCES SION	х	STAN CO SHERIFF
PROTECTION DIST: KEYES	Х	STAN CO SUPERVISOR DIST #2: CHIESA
: WEST TURLOCK SUBBASIN	Х	STAN COUNTY COUNSEL
PITAL DIST:		StanCOG
GATION DIST: TID	Х	STANISLAUS FIRE PREVENTION BUREAU
QUITO DIST: TURLOCK	Х	STANISLAUS LAFCO
NISLAUS COUNTY EMERGENCY ICAL SERVICES	х	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
ICIPAL ADVISORY COUNCIL: KEYES		SURROUNDING LAND OWNERS
IFIC GAS & ELECTRIC		INTERESTED PARTIES
TMASTER:	Х	TELEPHONE COMPANY: AT&T
ROAD: UNION PACIFIC		TRIBAL CONTACTS (CA Government Code §65352.3)
JOAQUIN VALLEY APCD		US ARMY CORPS OF ENGINEERS
OOL DIST 1: KEYES UNION SCHOOL RICT	х	US FISH & WILDLIFE
		US MILITARY (SB 1462) (7 agencies)
OOL DIST 2: TURLOCK UNIFIED		USDA NRCS
OOL DIST 2: TURLOCK UNIFIED		
RKF		

UTCDFS-PL/planning\Planning\Staff Reports\UP\2023\UP PLN2023-0060 - Aemetis Biogas LLC - Faith Home Road\Early Consultation Referral\CEQA Early Consultation Referral.docx

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM:

SUBJECT: USE PERMIT APPLICATION NO. PLN2023-0060 – AEMETIS BIOGAS, LLC – FAITH HOME ROAD

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

_____ Will not have a significant effect on the environment.

May have a significant effect on the environment.

No Comments.

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

- 1.
- 2.
- 3. 4.

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

- 1. 2.
- 3.
- 4.

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

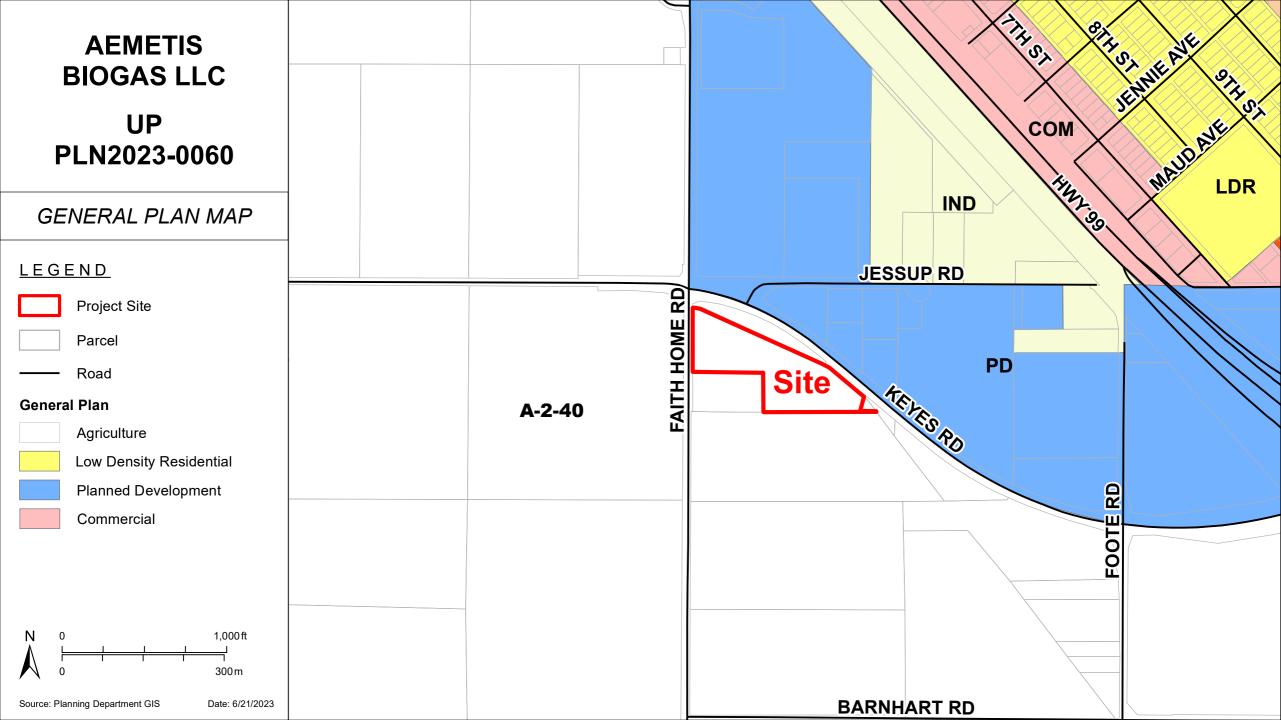
Response prepared by:

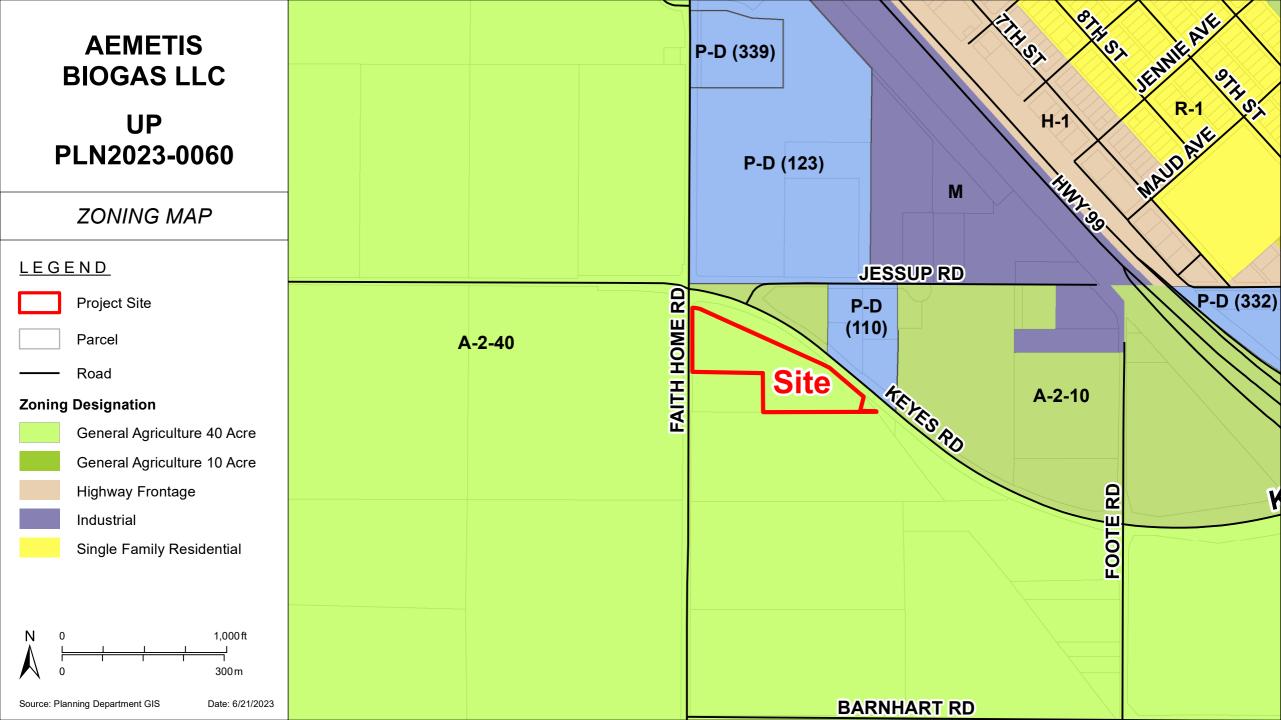
Name

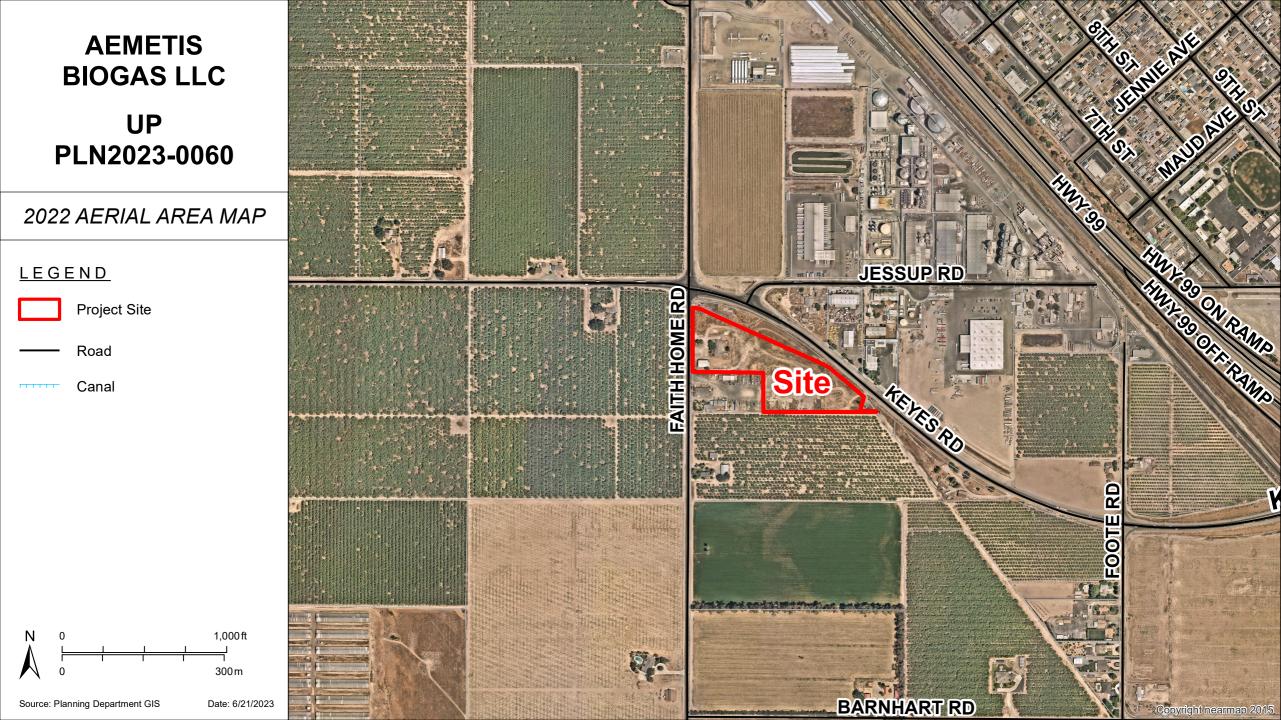
Title

Date









AEMETIS BIOGAS LLC UP PLN2023-0060

2022 AERIAL SITE MAP



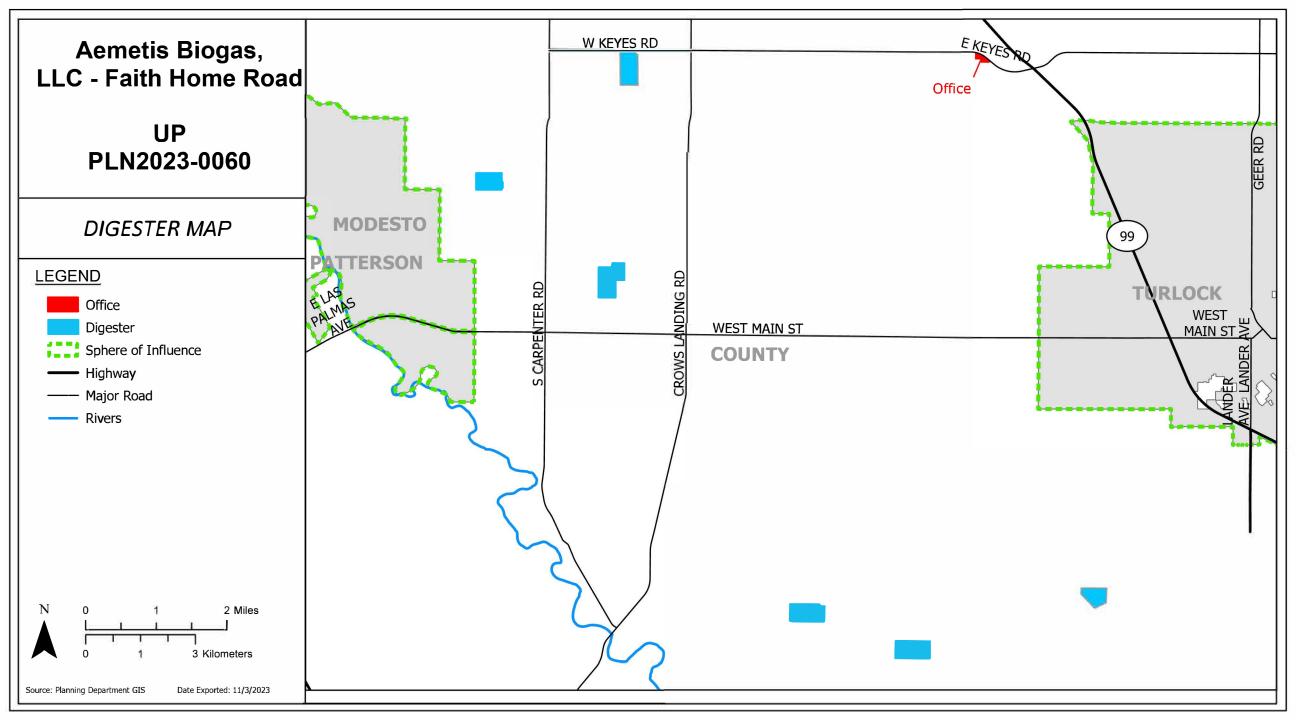
Project Site

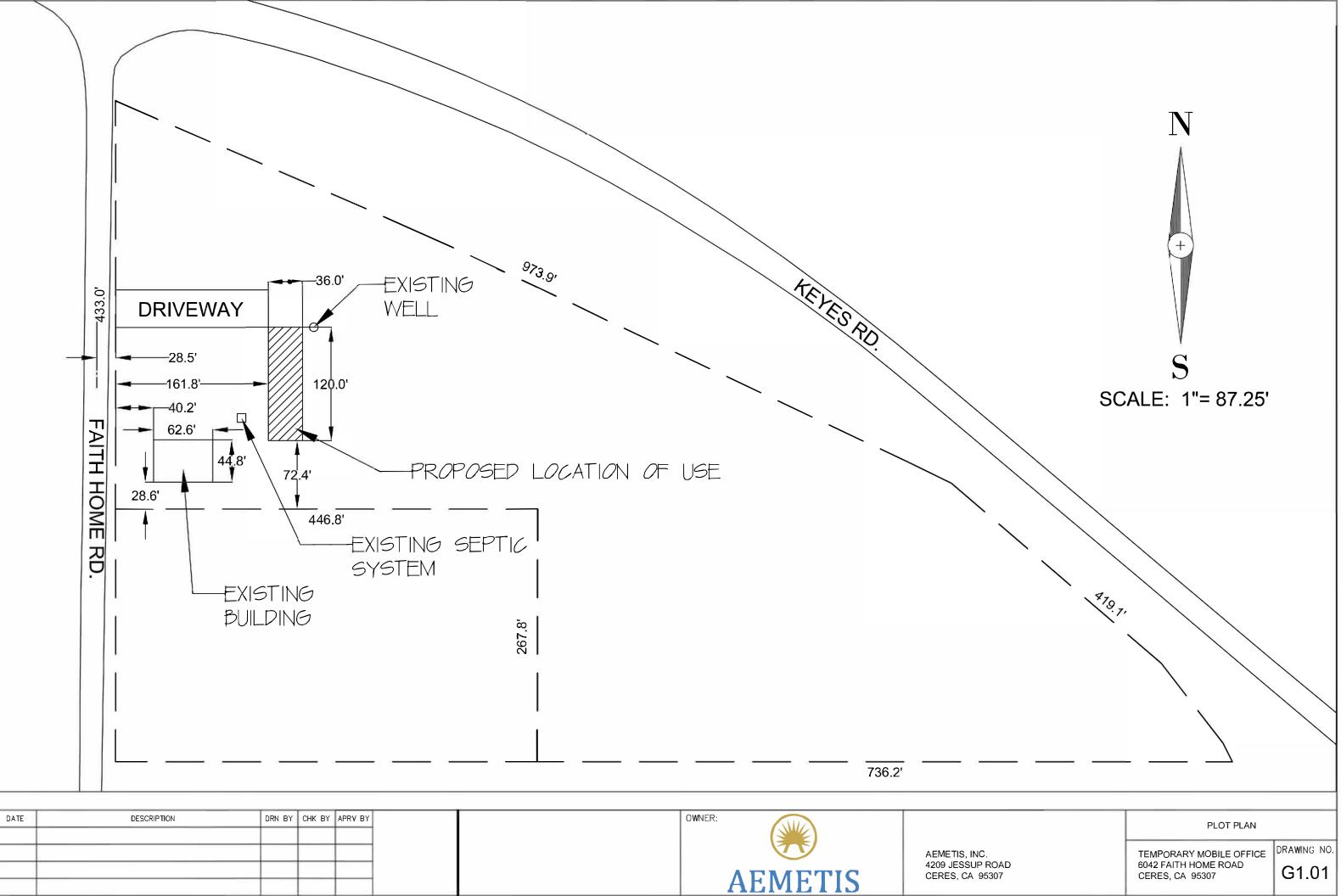
----- Road











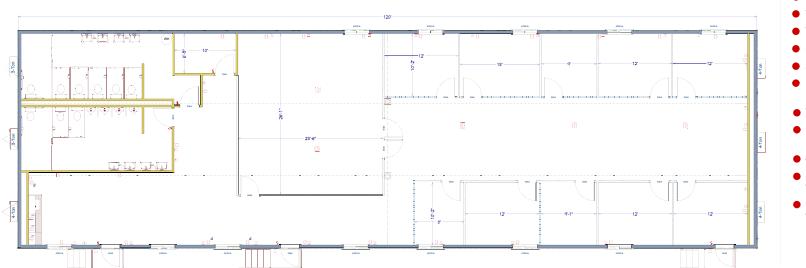
REV	DATE	DESCRIPTION	DRN BY	СНК ВҮ	APRV BY	OWNER:	
							AEMETIS, I 4209 JESS
							4209 JESS CERES, CA

MODIFIED

materials & labor included in agreement

36' X 120' MOBILE OFFICE

This drawing is the property of Pacific Mobile Structures, Inc. and may not be duplicated without approval. Actual features may vary due to available inventory.



FEATURES

- Outrigger Chassis w/hitch
- VCT & Carpet Flooring
- Vinyl wrapped interior wall covering

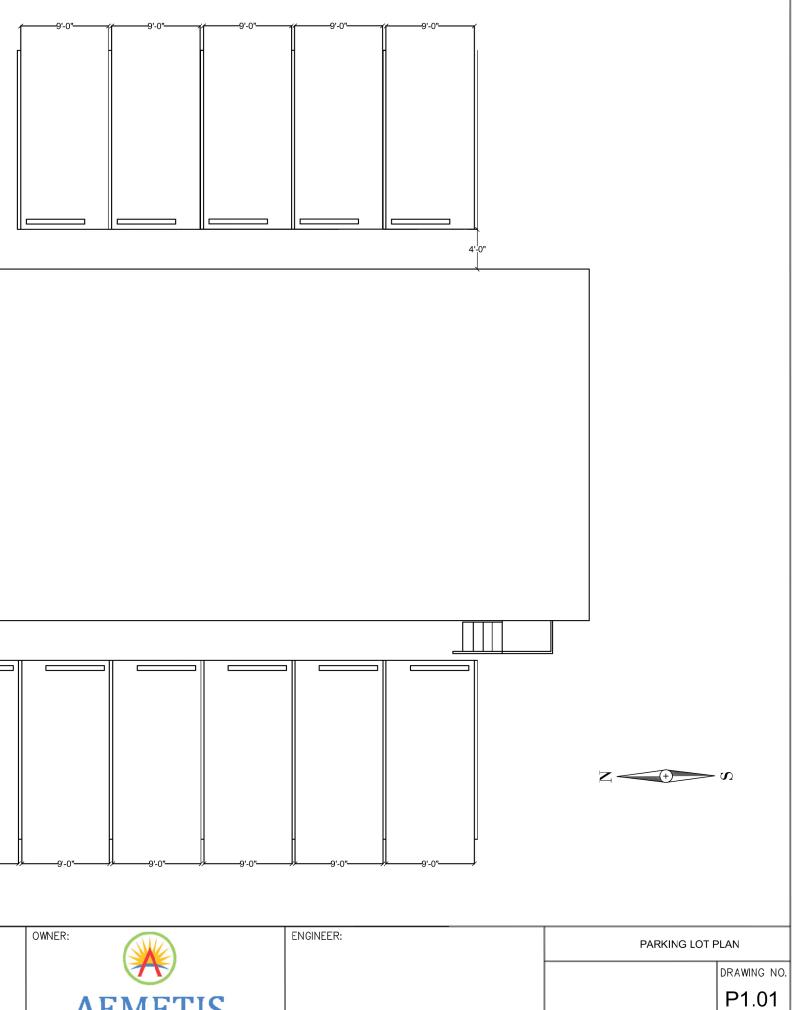
PACIFIC

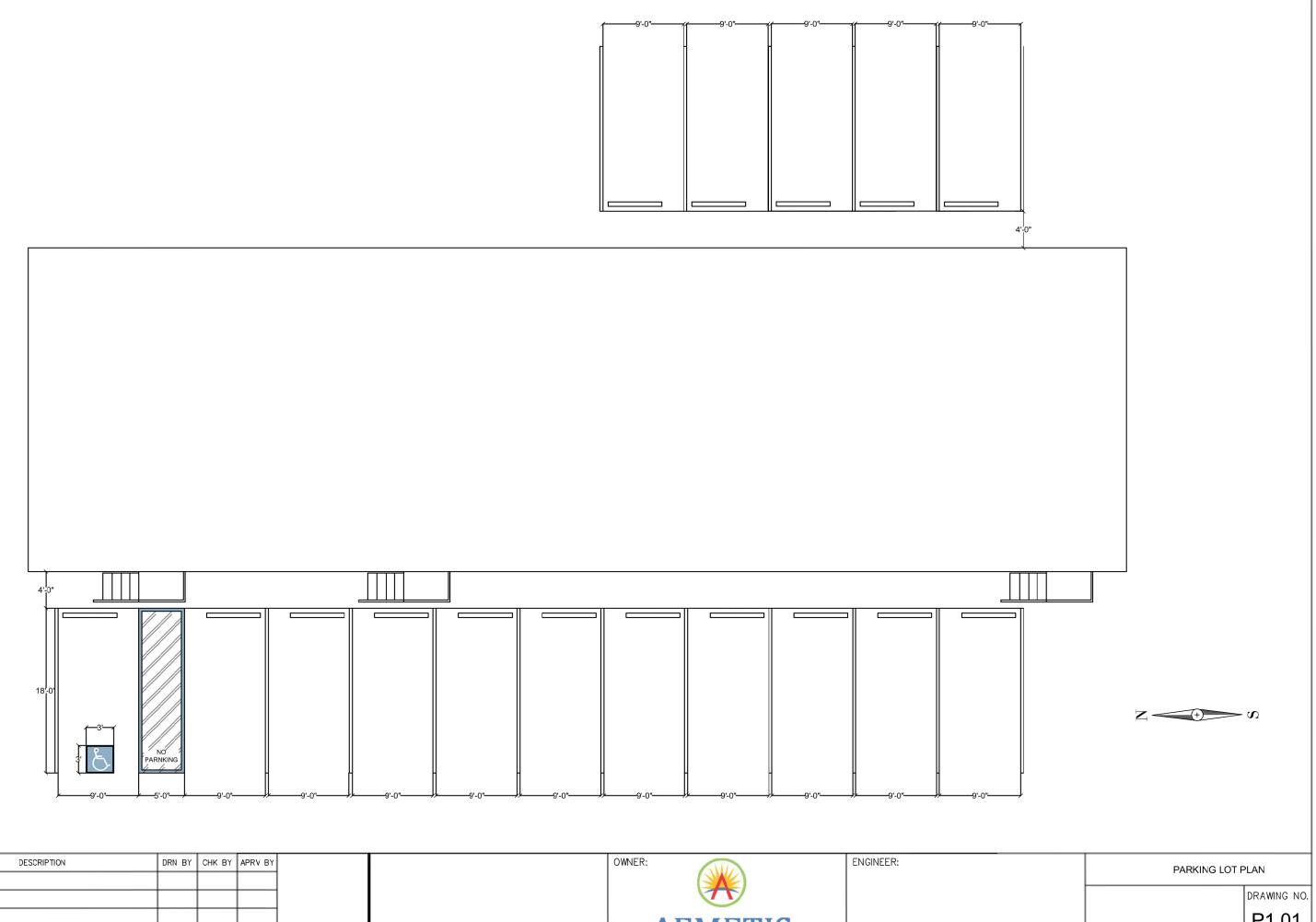
MOBILE STRUCTURES

- 8' suspended ceiling
- 2x4 troffer lights
- Endwall HVAC w/ducted supply Plenum wall ducted return
- White EPDM roof covering
- LP SmartPanel siding Grey siding / Blue trim
- 4030 Exterior sliding windows
- 3068 Painted steel exterior doors w/closer, passage, and deadbolt
- 3068 Prefinished interior doors w/Timely frame and passage

LEGEND 🖶 Panel Box : 🗇 Porch Light 🛛 🗇 Thermostat 🌗 Duplex Outlet 💲 Light Switch 🛛 🖂 Empty data box 🛛 —— Perm. Interior wall 🚥 == "Temp. Interior wall

WWW.PACIFICMOBILE.COM / 800-225-6539





REV	DATE	DESCRIPTION	DRN BY	СНК ВҮ	APRV BY	OWNER:	ENGI
						AEMETIC	
						AEMEIIS	



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT 1010 10TH Street, Suite 3400, Modesto, CA 95354 Planning Phone: (209) 525-6330 Fax: (209) 525-5911 Building Phone: (209) 525-6557 Fax: (209) 525-7759 Form Available Online: http://www.stancounty.com/planning/applications.shtm

APPLICATION QUESTIONNAIRE

	e Check all applicable boxes		PLANNING STAFF USE ONLY:	
APPI	LICATION FOR:	Application No(s): UP PLN 2023-		
Staff i	s available to assist you with determ	ining v	which applications are necessary	
				Date:
	General Plan Amendment			s <u>31</u> <u>T</u> 4 <u>R</u> 10
			Subdivision Map	GP Designation: <u>Agriculture</u>
	Rezone		Parcel Map	Zoning: <u>A-2-40</u>
×	Use Permit		Excention	Fee: <u>\$ 5,305</u>
		_	·	Receipt No. 572273
	Variance		Williamson Act Cancellation	
	Historic Site Permit		Other	Notes:
	Rezone Use Permit Variance		Parcel Map Exception Williamson Act Cancellation	Zoning: <u>A - 2 - 40</u> Fee: <u>\$ 5,305</u> Receipt No. <u>572273</u> Received By: <u>JB / KA</u>

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i - v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

*Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).

The trailer is a temporary facility intended to serve as a base for the project management and construction management

team to manage current and future dairy projects within a 20-mile radius over the course of the next 24 months. The

trailer serves as a critical purpose in supporting the management of the dairy digester projects, providing a central

location for team members to coordinate and oversee project activities. See project description attachment for more.

	8 ½" by 11" reproducible copy of tentative map
	Tree Planting Plan Reference Chapter 21.102 – Landscape of the Stanislaus County Zoning Ordinance.
	Information supporting compliance with County General Plan Policies regarding parks. Not required for parcels being created within non-residential zoning districts.
	All applications for a subdivision map must include a records search for historical and cultural resources obtained from the Central California Information Center, 801 Monte Vista Avenue, Turlock 95382, (209) 667-3307 (contact Elizabeth Greathouse).
Parcel N	

- Ten (10) 18" by 26" copies of the tentative map drawn to a legible scale. The map must contain the following physical data:
 - Sufficient description to define the location, date, north arrow, scale and boundaries; (full width of all streets bordering the property must be shown);
 - > Name and address of record owner(s);
 - > Name and address of person(s) preparing map;
 - Acreage to the nearest tenth of an acre; parcels less than one acre in area may be noted in square feet;
 - Location and size of all pipelines, existing irrigation and drainage facilities, irrigation and drainage patterns, existing or proposed water wells, septic tanks and drainage (leach) fields, sewage lines and structures used in connecting therewith, water table depth, soil type, slope of the land;
 - Outline of existing buildings and mobile homes to remain in place within the subdivision, showing the distance to existing or proposed streets, lots and building lines;
 - > Tax Assessor's parcel number as shown on the latest County Assessment Roll.

*All maps <u>must</u> be folded to no greater than 8 ½ " x 11" upon submittal.

8 ¹/₂" by 11" reproducible copy of parcel map

Information supporting compliance with County General Plan Policies regarding parks Not required for parcels being created within non-residential zoning districts.

* For vesting maps, additional information, including detailed grading plans, building details, sewer, water, storm drain and road details and information on proposed building uses may be required, at the discretion of the County.

All applications for a parcel map must include a records search for historical and cultural resources obtained from the Central California Information Center, 801 Monte Vista Avenue, Turlock 95382, (209) 667-3307 (contact Elizabeth Greathouse).

Exception (To the Subdivision Ordinance):

Information sufficient to support the required "Exception Findings" shown on page 19.

Williamson Act Cancellation:

Written information discussing alternative use of the land and anticipated time frame for implementation of the alternative use.

APPLICATION CHECKLIST MUST BE SUBMITTED WITH APPLICATION QUESTIONNAIRE

PROJECT SITE INFORMATION

Complete and accurate infor each section entirely. If a c question has been carefully 1010 10 th Street – 3 rd Floor, recommended.	question is no considered.	t applicable Contact th	e to your pro ne Planning &	ject, pleas Commun	se indicate hitv Develo	d this to sho oment Depar	w that each trment Staff.
ASSESSOR'S PARCEL	NUMBER(S)	: Book	045	_ Page	045	Parcel	026
Additional parcel numbers: Project Site Address or Physical Location:	6042 Faith H	lome Rd Cer	res CA 95307				
Property Area:	Acres:	5	or Square	feet:			
Current and Previous Land Use	e: (Explain exis	ting and pre	vious land use	(s) of site f	or the last to	en years)	
List any known previous pro project name, type of project, and			site, such as a	a Use Peri	nit, Parcel	Map, etc.: (F	Please identify
Existing General Plan & Zoni	ng:					· · · · · ·	
Proposed General Plan & Zor (if applicable)							
ADJACENT LAND USE: direction of the project site)	(Describe ad	jacent land	uses within 1	,320 feet (1/4 mile) a	nd/or two par	cels in each
East: Keyes Road, Orchard (Corporation						
West: Faith Home Road, Orc	hards						
North: Keyes Road, cropland							
South: Trucking company							
WILLIAMSON ACT CON	TRACT:						
Yes 🗋 No 🗵	Is the property Contract Num		nder a William	son Act Co No	ntract?		
	lf yes, has a N	lotice of Nor	n-Renewal bee	en filed?			
	Date Filed:						

Yes 🗋 No 🗵	Do you propose to cancel any portion of the Contract?
Yes 🗌 No 🗷	Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)
	If yes, please list and provide a recorded copy:
SITE CHARACTER	RISTICS: (Check one or more) Flat 🗵 Rolling 🗆 Steep 🗖
VEGETATION: Wh	at kind of plants are growing on your property? (Check one or more)
Field crops	Orchard D Pasture/Grassland 🗷 Scattered trees D
Shrubs	Woodland C River/Riparian C Other C
Explain Other:	
Yes 🗌 No 🗵	Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)
GRADING:	
Yes 🗋 No 🗷	Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.)
STREAMS, LAKES	s, & PONDS:
Yes 🗌 No 🗷	Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)
Yes 🗋 No 🖾	Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed)
Yes 🛛 No 🖾	Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)
Yes 🗌 No 🗵	Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)
	Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

Yes 🗵	No		Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.
Yes 🛛	No	X	Will structures be moved or demolished? (If yes, indicate on plot plan.)
Yes 🛛	No	X	Do you plan to build new structures? (If yes, show location and size on plot plan.)
Yes 🛛	No	X	Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.)

PROJECT SITE COVERAGE:

Existing Building Coverage:	Sq. Ft.	Landscaped Area:	Sq. Ft.
Proposed Building Coverage:	Sq. Ft.	Paved Surface Area:	Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) 4320

Number of floors for each building: 1_____

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) less than 20ft

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary)_____

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) Crushed rock/gravel

UTILITIES AND IRRIGATION FACILITIES:

Yes X No Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical:	Turlock Irrigation District	Sewer*:	Septic	
Telephone:	AT&T	Gas/Propane:	N/A	
Water**:	Well	_ Irrigation:	N/A	

*Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.

**Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

None

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes 🛛	No	X	Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)
Yes 🛛	No	X	Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)
Yes 🛛	No	X	Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes **No W** Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots:	Total Dwelling U	Jnits:	: Total Acreage:		
Net Density per Acre:	Gross Density per Acre:				
(complete if applicable)	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/ Townhouse	
Number of Units:					
Acreage:					

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER

PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): 4320 SqFt

Type of use(s):	Construction Progress Updates, staging liner material for when ready to deploy and use on digester
projects.	

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: <u>N/A</u>					
Occupancy/capacity of building:					
Number of employees: (Maximum Shift): 10	(Minimum Shift): 3				
Estimated number of daily customers/visitors on site at peak tim Other occupants:					
Estimated number of truck deliveries/loadings per day:	None				
Estimated hours of truck deliveries/loadings per day:	None				
Estimated percentage of traffic to be generated by trucks:	None				
Estimated number of railroad deliveries/loadings per day:	None				
Square footage of:					
Office area: 4320	Warehouse area:				
Sales area:	Storage area:				
Loading area:	Manufacturing area:				
Other: (explain type of area)					
Yes No K Will the proposed use involve toxic or hazardous materials or waste? (Please explain)					
ROAD AND ACCESS INFORMATION:	· · · · · · · · · · · · · · · · · · ·				
What County road(s) will provide the project's main access? (Pl	lease show all existing and proposed driveways on the plot plan)				

Faith Home Road

Yes 🛛	No	X	Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)
Yes 🛛	No	X	Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)
Yes 🗵	No		Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) D Drainage Basin Direct Discharge 🗵 Overland

Other: (please explain)

If direct discharge is proposed, what specific waterway are you proposing to discharge to?

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

We also stage the liner material that is bought in bulk for the planned future digester projects on site.