

STANISLAUS COUNTY PLANNING COMMISSION

May 18, 2023

STAFF REPORT

USE PERMIT APPLICATION NO. PLN2022-0074
CAL COAST COMMODITIES

REQUEST: TO OPERATE A NUT STORAGE FACILITY WITHIN FOUR EXISTING AGRICULTURAL STORAGE BUILDINGS, TOTALING 80,300± SQUARE FEET, ON A 34.92± ACRE PARCEL IN THE GENERAL AGRICULTURE (A-2-40) ZONING DISTRICT.

APPLICATION INFORMATION

Applicant:	Cal Coast Commodities (Keith, Bobby, and Karen Yamamoto, Tyler C. Angle)
Property owner:	Perez Brothers Partnership (Thomas and Earl Perez)
Agent:	N/A
Location:	East 5 th Street, between State Route 33 and Armstrong Road, in the Crows Landing area
Section, Township, Range:	22-6-8 and 23-6-8
Supervisory District:	District 5 (Supervisor C. Condit)
Assessor's Parcel:	027-006-013
Referrals:	See Exhibit F Environmental Review Referrals
Area of Parcel(s):	34.92
Water Supply:	N/A
Sewage Disposal:	N/A
General Plan Designation:	Agriculture
Community Plan Designation:	N/A
Existing Zoning:	General Agriculture (A-2)
Sphere of Influence:	N/A
Williamson Act Contract No.:	N/A
Environmental Review:	Negative Declaration
Present Land Use:	Nut storage and orchards.
Surrounding Land Use:	Residential development to the north and south; agricultural production to the east and south/southwest; industrial development and the community of Crows Landing to the west.

RECOMMENDATION

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

PROJECT DESCRIPTION

The project is a request to permit and operate an existing nut storage facility within four storage buildings, totaling 80,300± square feet of building space, located on 3± acres of a 34.92± acre parcel in the General Agriculture (A-2-40) zoning district. Three of the storage buildings are 21,900 square feet in size and one storage building is 14,600 square feet in size. The buildings are made of prefabricated steel frames, enclosed with vinyl covering, over concrete pads; paved drive aisles have been installed between the structures and the building site area is enclosed by a chain link fence. The two most westward structures will include areas for shipping and receiving within each building.

Exhibit B – *Maps* provides both area maps and site plans illustrating the location of the proposed use and its relationship to the surrounding area. The 34.92± acres on which the project site is located, is identified as Assessor Parcel Number (APN) 027-006-013. The proposed storage buildings are used in support of a nut processing facility located on the adjoining parcel to the west (APN 027-010-009). The Assessor's parcels are reflected in Exhibit B-9 – Assessor Parcel Configuration and Proposed Access Easement .

Nuts will be stored on the project site after they have been hulled and shelled off-site and before they leave the site to be processed and packaged at the nut processing facility on the adjoining parcel. The applicant will primarily store almonds, but occasionally will store walnuts or pistachios depending on market demand or economic considerations. Approximately 80% of the nuts being stored are from orchards farmed by the applicants, with the remaining 20% coming from outside growers. While ownership of the project site and the adjoining parcel to the west differs, both the storage and processing operation are managed by the project applicant, Cal Coast Commodities. Employees of the proposed project will utilize existing restrooms and other employee facilities on the adjacent nut processing facility parcel. Stormwater is proposed to be managed on-site using overland disbursement into the existing orchard.

During the harvest period, which runs from August to December, the number of employees on the project site is anticipated to be six to eight per day with hours of operation to be Monday through Saturday from 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site is anticipated to be up to three per day with hours of operation to be Monday through Saturday from 7:00 a.m. to 5:00 p.m. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season. No retail sales are proposed as part of this project, nor will customers be permitted on-site.

The project site takes access from County-maintained East 5th Street; however, the access requires crossing through two separate APNs (APN 027-006-12 and 027-010-009), to reach East 5th Street and the right to cross through the parcels has not been formally obtained. Accordingly,

the applicant proposes to obtain an access easement that will begin at the western portion of APN 027-006-013, moving west through APN 027-006-012, and then north through APN 010-010-006 onto East 5th Street via an existing driveway (see B-9 of Exhibit B – *Maps*). The easement along APN 027-010-009 will run concurrent with E Street, created as part of the original Township Map of the town Crows Landing in 1950 but was never developed. The County has determined that E Street was formally abandoned in 1989. Additionally, while APN 027-010-009 and 027-006-012 are recognized as single Assessor’s parcels, they are each comprised of two legal parcels (see B-10 of Exhibit B - *Maps*).

The existing storage buildings were established in 2022 without the necessary land use entitlement or building permits. A history of the project’s development is provided in the *Issues* section below.

SITE DESCRIPTION

The project site is located on East 5th Street, between State Route 33 and Armstrong Road, in the Crows Landing area. As stated in the project description, the project site is developed with four unpermitted storage buildings totaling 80,300± square feet of building space located on 3± acres of a 34.92± acre parcel. Paved drive aisles have been installed between the structures and the building site area is enclosed by a chain link fence. The remaining balance of the parcel is planted in walnut orchards. The site is surrounded by residential development to the north and south, agricultural production to the east and south/southwest, industrial development and the community of Crows Landing to the west.

ISSUES

The following issues have been identified as part of the review of the project:

The project was originally submitted July 24, 2020, under Use Permit Application No. PLN2020-0065 – Cal Coast Commodities, for the same proposed site development and use. The application was withdrawn from consideration on April 5, 2022, due to inactivity. The current application request was submitted on July 11, 2022. During the period of time the first application was being processed, the proposed structures were constructed without the required building and land use permits and have been used for the storage of nuts, resulting in code enforcement action. Because of the code enforcement action, a condition of approval has been added to the project requiring that all applicable building permits be issued and finalized within six months of project approval; however, the time frame may be extended by the Planning Director provided sufficient evidence is provided illustrating the need for a time extension to be granted.

California Building Code classifies buildings utilized for the storage of raw nuts as a Moderate Hazard Storage (S-1) classification. A 10-foot separation is required by Building Code between S-1 classified structures and the property lines, and a 20-foot separation is required between grouped S-1 structures within the parcel. Currently, the buildings have been constructed with a setback of only five feet from the western property line which does not meet California Building Code. Some of the options available to the applicant to meet the required setback include but are not limited to the following: establishing a 10-foot no build easement between the project site and the property adjacent to the west; completing a lot line adjustment between the project site and the adjacent parcels to the west; or relocating the existing structures an additional five feet to

the east. A condition of approval has been added to the project to ensure the building code setback requirements are met prior to the issuance of a building permit.

Californian Building Code also requires that restroom facilities be provided for use by those utilizing the proposed storage buildings. The project applicant is proposing to have employees utilize existing restroom facilities for the nut processing facility on the adjoining parcel to the west which is held under common ownership. In recognition of this joint use, a condition of approval has been added to the project requiring a joint use agreement be put in place to provide for off-site restroom facilities prior to issuance of a building permit.

GENERAL PLAN CONSISTENCY

The site is currently designated “Agriculture” in the Stanislaus County General Plan. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas. This designation establishes agriculture as the primary use in land so designated, but allows dwelling units, limited agriculturally related commercial services, agriculturally related light industrial uses, and other uses which by their unique nature are not compatible with urban uses, provided they do not conflict with the primary use.

The proposed project is supported by the goals, objectives, and policies of the various elements of the General Plan. Specifically, the Agricultural Element encourages vertical integration of agriculture by organizing uses requiring use permits into three tiers based on the type of uses and their relationship to agriculture. Tier One uses include uses closely related to agriculture such as nut hulling and drying, wholesale nurseries, and warehouses for storage of grain and other farm produce. The proposed expansion is considered a Tier One use in support of agriculture production consistent with the General Plan and all its elements.

To minimize conflicts between agricultural and non-agricultural operations, Buffer and Setback Guidelines (Appendix A of the Agricultural Element) have been adopted. The purpose of these guidelines is to protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the A-2 zoning district. Appendix A of these guidelines states that all projects shall incorporate a minimum 150-foot-wide buffer setback for low people intensive uses. Permitted uses within a buffer area shall include: public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses. As a Tier One use, the project is not subject to agricultural buffers, unless the Planning Commission determines that it is a people intensive use. As the project proposes a maximum of eight people on-site during the harvest season and a maximum of three employees on-site during the offseason, staff considers the use to be low people intensive.

ZONING ORDINANCE CONSISTENCY

The site is currently zoned A-2-40 (General Agriculture, 40 acres minimum). Section 21.20.030(A) of the Stanislaus County Zoning Ordinance allows nut, shelling, and storage of agriculture products as a Tier One Use Permit. Tier One uses are uses closely related to agriculture, considered to be necessary for a healthy agricultural economy, and may be allowed when the Planning Commission makes the following findings:

1. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Agriculture" 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.
2. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.

As required by County Code, the on-site parking requirement for wholesale warehouses are based on the number of employees on a maximum shift, plus three additional stalls. With a maximum of eight employees during harvest periods, 11 off-street parking stalls are required to be located on-site. A condition of approval has been placed on the project to ensure this requirement is met. Additionally, conditions of approval have been placed on the project regarding lighting, limiting all proposed on-site lighting to be aimed downward and limited to a maximum of 15 feet in height, and on-site signage, specifically limiting the size and height of any freestanding sign.

Staff believes the establishment as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity. There is no indication that this project, as proposed and conditioned, will 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 the general welfare of the County.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to interested parties and responsible agencies for review and comment and no significant issues were raised (see Exhibit F – *Environmental Review Referrals*). A Negative Declaration has been prepared for approval prior to action on the project itself as the project will not have a significant effect on the environment (see Exhibit E – *Negative Declaration*). Conditions of approval reflecting referral responses have been placed on the project (see Exhibit C – *Conditions of Approval*).

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,821.00** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk-Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Jeremy Ballard, Senior Planner, (209) 525-6330

Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Conditions of Approval
- Exhibit D - Initial Study
- Exhibit E - Negative Declaration
- Exhibit F - Environmental Review Referrals

Findings and Actions Required for Project Approval






1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - a. 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.
 - b. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity.
 - c. The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements.
 - d. The proposed Tier One use is "low people intensive" and not subject to the agricultural buffer.
4. Approve Use Permit Application No. PLN2022-0074 – Cal Coast Commodities.

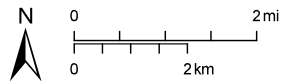
CAL COAST COMMODITIES

UP PLN2022-0074

AREA MAP

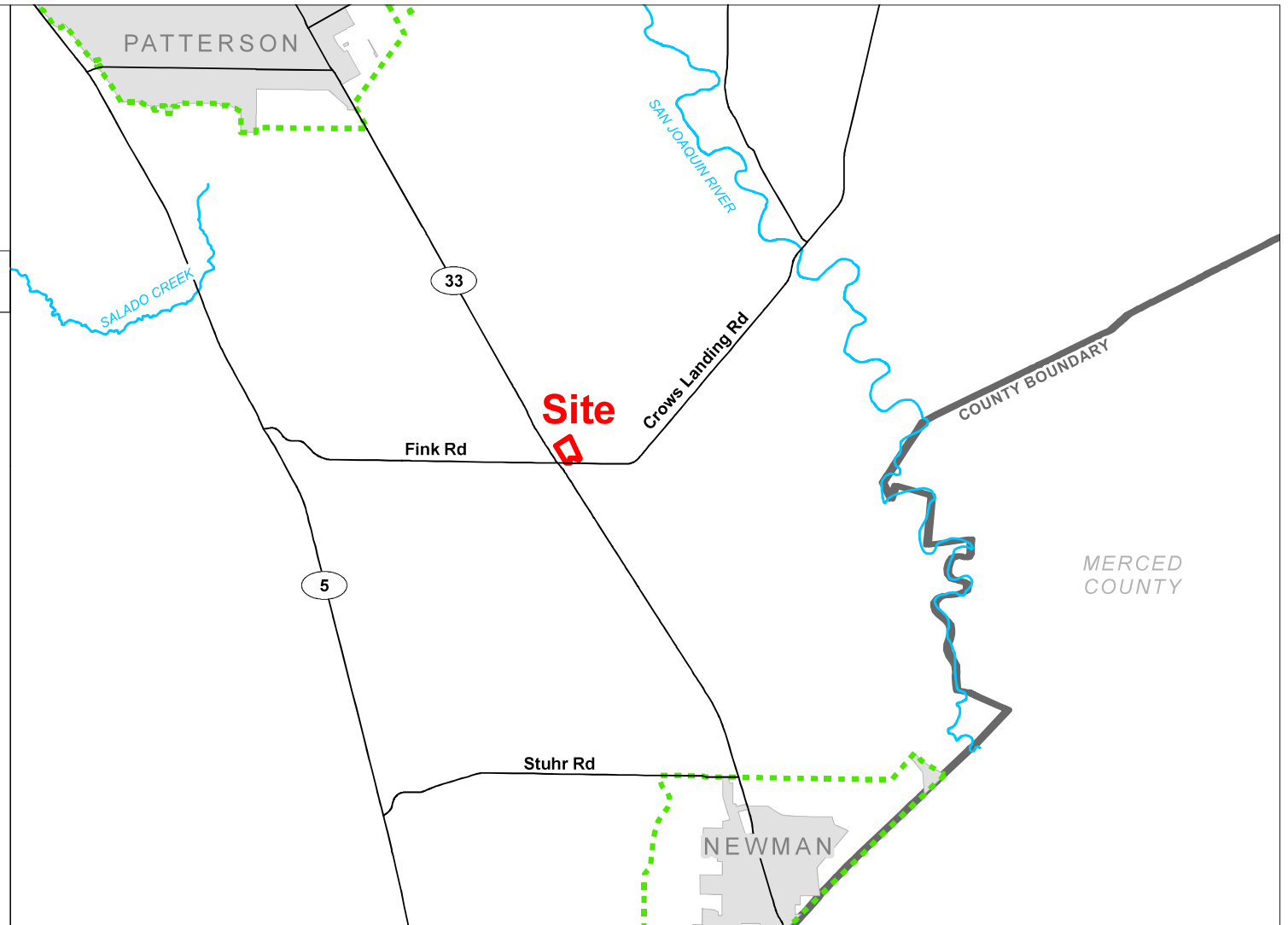
LEGEND

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



Source: Planning Department GIS

Date: 8/1/2022



7





EXHIBIT B

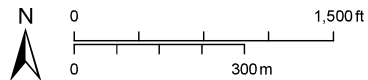
CAL COAST COMMODITIES

UP PLN2022-0074

GENERAL PLAN MAP

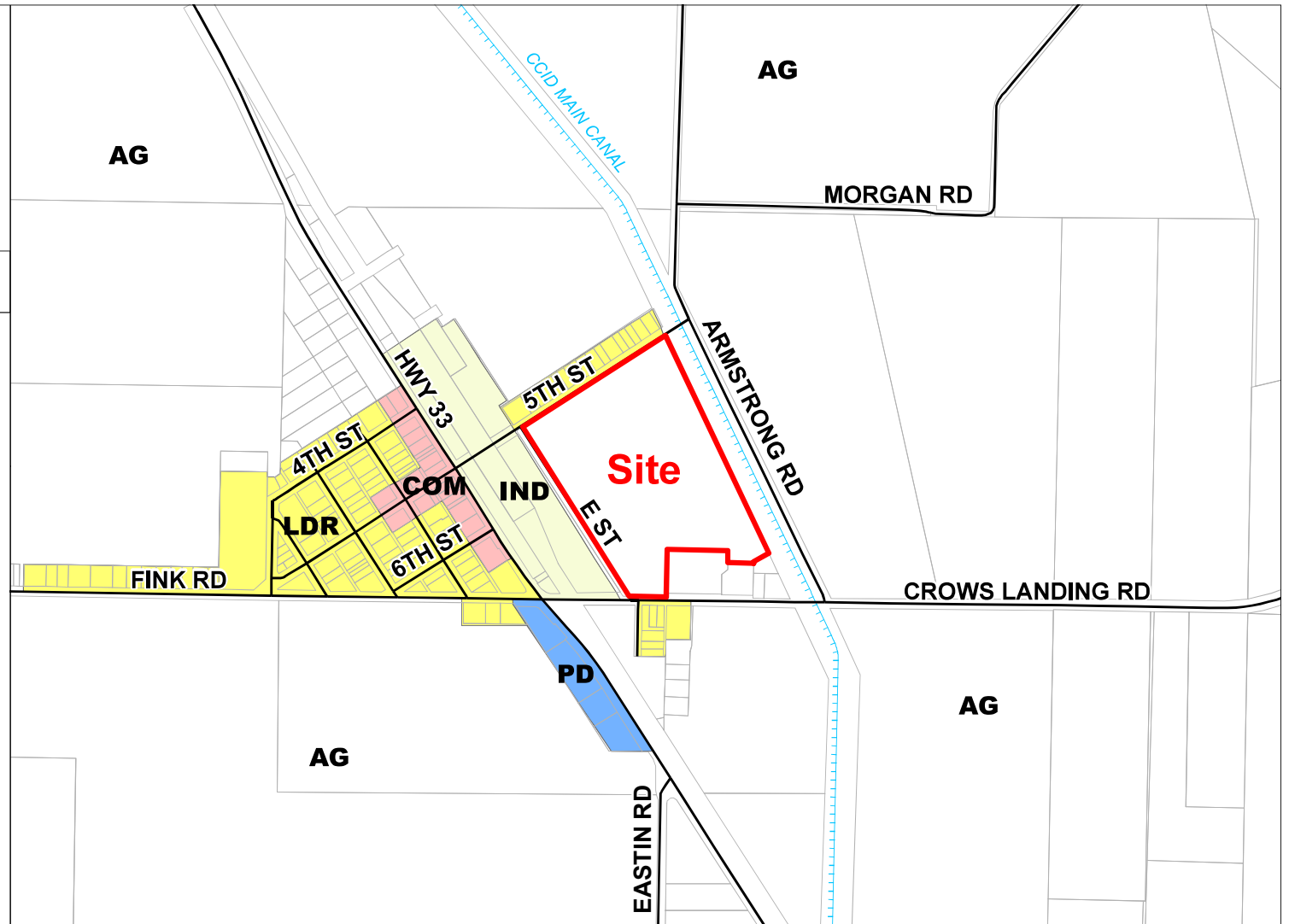
LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
- General Plan**
-  Agriculture
-  Low Density Residential
-  Planned Development
-  Industrial
-  Commercial



Source: Planning Department GIS

Date: 8/1/2022








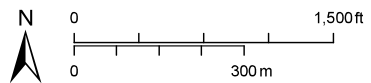
CAL COAST COMMODITIES

UP PLN2022-0074

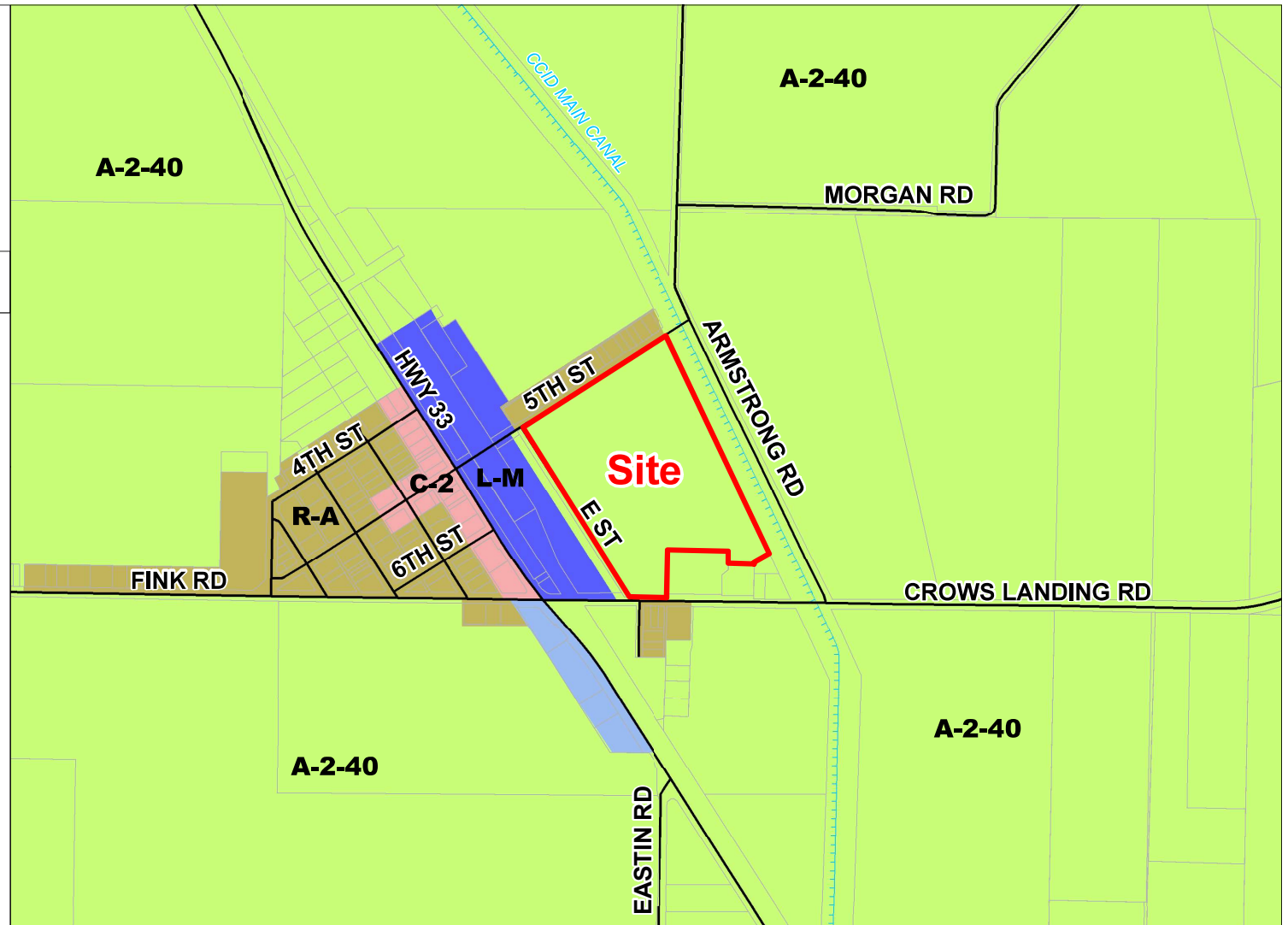
ZONING MAP

LEGEND

-  Project Site
 -  Parcel
 -  Road
 -  Canal
- Zoning Designation**
-  Rural Residential
 -  Limited Industrial
 -  General Agriculture 40 Acre
 -  General Commercial



Source: Planning Department GIS Date: 8/1/2022






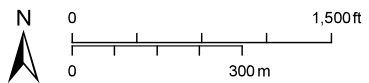
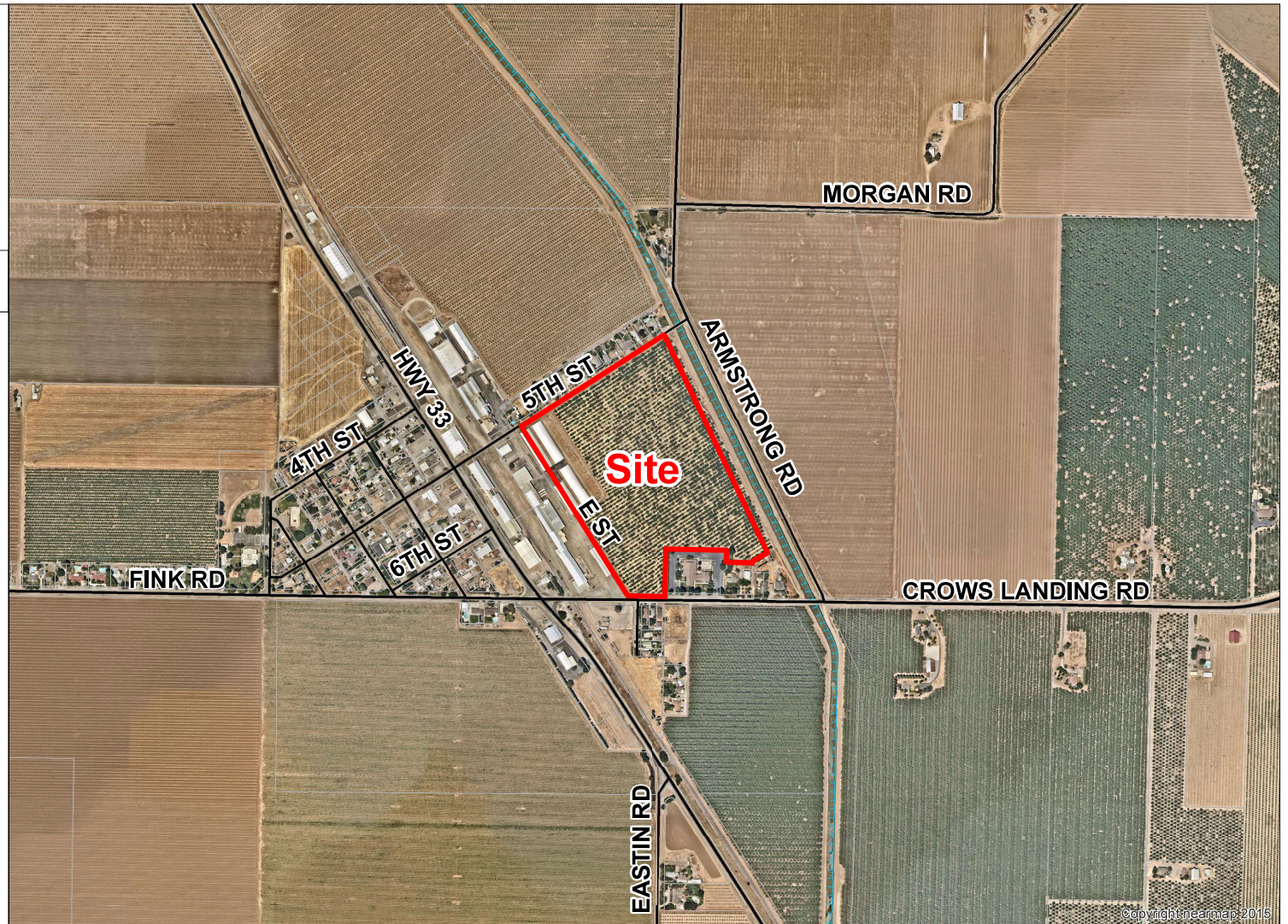
CAL COAST COMMODITIES

UP PLN2022-0074

2021 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  Canal



Source: Planning Department GIS

Date: 8/1/2022




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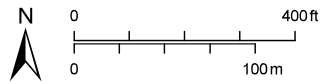
CAL COAST COMMODITIES

UP PLN2022-0074

2021 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road
-  Canal

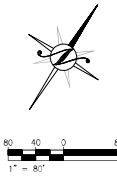
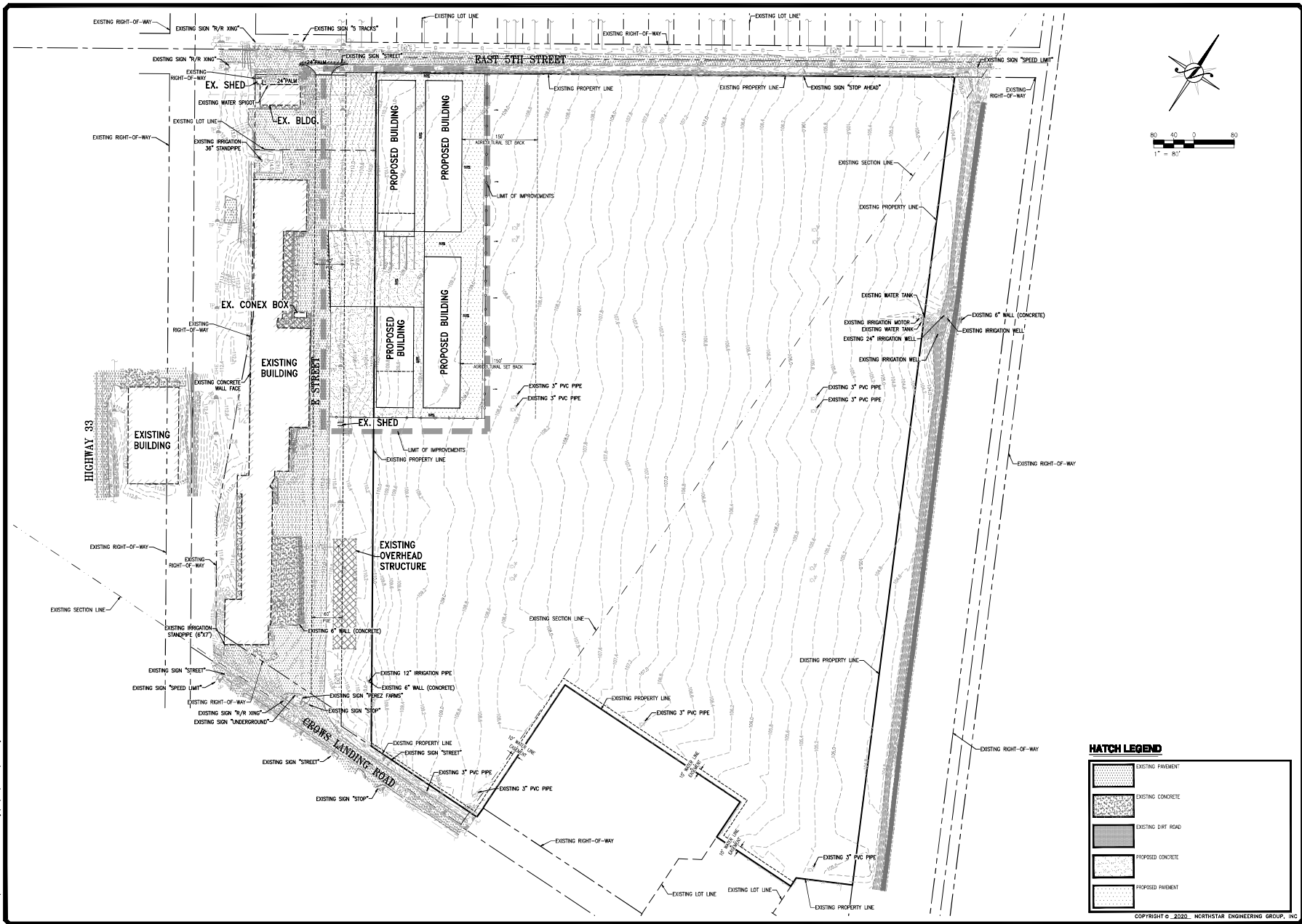


Source: Planning Department GIS

Date: 8/1/2022





Copyright: nearmap 2015



HATCH LEGEND


	EXISTING PAVEMENT
	EXISTING CONCRETE
	EXISTING DIRT ROAD
	PROPOSED CONCRETE
	PROPOSED PAVEMENT

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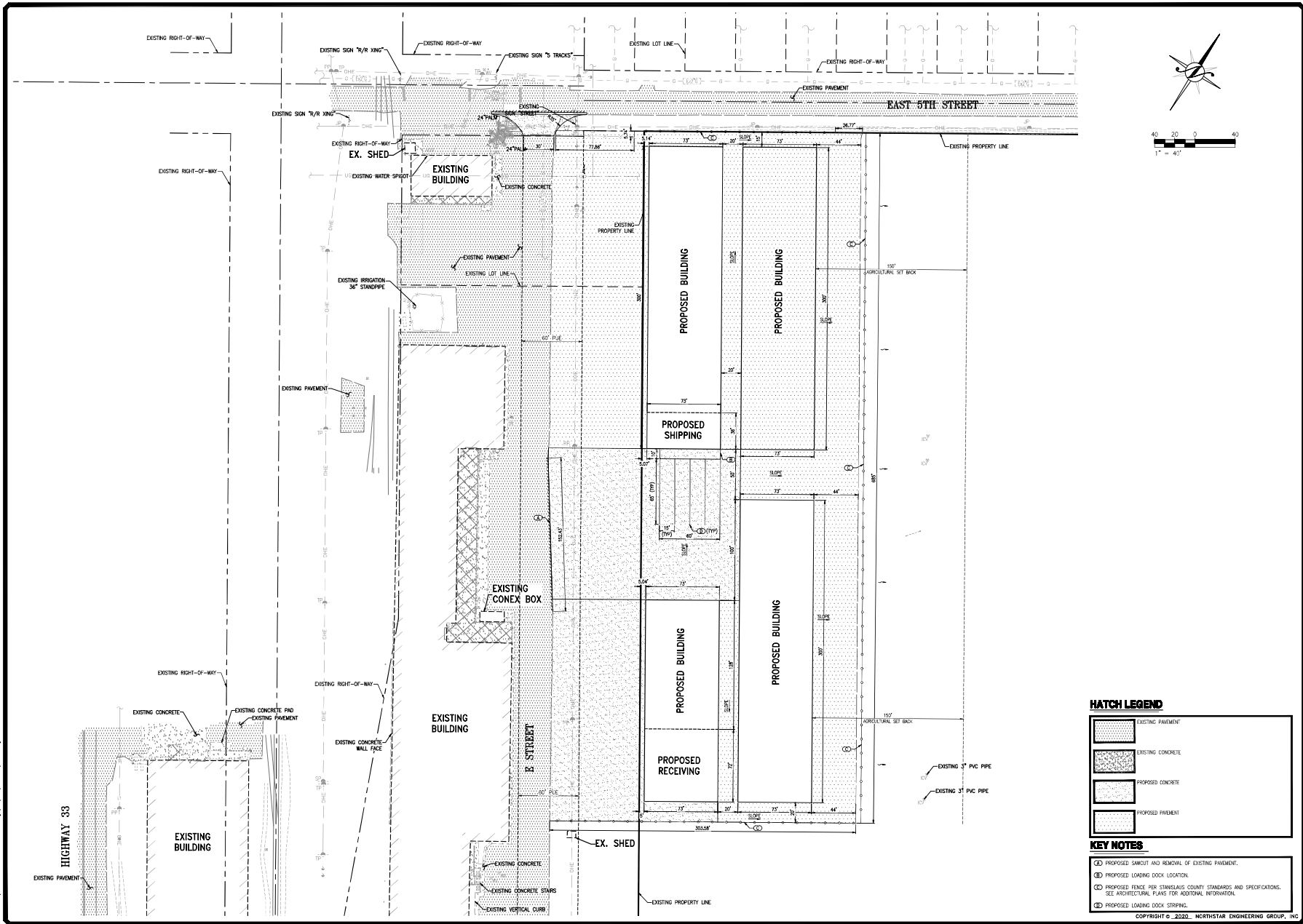
REV.	REVISIONS	DATE	APPROVED

OVERALL SITE PLAN
CIVIL IMPROVEMENT PLANS FOR CAL COAST AND OILAM
CROWS LANDING, CALIFORNIA



Northstar Engineering Group, Inc.
 4500 CALIFORNIA STREET, SUITE 200
 OAKLAND, CALIFORNIA 94612
 (925) 434-1200 FAX (925) 434-1201

JOB # 20-2610	SHEET NUMBER
DATE 10/27/2020	C2.1
SCALE AS SHOWN	
DRAWN BY CHECKED BY DATE	



HATCH LEGEND

	EXISTING PAVEMENT
	EXISTING CONCRETE
	PROPOSED CONCRETE
	PROPOSED PAVEMENT

KEY NOTES

- ⊖ PROPOSED SAWCUT AND REMOVAL OF EXISTING PAVEMENT.
- ⊕ PROPOSED LOADING DOCK LOCATION.
- ⊙ PROPOSED FENCE PER STANISLAUS COUNTY STANDARDS AND SPECIFICATIONS. SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.
- ⊚ PROPOSED LOADING DOCK STRIPING.

REV.	DATE	APPROVED

PROPOSED LAYOUT
CIVIL IMPROVEMENT PLANS FOR
CAL COAST AND OLAM
CROWDS LANDING, CALIFORNIA

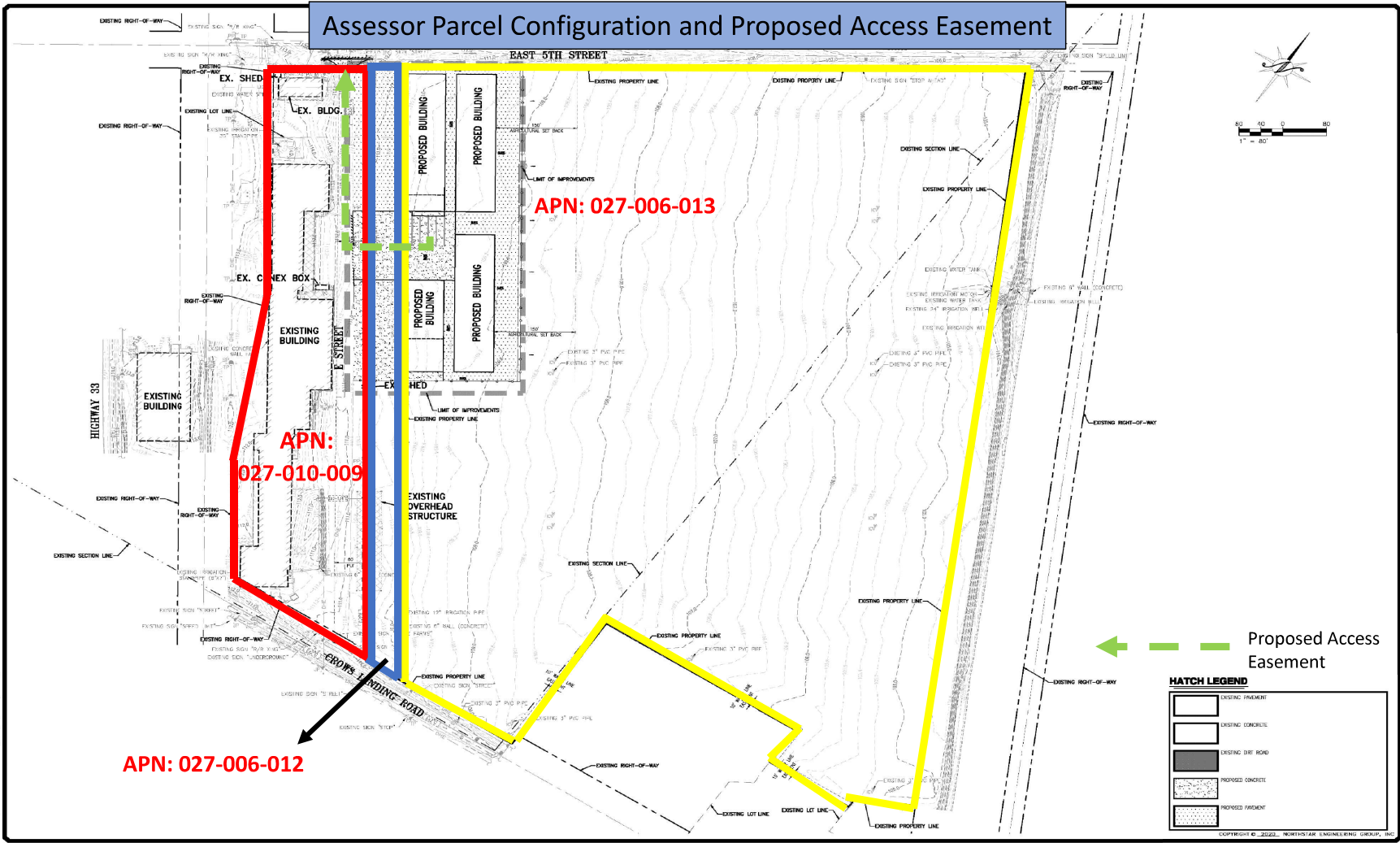
NorthStar
Engineering Group, Inc.
A DIVISION OF NORTHSTAR GROUP, INC.
10000 BAYVIEW BLVD., SUITE 100
DUBLIN, CA 94568
(925) 835-1000 Fax: (925) 835-1007

JOB # 20-2610
 DATE 10/27/2020
 SCALE AS SHOWN
 DRAWN BY
 DESIGNED BY
 CHECKED BY

SHEET NUMBER
C3.1

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Assessor Parcel Configuration and Proposed Access Easement



HATCH LEGEND


[Hatched Pattern]	EXISTING PAVEMENT
[Solid Grey]	EXISTING CONCRETE
[Dotted Pattern]	EXISTING DIRT ROAD
[Cross-hatched Pattern]	PROPOSED CONCRETE
[Diagonal Hatched Pattern]	PROPOSED PAVEMENT

← Proposed Access Easement

DATE	REVISION

OVERALL SITE PLAN
CIVIL IMPROVEMENT PLANS FOR
CAL COAST AND OLM
CROWS LANDING, CALIFORNIA



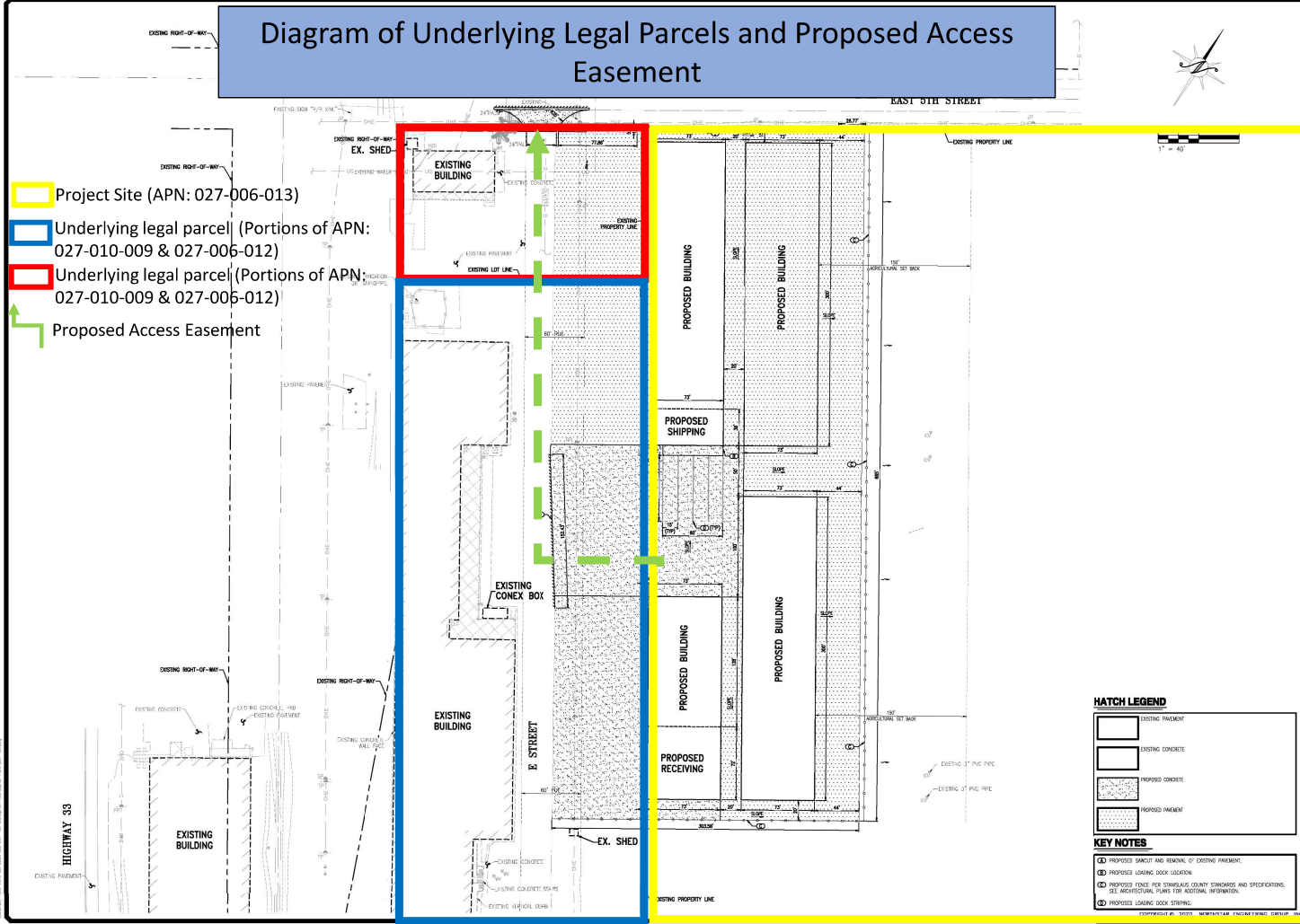
Nicholas
 Engineering Group, Inc.
 10701 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90210
 (310) 274-1234
 www.nicholasing.com

DATE: 10-20-2010	SHEET NUMBER
SCALE: 1/4" = 100'	C2.1
PROJECT: CIVIL IMPROVEMENT PLANS FOR CAL COAST AND OLM	
DRAWN BY: NICHOLAS	
CHECKED BY: NICHOLAS	

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Diagram of Underlying Legal Parcels and Proposed Access Easement

- Project Site (APN: 027-006-013)
- Underlying legal parcel (Portions of APN: 027-010-009 & 027-006-012)
- Underlying legal parcel (Portions of APN: 027-010-009 & 027-006-012)
- ↗ Proposed Access Easement



HATCH LEGEND

	EXISTING PAVEMENT
	EXISTING CONCRETE
	PROPOSED CONCRETE
	PROPOSED PAVEMENT

KEY NOTES

- 1. PROPOSED SPACUT AND REMOVAL OF EXISTING PAVEMENT.
- 2. PROPOSED LOADING DOCK DESIGN.
- 3. PROPOSED FENCE PER STANISLAUS COUNTY ORDINANCES AND SPECIFICATIONS. SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.
- 4. PROPOSED LOADING DOCK STRONG.

PROPOSED LAYOUT
CIVIL IMPROVEMENT PLANS FOR
CAL COAST AND OILAM
CROWS LANDING, CALIFORNIA

Michael Hester
 Engineering Group, Inc.
 4025 S. GARDEN AVENUE, SUITE 100, GARDEN GROVE, CA 92643
 (714) 941-2000 Home (714) 941-2017 Fax

DATE	DESCRIPTION

PROJECT NO: 1010-0010
 DATE: 10/22/2009
 SCALE: AS SHOWN
 DRAWN BY: MHH
 CHECKED BY: MHH
 DATE: 10/22/2009

C3.1

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NOTE: Approval of this application is valid only if the following conditions are met. Unless otherwise specified by the conditions of approval, this permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PLN2022-0074 CAL COAST COMMODITIES

Department of Planning and Community Development – Planning Division

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a “Notice of Determination.” Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,821.00**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. Prior to issuance of any building permit, a photometric lighting plan shall be submitted for review and approval by the Planning Department. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties). The height of the freestanding lighting fixtures should not exceed 15 feet above grade.

6. On-site signage shall be approved by the Planning Director or appointed designee(s) prior to installation and may require discretionary approval as determined necessary by the Planning Director. Free standing signage shall not be more than 12 square feet in area and no more than six feet in height.
7. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Clerk-Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
8. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
9. A building permit for the unpermitted structures shall be issued and finalized within six months of project approval, unless an additional six month extension is granted by the Director of Planning and Community Development or their designee. An extension shall not be granted unless evidence is provided of the following: continued progress with permit submittals; inspections associated with issued permits; or unforeseen or unavoidable condition outside of the applicant's control.
10. Prior to issuance of a building permit for the storage structures a minimum of 11 parking spaces shall be provided.

Department of Planning and Community Development - Building Permits Division

11. Building permits are required and the project must conform with the California Code of Regulations, Title 24.
12. Prior to issuance of a building permit for the storage structures, compliance with California Plumbing Code Section 422.4, regarding employee restroom facilities, shall be demonstrated. If restroom facilities on APN 027-010-009 are to be utilized, an agreement for joint use of the bathrooms shall be executed prior to issuance of a building permit.

Department of Public Works

13. No parking, loading, or unloading of vehicles will be permitted within the County Road of right-of-way or within the right-of-way of East 5th Street or Crows Landing Road.
14. The developer will be required to install or pay for the installation of any signs and/or markings, if necessary.
15. An encroachment permit shall be obtained for any work done in the Stanislaus County right-of-way.
16. All driveways shall be installed as per the Stanislaus County Public Works Standards and Specifications.

17. Prior to the issuance of any grading or building permit for the property an irrevocable offer of dedication (IOD) shall be required. Crows Landing Road is classified as a 135 Principal Arterial. The required half width of Crows Landing Road is 67.5 feet north of the centerline of the roadway. The existing right-of-way is 30 feet north of the centerline. The remaining 37.5 feet north of the centerline shall be dedicated as an IOD.
18. Prior to the issuance of any grading or building permit for the property, the applicant shall make road frontage improvements on East 5th Street from Highway 33 to the easement serving the project site. These improvements shall include asphalt road widening, bringing the existing road up to 12 feet wide paved vehicle lanes on both sides of the centerline of East 5th Street. Improvement plans shall be submitted to the Department of Public Works for review and approval. The structural sections and cross slopes of the road improvements shall meet the Stanislaus County Public Works Standards and Specifications.
19. An engineer's estimate shall be provided for the road improvements to determine the amount of financial guarantee. This shall be submitted prior to issuance of any grading or building permit and after the improvement plans have been approved.
20. Prior to the issuance of a building permit, a cross access easement shall be recorded by separate instrument, between Assessor's Parcel Numbers: 027-010-009, 027-006-012, and 027-006-013, to ensure permanent legal access to the project site.
21. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - a. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way. Public Works will review and approve the drainage calculations.
 - b. For projects greater than one acre in size, the grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharge Identification Number (WDID) and a copy of the Notice of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.
 - c. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
 - d. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.

Department of Environmental Resources – Hazmat Division (DER Haz Mat)

22. A Phase 1 and Phase 2 study may be required to determine if any buried hazardous materials or contaminated soils exist on the project site prior to issuance of a grading permit.
23. The applicant shall contact the DER Haz Mat regarding any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil, and appropriate permitting requirements for hazardous materials, and/or wastes. The applicant and/or occupants handling hazardous materials or generating wastes must notify the Department of Environmental Resources prior to operation.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

24. The proposed project shall be subject to SJVAPCD Rules and Regulations in place at the time of grading or building permit issuance. Prior to issuance of a grading or building permit, the applicant shall contact the SJVAPCD's Small Business Assistance Office to determine if any SJVAPCD permits are required, including but not limited to an Authority to Construct (ATC).

California Regional Water Quality Control Board (RWQCB)

25. Prior to any construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if any of the following are required: a Construction Storm Water General Permit; a Storm Water Pollution Prevention Plan (SWPPP); a Dewatering Permit; Limited Threat General National Pollutant Discharge Elimination System (NPDES) Permit; NPDES Permit; a Clean Water Act Section 404 Permit; a Clean Water Act Section 401 Permit-Water Quality Certification; or Waste Discharge Requirements (WDR).

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



CEQA INITIAL STUDY

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

- 1. **Project title:** Use Permit Application No. PLN2022-0074 – Cal Coast Commodities
- 2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
- 3. **Contact person and phone number:** Jeremy Ballard, Senior Planner
(209) 525-6330
- 4. **Project location:** East 5th Street, between State Route 33 and Armstrong Road, in the Crows Landing area. (APN: 027-006-013).
- 5. **Project sponsor’s name and address:** Keith Yamamoto, Cal Coast Commodities
PO Box 22, 25 East 5th Street
Crows Landing, CA 95313
- 6. **General Plan designation:** Agriculture
- 7. **Zoning:** General Agriculture (A-2-40)
- 8. **Description of project:**

This is a request to permit and operate an existing nut storage facility, consisting of four storage buildings totaling 80,300± square feet of building space located on 3± acres of a 34.92± acre parcel, in the General Agriculture (A-2-40) zoning district. The balance of the parcel is currently planted in walnuts and is not improved with any dwellings, wells, or septic systems. Three of the storage buildings are 21,900 square feet in size, with the fourth being 14,600 square feet. The buildings are located on approximately 3± acres on the northwestern corner of the parcel and are made of prefabricated steel frames, enclosed with vinyl covering, over concrete pads; paved drive aisles have been installed between the structures and the building site area is enclosed by a chain link fence. The two most westward structures will include areas for shipping and receiving within each building. All four structures will be utilized for the storage of nuts to be processed and packaged at the nut processing facility to the west of the project site, on Assessor’s Parcel Number (APN) 027-010-009. While parcel ownership of each parcel differs from the project applicant, both the storage and processing operation are managed by the project applicant, Cal Coast Commodities. Employees of the proposed project will utilize existing restrooms and other employee facilities on the adjacent parcel.

During the harvest period, which runs from August to December, the number of employees on the project site are anticipated to be six to eight per day with hours of operation to be Monday through Saturday 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site are anticipated to be up to three per day with hours of operation to be Monday through Saturday 7:00 a.m. to 5:00 p.m. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season. No retail sales are proposed as part of this project, nor will customers be permitted on-site. As part of this request, the applicant proposes to obtain an access easement to the project site, from the parcel that contains the nut processing facility to the west, APN: 027-010-009, which takes access from County-maintained East 5th Street. A secondary access will be provided via an existing improved driveway from Crows Landing Road. Additionally, E Street, which was created by Parcel Map 40-PM-74 but never developed or County-maintained, will be abandoned as part of this project. Stormwater is proposed to be managed on-site through an on-site storm drainage basin.

The project was originally submitted under Use Permit Application No. PLN2020-0065 – Cal Coast Commodities, for the same proposed site development and use. The application was withdrawn from consideration on April 5, 2022, due to inactivity. During the period of time the first application was being processed, the proposed structures were constructed without the required building and land use permits and have been used for the storage of nuts.

- 9. Surrounding land uses and setting:** Residential development to the north, agricultural production to the east and south, industrial development and the community of Crows Landing to the west.
- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** CalTrans
Stanislaus County Department of Public Works
Department of Environmental Resources
- 11. Attachments:** None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)
 On the basis of this initial evaluation:

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

Signature on file.
 Prepared by Jeremy Ballard

March 20, 2023
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

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

- a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

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

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. The only scenic designation in the County is along I-5, which is approximately 3.4 miles west of the project site. The buildings are located on approximately 3± acres on the northwestern corner of the parcel and are made of prefabricated steel frames, enclosed with vinyl covering, over concrete pads; paved drive aisles have been installed between the structures and the building site area is enclosed by a chain link fence. The types of structures proposed are similar in nature to the those found in the rural agricultural areas of the County. No exterior lighting is being proposed as part of the project, however if installed in the future, it will be required to be aimed downward to avoid any glare off-site. No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

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

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

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

Discussion: The 34.92± acre parcel is located within the General Agricultural (A-2-40) zoning district and is not currently enrolled in a Williamson Act contract. The four nut storage buildings will consist of 3± acres of the overall project site, with the remaining balance in agricultural production. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 85 as excellent. The project sites soil consists primarily of Zacharias clay loam, 0 to 2 percent slopes, with a California Storie Index rating of 95 and grade 1. The remaining balance of the project site soil consists of Zacharias clay loam, 0 to 2 percent slopes, rarely flooded, with a California Storie index rating of 80 and grade 1. The California Department of Conservation’s Farmland Mapping and Monitoring Program identifies the project site as Prime Farmland.

This project is considered to be a Tier One use. Located within the General Agriculture (A-2-40) zoning district, the on-site storage of nuts, the County has determined that certain uses related to agricultural production, such as Tier One uses, are “necessary for a healthy agricultural economy,” provided it is found that the proposed use “will not be substantially detrimental to or in conflict with the agricultural use of other property in the vicinity”. The storage buildings consist of prefabricated steel frames enclosed with vinyl covering and are placed on concrete pads with paved drive aisles. The two most westward structures will include areas for shipping and receiving. All four structures will be utilized for the storage of nuts to be processed and packaged at the nut processing facility to the west of the project site, on Assessor’s Parcel Number (APN) 027-010-009. During the harvest period, which runs from August to December, the number of employees on the project site are anticipated to be six to eight per day with hours of operation to be Monday through Saturday 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site are anticipated to be up to three per day with hours of operation to be Monday through Saturday 7:00 a.m. to 5:00 p.m. No retail sales are proposed as part of this project, nor will customers be permitted on-site.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier One use, if not considered people intensive by the Planning Commission, the project is not subject to agricultural buffers. As the applicant anticipates a maximum of eight employees during the peak harvest periods and take place indoors, staff would consider the project to be low people intensive and not subject to the agricultural buffer requirement.

The project site is located within the Central California Irrigation District (CCID). The project was referred to CCID, but no comments have been received to date. No impacts to agriculture are anticipated to occur as a result of this project, as the proposed operation is a part of the local agricultural economy and will provide for vertical integration for the applicant’s operation.

No forest lands exist in Stanislaus County. The project will have less-than significant impacts to Agriculture and Forest Resources.

Mitigation: None.

References: Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD’s most recent air quality plans are the 2007 PM10 (respirable particulate matter) Maintenance Plan, the 2008 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 not substantially increase traffic in the area and, thereby, impact air quality. During the harvest period, which runs from August to December, the number of employees on the project site are anticipated to be six to eight per day with hours of operation to be Monday through Saturday 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site are anticipated to be up to three per day with hours of operation to be Monday through Saturday 7:00 a.m. to 5:00 p.m. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season.

The project was referred to the San Joaquin Valley Air Pollution Control District, however, no response has been received to date.

The District’s Small Project Analysis Level (SPAL) guidance identifies thresholds of significance for criteria pollutant emissions, which are based on the District’s New Source Review (NSR) offset requirements for stationary sources. The District has pre-qualified emissions and determined a size below, which is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Any project falling below the thresholds identified by the District are deemed to have a less than significant impact on air quality due to criteria pollutant emissions. The District’s threshold of significance for industrial projects is identified as 1,506 additional trips per day. As mentioned previously, proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season, thus the project would be below the threshold of significance.

Potential impacts to air quality from the proposed project are also evaluated by Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars or trucks multiplied by the distance traveled by each car or truck. CEQA Guidelines Section 15064.3, subdivision (a), defines VMT as the amount and distance of automobile travel attributable to a project. A technical advisory on evaluating transportation impacts in CEQA published by the Governor’s Office of Planning and Research (OPR) in December of 2018 clarified the definition of automobiles as referring to on-road passenger vehicles, specifically cars and light trucks. While heavy-duty trucks are not considered in the definition of automobiles for which VMT is calculated for, heavy-duty truck VMT could be included for modeling convenience. According to the same OPR technical advisory, many local agencies have developed a screening threshold of VMT to indicate when detailed analysis is needed.

Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The proposed project will generate less-than the significant amount of vehicle trips with 10-12 truck trips per-day and a maximum of 8 employees on-site during the harvest season and approximately 3-4 trips a day and up to 3 employees during the off-seasons.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations a project’s vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. Activities for the proposed project would consist primarily of permitting the existing 80,300± square feet of storage structures already constructed. Furthermore, any future construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less-than significant without mitigation.

The project is considered to have less-than significant impacts to Air Quality.

Mitigation: None.

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

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. The project is located within the Crows Landing Quad of the California Natural Diversity Database (CNDD). Threatened or endangered species in the Crows Land Quad include: Swainsons hawk, tricolored blackbird, California Ridgeways rail, Southern DPS green sturgeon, Central Valley DPS steelhead, Crotch Bumble Bee, and the Delta button-celery. The CNDD located native occurrence of the tricolored blackbird within the community of Crows Landing. However, there has been no known sensitive or protected species or natural community located on the site including the tricolored blackbird. The project site has been historically disturbed with agricultural production and is currently planted in orchard. The balance of the site has been developed with four storage buildings totaling 80,300± square feet of building space for the storage of nuts. Surrounding uses to the site include: parcels zoned and developed for Industrial uses to the west, residential development to the north, and additional agriculturally production to the east. Therefore, it is unlikely that habitat exists adjacent to the site either.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

An early consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no response was received to date.

Mitigation: None.

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

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

Discussion: It does not appear this project will result in significant impacts to any archaeological or cultural resources. The project site is currently planted in a walnut orchard and is not improved with any dwellings, wells or septic system. The proposed but already constructed storage buildings consist of prefabricated steel frames, enclosed with vinyl coverings and placed on concrete pads with paved drive aisles. The total developed area consists of approximately 3 ± acres, which will be enclosed from the remaining balance of the parcel by a chain link fence. Conditions of approval will be placed on the

project, requiring that any construction activities shall be halted, if any resources are found, until appropriate agencies are contacted, and an archaeological survey is completed.

Mitigation: None.

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

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

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

Energy consuming equipment and processes include construction equipment, trucks, and the employee and customer vehicles. As discussed in Section III – Air Quality, these activities would not significantly increase Vehicle Miles Traveled (VMT), due to the number of vehicle trips not exceeding a total of 110 vehicle trips per-day. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season. Additionally, the trucks are the main consumers of energy associated with this project but will be subject to applicable Air District regulations, including rules and regulations that increase energy efficiency for trucks. Consequently, emissions would be minimal. Therefore, consumption of energy resources would be less than significant without mitigation for the proposed project.

The proposed structures are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Conditions of approval will be added to the project requiring building permits for the four storage structures, to be obtained from the Stanislaus County Building Permits Division prior to issuance of a business license. The project site is served by the Turlock Irrigation District (TID) for electricity. TID was provided an early consultation referral and provided no comment for the proposed project.

Mitigation: None.

References: Application information; CEQA Guidelines; Email received from the Turlock Irrigation District dated October 5, 2022; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion: The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 85 as excellent. The project sites soil consists primarily of Zacharias clay loam, 0 to 2 percent slopes, with a California Storie Index rating of 95 and grade 1. The remaining balance of the project site soil consists of Zacharias clay loam, 0 to 2 percent slopes, rarely flooded, with a California Storie index rating of 80 and grade 1. The California Department of Conservation’s Farmland Mapping and Monitoring Program identifies the project site as Prime Farmland.

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 structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion and sediment control plan for the project will be required, subject to Public Works review and Standards and Specifications. Additionally, drainage easements will be required if any stormwater is to be channeled to the adjacent parcel. The proposed project does not include any water or wastewater facilities as the proposed buildings will only be used for storage of nuts. Restroom facilities for employees will be located on the adjacent parcel Assessor’s Parcel Number (APN): 027-010-009, which is also operated by Cal Coast Commodities. Any future development of a septic tank or alternative wastewater disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit is requested.

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.

Mitigation: None.

References: Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Referral response from the Department of Environmental Resources (DER), September 28, 2022; Referral response from the Stanislaus County Department of Public Works September 29, 2022; Referral response received from the Stanislaus County Department of Planning and Community Development – Building Division, May 20, 2022; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The principal Greenhouse Gasses (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40% of 1990 levels by 2030.

The request to permit and operate an existing nut storage facility consisting of four prefabricated storage buildings totaling 80,300± square feet. The buildings are located on approximately 3± acres on the northwestern corner of the parcel and are made of prefabricated steel frames, enclosed with vinyl covering, over concrete pads; paved drive aisles have been installed between the structures. The two most westward structures will include areas for shipping and receiving. During the harvest period, which runs from August to December, the number of employees on the project site are anticipated to be six to eight per day with hours of operation to be Monday through Saturday 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site are anticipated to be up to three per day with hours of operation to be Monday through Saturday 7:00 a.m. to 5:00 p.m. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season.

The short-term emissions of GHGs during construction, primarily composed of CO₂, CH₄, and N₂O, would be the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF₆) are typically associated with specific industrial sources and are not expected to be emitted by future construction at this project site. As described above in Section III - Air Quality, the use of heavy-duty construction equipment would be very limited; therefore, the emissions of CO₂ from future construction would be less than significant. Additionally, the construction of any future proposed buildings is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). Construction activities associated with this project are considered to be less than significant as they are temporary in nature and are subject to meeting San Joaquin Valley Air Pollution Control District (SJVAPCD) standards for air quality control.

Direct emissions of GHGs from the operation of the proposed project are primarily due to truck trips. Therefore, the project would result in direct annual emissions of GHGs during operation. As required by California Environmental Quality Act

(CEQA) Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars or trucks multiplied by the distance traveled by each car or truck. Total vehicle trips as a result of this project will not exceed 110 trips per-day. As discussed above, the proposed project anticipates at their peak 20 truckloads per week and up to six to eight employees per day. Significant impacts for VMT are not anticipated as a result of this project.

The project was referred to the San Joaquin Valley Air Pollution Control District, however, no response has been received to date.

Based on project details, GHG emissions are considered to be less than significant for the project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. This project was referred to the Department of Environmental Resources – Hazardous Materials Division; which responded that the project will not have a significant effect on the environment but did request standard conditions of approval be added to the project, requiring the applicant contact DER for any appropriate permitting requirements for hazardous materials and/or wastes. The proposed use is not recognized as a generator and/or consumer of hazardous materials, therefore no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater from drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people.

Buffer and Setback Guidelines are applicable to new or expanding uses approved in or adjacent to the General Agriculture (A-2) zoning district and are required to be designed to physically avoid conflicts between agricultural and non-agricultural uses. General Plan Amendment No. 2011-01 – *Revised Agricultural Buffers* was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier One use, if not considered people-intensive by the Planning Commission, the project is not subject to agricultural buffers. During the harvest period, August to December, the number of employees on the project site are anticipated to be six to eight per day. During off-season periods, January to July, the number of employees on-site are anticipated to be two to three per day. The project was referred to the Stanislaus County Agricultural Commissioner, and no comments have been received to date. Therefore, staff believes the project can be considered low people-intensive, thus not subject to the County’s Agricultural Buffer requirements.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control and is not within 2 miles of the former Crows Landing Air Base. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by West Stanislaus Fire Protection District. The project was referred to the District, and no comments have been received to date. As stated previously, the project site will not include any water or wastewater facilities as the building will only be storing raw nuts.

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

Mitigation: None.

References: Application material; Referral response from the Stanislaus County Department of Environmental Resources – HAZMAT division, dated August 23, 2022; Stanislaus County General Plan and Support Documentation¹.

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

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

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. The project proposes to handle stormwater drainage overland into the existing orchard. An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion and sediment control plan for the project will be required, subject to Public Works review and Standards and Specifications. Accordingly, runoff associated with the construction at the proposed project site will be reviewed as part of the grading review process and be required to be maintained on-site. Additionally, drainage easements will be required if any stormwater is to be channeled to the adjacent parcel.

The proposed project does not include any water or wastewater facilities as the proposed buildings will only be used for storage of nuts. Restroom facilities for employees will be located on the adjacent parcel Assessor’s Parcel (APN) 027-010-009, which is also operated by the applicant. However, if any future new wells are to be constructed on-site, they will be subject to review under the County’s Well Permitting Program, which will determine whether a new well will require environmental review. A referral response from the Stanislaus County Building Permits Division stated the use of the off-site bathroom facility would have to demonstrate compliance with the California Building Code Section 422.4 for path of travel within 500 feet. This requirement will be demonstrated as part of the building permit process for the nut storage structures. A referral response received from DER stated they have no comments on the project.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California’s groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the San Joaquin River Exchange Contractors Water Authority GSA, which manages the Delta Mendota Subbasin. The GSAs adopted the GSP on December 13, 2019, and submitted the GSP to the California Department of Water Resources (DWR) on January 21, 2022. Currently, the GSAs are preparing for GSP implementation.

The project was referred to Regional Water and the GSA; however, no responses have been received to date. The project was also referred to the Central California Irrigation District (CCID); no comments regarding irrigation or domestic water were received.

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

Mitigation: None.

References: Application material; San Joaquin River Exchange Contractors Water Authority Groundwater Sustainability Plan, <http://www.sjrecwa.net/sgma/gsp/>; Email response from the Stanislaus County Building Permit Division, dated May 20, 2022; Referral response from the Stanislaus County Department of Public Works September 29, 2022; **Referral Response from Department of Environmental Resources dated September 28, 2022**; Stanislaus County General Plan and Support Documentation¹.

XI. LAND USE AND PLANNING – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	

<p>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?</p>			<p>X</p>	
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Discussion: The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-40). This is a request to obtain a Tier 1 use permit to permit and operate an existing nut storage facility, consisting of four storage buildings totaling 80,300± square feet of building space located on 3± acres of a 34.92± acre parcel, in the General Agriculture (A-2-40) zoning district. The balance of the parcel is currently planted in walnuts and is not improved with any dwellings, wells, or septic systems. Three of the storage buildings are 21,900 square feet in size, with the fourth being 14,600 square feet. The buildings are located on approximately 3± acres on the northwestern corner of the parcel and are made of prefabricated steel frames, enclosed with vinyl covering, over concrete pads; paved drive aisles have been installed between the structures and the building site area is enclosed by a chain link fence. The two most westward structures will include areas for shipping and receiving within each building. All four structures will be utilized for the storage of nuts to be processed and packaged at the nut processing facility to the west of the project site, on Assessor’s Parcel Number (APN) 027-010-009. While parcel ownership of each parcel differs from the project applicant, both the storage and processing operation are managed by the project applicant, Cal Coast Commodities. Employees of the proposed project will utilize existing restrooms and other employee facilities on the adjacent parcel. This requirement will be demonstrated as part of the building permit process for the storage structures.

During the harvest period, which runs from August to December, the number of employees on the project site are anticipated to be six to eight per day with hours of operation to be Monday through Saturday 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site are anticipated to be up to three per day with hours of operation to be Monday through Saturday 7:00 a.m. to 5:00 p.m. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season. No retail sales are proposed as part of this project, nor will customers be permitted on-site. As part of this request, the applicant proposes to obtain an access easement to the project site, from the parcel that contains the nut processing facility to the west, APN: 027-010-009, which takes access from County-maintained East 5th Street. A secondary access will be provided via an existing improved driveway from Crows Landing Road. Additionally, E Street, which was created by Parcel Map 40-PM-74 but never developed or County-maintained, will be abandoned as part of this project. Stormwater is proposed to be managed on-site through an on-site storm drainage basin.

The proposed use is considered a Tier One use, which are those uses closely related to agriculture and are necessary for a healthy agricultural economy. Tier One uses may be allowed when the Planning Commission finds that:

1. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other properties in the vicinity; and
2. The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of “Agriculture” 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.

With the application of conditions of approval, there is no indication that, under the circumstances of this particular case, the proposed operation will be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

General Plan Amendment No. 2011-01 - Revised Agricultural Buffers was approved by the Board of Supervisors on December 20, 2011, to modify County requirements for buffers on agricultural projects. As this is a Tier One use, if not considered people intensive by the Planning Commission, the project is not subject to agricultural buffers. As the applicant anticipates a maximum of eight employees during the peak harvest periods and take place indoors, staff would consider the project to be low people intensive and not subject to the agricultural buffer requirement.

The project was originally submitted under Use Permit Application No. PLN2020-0065 – Cal Coast Commodities, for the same proposed site development and use. The application was withdrawn from consideration on April 5, 2022, due to

inactivity. During that time the proposed structures have been constructed without the required building and land use permits.

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

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance (Title 21); Email response from the Stanislaus County Building Permit Division, dated May 20, 2022; Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The proposed project shall comply with the noise standards included in the General Plan and Noise Control Ordinance. Residential development to the north, agricultural production to the east and south, industrial development and the community of Crows Landing to the west. Stanislaus County General Plan identifies noise levels up to 75 dB Ldn (or CNEL) as the normally acceptable level of noise for industrial and agricultural uses. Additionally, agricultural activity is exempt from the Stanislaus County Noise Control Ordinance (Ord. CS 1070 §2, 2010). As the proposed structures have been constructed already, there is not an anticipated temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise, as the storage of nuts will take place fully indoors. No heavy machinery is included as part of the proposed project. Proposed

hours of operation are Monday through Saturday from 6:00 a.m. to 8:00 p.m. during the harvest period and 7:00 a.m. to 5:00 p.m. during the off-season. The nearest sensitive noise receptor are residents across East 5th Street. However, the existing ambient noise levels for the site would include existing industrial development and State Route 33, which are both located west of the site.

The site is not located within an airport land use plan. Noise impacts associated with the proposed project are considered to be less than significant.

Mitigation: None.

References: Application information; Stanislaus County Noise Control Ordinance (Title 10); Stanislaus County General Plan, Chapter IV – Noise Element, and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. School Districts also have their own adopted fees. All facility fees are required to be paid at the time of building permit issuance.

The project site is served by Turlock Irrigation District (TID) for electrical service and Central California Irrigation District (CCID) for irrigation services. A response was received from the TID that the project would not impact any District electrical facilities. No comments regarding irrigation were received from CCID for irrigation facilities. The proposed project would be located on an existing developed area and the remaining balance of the property remaining in agriculture. Irrigation infrastructure would not be impacted by this development. Subsequently, as the proposed project would consist of nut storage, electrical usage would be minimal.

The project was referred to Regional Water; however, no response was received to date.

The project was referred to the appropriate public service agencies, as well as the Stanislaus County Environmental Review Committee (ERC). The ERC provided a comment letter; however, no comments were received related to public facilities or services.

This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the Early Consultation referral period and no concerns were identified with regard to public services.

Mitigation: None.

References: Application material; Email received from the Turlock Irrigation District dated October 5, 2022; Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

XVII. TRANSPORTATION – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

Discussion: The balance of the parcel is currently planted in walnuts and is not improved with any dwellings, wells, or septic systems. Three of the storage buildings are 21,900 square feet in size, with the fourth being 14,600 square feet. The buildings are located on approximately 3± acres on the northwestern corner of the parcel and are made of prefabricated steel frames, enclosed with vinyl covering, over concrete pads; paved drive aisles have been installed between the structures and the building site area is enclosed by a chain link fence. The two most westward structures will include areas for shipping and receiving within each building. All four structures will be utilized for the storage of nuts to be processed and packaged at the nut processing facility to the west of the project site, on Assessor’s Parcel Number (APN) 027-010-009. While parcel ownership of each parcel differs from the project applicant, both the storage and processing operation are managed by the project applicant, Cal Coast Commodities. No retail sales are proposed as part of this project, nor will customers be permitted on-site. As part of this request, the applicant proposes to obtain an access easement to the project site, from the parcel that contains the nut processing facility to the west, APN: 027-010-009, which takes access from County-maintained East 5th Street. A secondary access will be provided via an existing improved driveway from Crows Landing Road. Additionally, E Street, which was created by Parcel Map 40-PM-74 but never developed or County-maintained, will be abandoned as part of this project. Stormwater is proposed to be managed on-site through an on-site storm drainage basin.

Potential impacts to transportation from the proposed project are also evaluated by Vehicle Miles Traveled (VMT). The calculation of VMT is the number of cars or trucks multiplied by the distance traveled by each car or truck. California Environment Quality Act (CEQA) Guidelines Section 15064.3, subdivision (a), defines VMT as the amount and distance of automobile travel attributable to a project. A technical advisory on evaluating transportation impacts in CEQA published by the Governor’s Office of Planning and Research (OPR) in December of 2018 clarified the definition of automobiles as referring to on-road passenger vehicles, specifically cars and light trucks. While heavy-duty trucks are not considered in the definition of automobiles for which VMT is calculated for, heavy-duty truck VMT could be included for modeling convenience. According to the same OPR technical advisory, many local agencies have developed a screening threshold of VMT to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact. The proposed project will generate a low amount of vehicle trips. During the harvest period, which runs from August to December, the number of employees on the project site are anticipated to be six to eight per day with hours of operation to be Monday through Saturday 6:00 a.m. to 8:00 p.m. During off-season periods, which runs from January to July, the number of employees on-site are anticipated to be up to three per day with hours of operation to be Monday through Saturday 7:00 a.m. to 5:00 p.m. The proposed project anticipates receiving 10-12 truckloads of nuts per day from surrounding orchards during the harvest period and up to 3-4 truckloads per day during the off-season. As this is below the District’s threshold of significance for vehicle and heavy-duty truck trips, no significant impacts from vehicle and heavy-duty truck trips to transportation are anticipated.

Primary access for the nut storage facility will be taken off County-maintained East 5th Street via an existing improved driveway and secondary access will be taken from Crows Landing Road. It is not anticipated that the project would substantially affect the level of service on East 5th Street. The project was referred to Public Works, and a referral response was received requiring that the remaining 37.5 feet north of the centerline of Crows Landing Road be dedicated as an Irrevocable Offer of Dedication (IOD). Additionally, prior to issuance of any building or grading permit, road frontage improvements along East 5th street from the project site and State Route 33. The frontage improvements will include asphalt road widening, to bring the paved lanes to 12’ wide on either side. Public Works’ comments will be added to the project as conditions of approval.

All development on-site will be required to pay applicable County public facility fees (PFF) fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance or policy.

Mitigation: None.

References: Application information; Governor’s Office of Planning and Research Technical Advisory, December 2018; Referral response from Stanislaus County Public Works Department, dated September 29, 2022; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The parcel is currently planted in a walnut orchard and is not improved with any dwellings, wells or septic system. The storage buildings consist of prefabricated steel frames placed enclosed with vinyl coverings on concrete pads with paved drive aisles. The total developed area consists of approximately 3 ± acres, which will be enclosed from the remaining balance of the parcel by a chain link fence. In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. A condition of approval regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

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

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

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

Discussion: Limitations on providing services have not been identified. As stated in Sections VII – Geology and Soils and X – Hydrology and Water Quality, the proposed project will not include any water or waste water facilities, as the project will only include nut storage and restroom facilities for employees will be located on the adjacent parcel Assessor's Parcel Number (APN) 027-010-009, which is also operated by the project applicant. However, if any future new wells are to be constructed on-site, they will be subject to review under the County's Well Permitting Program, which will determine whether a new well will require environmental review. Additionally, any future development of a septic tank or alternative wastewater disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

The project proposes to handle stormwater drainage overland. An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion and sediment control plan for the project will be required, subject to Public Works review and Standards and Specifications. Additionally, drainage easements will be required if any stormwater is to be channeled to the adjacent parcel. Accordingly, runoff associated with the construction at the proposed project site will be reviewed as part of the grading review process and be required to be maintained on-site.

The project site is served by Turlock Irrigation District (TID) for electrical service. A response was received from the TID that the project would not impact any District electrical facilities.

The project was referred to Regional Water; however, no response was received to date.

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

Mitigation: None.

References: Application material; Email received from the Turlock Irrigation District dated October 5, 2022; Referral response from the Stanislaus County Department of Public Works September 29, 2022; Stanislaus County General Plan and Support Documentation¹.

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	

<p>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?</p>			X	
<p>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?</p>			X	

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The terrain of the site is relatively flat, and the site has access to a County-maintained Road, East 5th Street. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by the West Stanislaus 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 for the nut storage structures will be required as conditions of approval for the project and will be reviewed by the County’s Building Permits Division and Fire Prevention Bureau to ensure all State of California Building and Fire Code requirements are met prior to issuance of a building permit.

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

Mitigation: None.

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
<p>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?</p>			X	
<p>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.)</p>			X	
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			X	

Discussion: The 39.64± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned General Agriculture (A-2-40). The project sites soil consists primarily of Zacharias clay loam, 0 to 2 percent slopes, with a California Storie Index rating of 95 and grade 1. The remaining balance of the project site soil consists of Zacharias clay loam, 0 to 2 percent slopes, rarely flooded, with a California Storie index rating of 80 and grade 1. The

California Department of Conservation's Farmland Mapping and Monitoring Program identifies the project site as Prime Farmland. The proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant.

It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site has already been disturbed. Standard conditions of approval regarding the discovery of cultural resources during any future construction resulting from this request will be added to the project.

The project will not physically divide an established community. The surrounding area is composed of residential development to the north, agricultural production to the east and south, industrial development and the community of Crows Landing to the west. Any further development of the surrounding area would be subject to the permitted uses of the applicable zoning district or would require additional land use entitlements and environmental review.

The proposed project will generate a low amount of employee vehicle trips, which will be six to eight per day during peak periods and 10-12 truckloads of nuts per day during the peak periods. During off-peak periods the site will generate only two to three employees per day and 3-4 truckloads of nuts per day. As this is below the threshold of significance for traffic as discussed in Section XVII - Transportation, no significant impacts from vehicle and truck trips to transportation are anticipated.

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

Mitigation: None.

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

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



NEGATIVE DECLARATION

- NAME OF PROJECT:** Use Permit Application No. PLN2022-0074 – Cal Coast Commodities
- LOCATION OF PROJECT:** East 5th Street, between State Route 33 and Armstrong Road, in the Crows Landing area. APN:027-006-013.
- PROJECT DEVELOPERS:** Keith Yamamoto, Cal Coast Commodities
PO Box 22, E. 5th Street
Crows Landing, CA 95313
- DESCRIPTION OF PROJECT:** To operate a nut storage facility within four existing agricultural storage buildings, totaling 80,300± square feet, on a 34.92± acre parcel in the General Agriculture (A-2-40) zoning district.

Based upon the Initial Study, dated **March 20, 2023**, the Environmental Coordinator finds as follows:

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

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

Initial Study prepared by: Jeremy Ballard, Senior Planner

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

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: UP NO. PLN2022-0074 - CAL COAST COMMODITIES

REFERRED TO:	RESPONDED			RESPONSE			MITIGATION MEASURES		CONDITIONS			
	2 WK	30 DAY	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
CA DEPT OF FISH & WILDLIFE	X		X		X							
CA DEPT OF TRANSPORTATION DIST 10	X		X		X							
CA OPR STATE CLEARINGHOUSE	X		X		X							
CA RWQCB CENTRAL VALLEY REGION	X		X	X				X		X	X	
CEMETERY DISTRICT	X	X	X		X							
COMMUNITY SERVICES: CROWS LANDING	X		X	X				X		X		X
COOPERATIVE EXTENSION	X	X	X		X							
FIRE PROTECTION DIST: WEST STAN	X	X	X		X							
GSA:SAN JOAQUIN RIVER		X	X		X							
HOSPITAL DISTRICT: DEL PUERTO	X	X	X		X							
IRRIGATION DISTRICT:CCID/TID	X	X	X	X				X		X		X
MOSQUITO DISTRICT: TURLOCK	X	X	X		X							
MT VALLEY EMERGENCY MEDICAL	X	X	X		X							
PACIFIC GAS & ELECTRIC	X	X	X		X							
RAILROAD: UNION PACIFIC	X	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X	X	X				X		X	X	
SCHOOL DISTRICT 1: NEWMAN-CROWS LANDING	X	X	X		X							
STAN CO AG COMMISSIONER	X	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X	X	X				X		X	X	
STAN CO CEO	X	X	X		X							
STAN CO DER	X	X	X	X				X		X		X
STAN CO DER - GROUNDWATER DIVISION	X	X	X		X							
STAN CO ERC	X	X	X	X				X		X		X
STAN CO FARM BUREAU	X	X	X		X							
STAN CO HAZARDOUS MATERIALS	X	X	X	X				X		X	X	
STAN CO PUBLIC WORKS	X	X	X	X				X		X	X	
STAN CO SHERIFF	X	X	X		X							
STAN CO SUPERVISOR DIST 5: C. CONDIT	X	X	X		X							
STAN COUNTY COUNSEL	X	X	X		X							
STANISLAUS FIRE PREVENTION BUREAU	X	X	X		X							
STANISLAUS LAFCO	X	X	X		X							
SURROUNDING LAND OWNERS		X	X		X							
TELEPHONE COMPANY:	X	X	X		X							