



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354

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

Building Phone: (209) 525-6557 Fax: (209) 525-7759

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

Date: June 16, 2023

To: Distribution List (See Attachment A)

From: Kristen Anaya, Associate Planner
Planning and Community Development

Subject: USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT

Comment Period: June 16, 2023 – July 19, 2023

Respond By: July 19, 2023

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

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

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

Applicant: Soheli Sareshwala on behalf of Central Valley Crescent

Project Location: 5043 Tully Road, on the northwest corner of Tully Road and Kiernan Avenue, in the Modesto area.

APN: 004-069-033

Williamson Act Contract: N/A

General Plan: Agriculture

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

Project Description:
Request to establish a mosque (place of worship) on a 2.71± acre parcel in the General Agriculture (A-2-40) zoning district. The project proposes to convert an existing single-story, 13-foot-tall, 720 square-foot detached garage into a mosque to be used as a prayer hall for Central Valley Crescent (CVC).

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



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USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT

Attachment A

Distribution List

X	CA DEPT OF CONSERVATION Land Resources		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: MODESTO		STAN CO PARKS & RECREATION
	COMMUNITY SERVICES/SANITARY DIST	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
	DER - GROUNDWATER RESOURCES DIVISION	X	STAN CO SUPERVISOR DIST 4: GREWAL
X	FIRE PROTECTION DIST: SALIDA	X	STAN COUNTY COUNSEL
X	GSA: STANISLAUS & TUOLUMNE RIVERS		StanCOG
	HOSPITAL DIST:	X	STANISLAUS FIRE PREVENTION BUREAU
X	IRRIGATION DIST: MODESTO	X	STANISLAUS LAFCO
X	MOSQUITO DIST: EASTSIDE	X	STATE OF CA SWRCB – DIV OF DRINKING WATER DIST. 10
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES AGENCY	X	SURROUNDING LANDOWNERS
	MUNICIPAL ADVISORY COUNCIL:	X	TELEPHONE COMPANY: AT&T
X	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:		US ARMY CORPS OF ENGINEERS
	RAILROAD:	X	US FISH & WILDLIFE
X	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462)
X	SCHOOL DIST 1: STANISLAUS UNION		USDA NRCS
X	SCHOOL DIST 2: MODESTO UNION		WATER DIST:
	WORKFORCE DEVELOPMENT		INTERESTED PARTIES
X	STAN CO AG COMMISSIONER		

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT

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

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

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

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

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

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

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

Response prepared by:

Name	Title	Date
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CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2018-0080 – Central Valley Crescent
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Kristen Anaya, Associate Planner
(209) 525-6330
4. **Project location:** 5043 Tully Road, on the northwest corner of Tully Road and Kiernan Avenue, in the Modesto area (APN: 004-069-033).
5. **Project sponsor's name and address:** Soheli Sareshwala
7150 Carver Road
Modesto, CA 95356
6. **General Plan designation:** Agriculture
7. **Zoning:** General Agriculture (A-2-40)
8. **Description of project:**

Request to establish a mosque (place of worship) on a 2.71± acre parcel in the General Agriculture (A-2-40) zoning district. The project proposes to convert an existing single-story, 13-foot-tall, 720 square-foot detached garage into a mosque to be used as a prayer hall for Central Valley Crescent (CVC). While the facility has previously been in operation at this site without permits, a Use Permit is required to permit the proposed mosque. No new exterior construction is proposed; however, both a change of occupancy for the change in use of the structure and a building permit for a tenant improvement to bring the existing garage's restroom into compliance with ADA standards will be required. The applicant proposes to install two graveled parking lots providing 35 parking spaces and one paved ADA parking space, frontage landscaping, and a driveway approach providing access to County-maintained Tully Road. The balance of the site is proposed to be planted in orchard. No signage is proposed; however, if a monument sign is proposed to be installed in the future, the project will be conditioned to allow a single monument sign not more than 12 square feet in area nor 6 feet in height to be installed along the street frontage. The sign will be conditioned to be non-flashing and non-animated and a sign plan submitted for review and approval by the Planning Director or appointed designee. With respect to fencing, the project site has an existing 6-foot tall wood fence along the northern property line, a 7-foot tall wood fence along the eastern property line, and a Caltrans 6-foot tall cyclone fence with slats along the south property line. If approved, the project will be conditioned to install a wood fence at least 7-feet-tall along the north and west property lines to match the height and material of the eastern property line fencing.

The project site is also developed with an existing 1,560 square-foot single-family dwelling, which is proposed to be used as on-site housing for CVC's Imam (prayer leader) and family. Both the proposed mosque and existing residence site will utilize the existing private well for domestic water and septic system for wastewater service. The site is not currently irrigated but proposes to be served by MID for irrigation of the proposed orchard trees. Parking lot lighting consisting of 15-foot-tall, pole-mounted solar LED parking lights are proposed within the parking areas.

The facility will typically operate Tuesday through Sunday to facilitate prayer five times a day at various intervals from sunrise to shortly after sunset (between 7 a.m. to 9 p.m.). The timing of these intervals will depend on the timing of sunset and sunrise but generally occur in 10-minute increments as follows: in the morning before sunrise, midday, in the afternoon around 1:30 p.m., at sunset, and nighttime around one hour after sunset. The number of attendees for these daily prayers is anticipated to range from two to nine congregants at a time. On Fridays, one hour-long prayer will typically occur from 1:30 p.m. to 2:30 p.m. and be attended by up to 35 members. Children's religious classes for up to 12 children will be taught within the mosque on Tuesday through Friday for 45 minutes approximately one hour before sunset and may stay for the sunset prayer period. During Ramadan, which is a 30-day long period whose dates vary annually depending on the lunar calendar, there will be special daily night prayers which will occur for an hour and a half after sunset and be attended by up to 40 members. The day after Ramadan, the congregation will have a catered meal outdoors immediately adjacent to the mosque, with temporary seating and tables. Otherwise, there will be no outdoor activities or food included in any daily activities.

No music, amplified or otherwise, will be played as part of mosque activities; however, a public address (PA) system for the purpose of speaking will be utilized on the interior of the mosque only. At any given time, a maximum of 40 people are proposed to utilize the mosque.

Modification to the site plan to propose a single point of access for both the residence and parking lots would be required for this project to develop. Storm drainage will be handled via overland percolation into the gravel and orchard.

- | | | |
|------------|---|---|
| 9. | Surrounding land uses and setting: | Scattered ranchettes and orchard in all directions; light industrial development and a mini storage facility to the east; Kiernan Avenue, an MID substation, a church, and an approved industrial mini-warehouse facility to the south. |
| 10. | Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): | Stanislaus County Department of Public Works
Department of Environmental Resources
Caltrans |
| 11. | Attachments: | I. Early Consultation Referral Responses |

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature on file.

Prepared by Kristen Anaya, Associate Planner

June 14, 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, than the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

ISSUES

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

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. The site is currently improved with a single-family dwelling and detached garage. It is not located in the vicinity of a state scenic highway. Interstate 5 is the only designed scenic highway in Stanislaus County and is located approximately 18 miles from the project site to the west. The area surrounding the site consists of production agriculture, primarily planted in orchard; metal and wood accessory structures, ranchettes, vacant parcels, light industrial development along Kiernan Avenue (SR 219); and the City of Modesto is located approximately ½ mile south of the project site.

The applicant is proposing to convert the existing, single-story, 13-foot-tall, 720 square-foot detached garage to a mosque and maintain the existing 1,560 square-foot dwelling on-site for occupancy by Central Valley Crescent's imam. No changes to the exterior of the structures are proposed. The project proposes to install two graveled parking lots providing 35 parking spaces and one ADA-compliant parking space in accordance with the County's Off-Street Parking standards, and a paved driveway approach providing access to County-maintained Tully Road. There are currently two driveways serving the site: one serving the existing residence and a graveled driveway for access to the rear of the site. The driveway which sees the most traffic onto Tully Road will be required to be paved, per a Condition of Approval applied by the Department of Public Works. Although the project site is located immediately outside of the LAFCO-adopted Sphere of Influence (SOI) of the City of Modesto, it is within the City's adopted General Plan boundaries; accordingly, the project was referred to the City of Modesto who requested that the project include a condition of approval requiring that the 20-foot setback between the proposed parking area and Tully Road be landscaped. Landscaping will be required to meet County standards, including provision of not less than 3 percent landscaping along the road frontage and cumulatively not less than 5 percent landscaping in accordance with County landscaping requirements. These landscaping requirements will be added to the project as conditions of approval. The balance of the site will be improved with a nut and fruit orchard. Parking lot lighting consisting of 15-foot-tall, pole-mounted solar LED parking lights are proposed within the parking areas. Standard conditions of approval will be added to the project requiring all proposed on-site lighting to be pointed down and shielded and not to exceed 15 feet in height. The project site is currently fenced by 6-foot-tall cyclone fencing with slats along the southern property line and a 6-foot-tall solid wood fence along the northern property line and 7-foot-tall along the eastern property line. Additionally, the western-most parking lot will also be screened from the property to the west by an existing 10-foot-tall mesh screen fence with wood posts with mesh; and a condition of approval will be added to the project requiring the existing wood fencing along the northern property line to be replaced with uniform fencing at least 7-feet tall, and a new 7-foot tall wood fence to be installed along the western property line. No signage is proposed; however, if a monument sign is proposed to be installed in the future, the project will be conditioned to allow a single monument sign not more than 12 square feet in area nor 6 feet in height to be installed along the street frontage. The sign will be conditioned to be non-flashing and non-animated and a sign plan submitted for review and approval by the Planning Director or appointed designee.

Conversion of the mosque and installation of landscaping and orchard for the project site will not obstruct visual nor substantially degrade the existing visual character of the area. Development of the site will have to comply with applicable County development standards for the General Agriculture (A-2) zoning district and corresponding development standards

for landscaping, signage, and off-street parking requirements at the time of applying for a building permit. With conditions of approval in place, no adverse impacts to the existing visual character of the site or its surroundings are anticipated

Mitigation: None.

References: Referral response from the City of Modesto, dated October 16, 2018; 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 2.71± acre project site is improved with a single-family dwelling and is not currently farmed. Per the application materials, the parcel is not presently farmed nor does the parcel currently receive irrigation water from Modesto Irrigation District; however, there is an existing irrigation easement and underground pipeline on the parcel, along the Tully Road frontage. The project site is not enrolled in a Williamson Act Contract and is not designated as an agricultural preserve. The parcel is designated as Rural Residential Land by the California State Department of Conservation Farmland Mapping and Monitoring Program. The Natural Resources Conservation Service Soil Survey designates the site as being comprised of Hanford sandy loam, 0 to 3 percent slopes (HdA), with a California Revised Storie Index rating of Grade 1 rating, which is considered to be prime soil. The County's adopted Uniform Rules for Agricultural Preserves maintained under Williamson Act Contracts identifies 10 acres of prime agricultural land as the minimum size presumed large enough to sustain a viable agricultural operation. As stated, the project parcel is 2.71± acres and under the Uniform Rules would not be considered eligible for entry into the Williamson Act.

Goal Two of the County's Agricultural Element seeks to conserve our agricultural lands for agricultural uses. Further, Objective 2.2 of the Agricultural Element states that in defining the County's most productive agricultural areas, it is important to recognize that soil types alone should not be the determining factor. Due to the project site's size, existing site improvements, lack of access to surface water from an irrigation district, and location, it would not be considered a most productive agricultural area in the County.

The project site is zoned General Agriculture (A-2-40), has a General Plan designation of Agriculture. Although the site is located immediately outside of the City of Modesto's Sphere of Influence (SOI), it is designated within the City's planned General Plan boundaries as Village Residential; accordingly, the project was referred to the City of Modesto who requested that the project include a condition of approval related to frontage landscaping, as discussed in Section I – *Aesthetics*.

Within the General Agriculture (A-2) zoning district, the County permits certain uses unrelated to agricultural production under three distinct tiers of uses when 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 proposed mosque use falls under the Tier Three category of the A-2 zoning district. Tier Three uses are not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area. Some of these uses can be people-intensive and, as a result, have the potential to adversely impact agriculture. These people-intensive uses are generally required to be located within LAFCO-approved Spheres of Influence (SOI) of cities or community services districts and sanitary districts serving unincorporated communities. When a project is located within a city's SOI, the Stanislaus County Zoning Ordinance allows non-agricultural development provided that the City offers written support of the proposed use and a Use Permit is obtained prior to operation.

The site is surrounded by A-2 zone parcels planted in orchard or row crops in all directions, ranging in size from 5 acres to 38 acres; however, the parcel immediately to the southeast of the project site, identified by Assessor's Parcel Number 046-001-001, is zoned Planned Development and is approved for light industrial development pursuant to General Plan & Rezone No. PLN2018-0081 – *Libitzky Holdings*. There is additional light industrial development less than a ¼ mile east of the project site. The site is also in the vicinity of an approved temple permitted under Use Permit No. PLN2018-0069 – *Hindu Temple*, on Assessor's Parcel No. 046-006-009, located approximately 650-feet to the south; and a church facility permitted under Use Permit No. PLN2013-0005 and Staff Approval Permit No. PLN2020-0118 – *Holy Family Church*, on Assessor's Parcel Number 046-012-007, located approximately 0.3± miles to the southeast. Both the Hindu Temple and Holy Family Church projects are located within the City's SOI. The Modesto Landmark Missionary Baptist Church, which is also within the City's SOI, is located two parcels to the south across Kiernan Avenue. The City of Modesto city limits is located approximately ½ mile to the south. As stated, the project site is not enrolled in a Williamson Act Contract nor are any adjoining parcels enrolled in a Williamson Act Contract. The nearest enrolled parcel is a 4.5± acre parcel addressed as 5106 Tully Road (APN: 004-071-030), which is not presently farmed, and is 120 feet away from the parcel on the east side of Tully Road. Additionally, a 38.69± acre parcel approximately 170 feet to the west, which is addressed as 1443 Kiernan Avenue (APN: 004-069-042) is enrolled under a Williamson Act Contract and planted in orchard. Both of these contracted parcels will be physically separated from the project site via an agricultural buffer, as described in this section below.

Appendix Seven of the Stanislaus County General Plan Agricultural Element – "*Buffer and Setback Guidelines*" requires that discretionary projects incorporate physical separation such as a topographic feature, a stand of trees, berm, fencing, or similar feature when non-agricultural development is proposed in or adjacent to agriculturally zoned parcels. The purpose of these guidelines is to protect the long-term health of agriculture by minimizing conflicts such as spray drift resulting from the interaction of agricultural and non-agricultural uses. Further, for uses located within a City's SOI, the use shall be subject to these guidelines if located within 300 feet of any production agriculture operation or the outer boundary of the SOI at the time of approval. The Appendix suggests that projects that are people-intensive shall include a 300-foot-wide buffer setback. Exceptions to the buffer include; public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people-intensive uses. The Buffer and Setback Guidelines also allows the applicant to propose an alternative to the buffer setback subject to Planning Commission approval provided the proposed alternative is found to provide equal or greater protection to the surrounding agricultural uses. Although the Planning Commission has the ultimate determination, it is the opinion of staff that the proposed use falls under the category of a "people-intensive use". The proposed project does not meet the 300-foot setback for people-intensive uses from all of the adjacent A-2-zoned parcels that surround the site. While the proposed mosque is located approximately 325± feet from the adjacent western parcel and 300± feet from the nearest parcel to the south, the garage structure is located only 200± feet to the adjacent eastern parcel, across Tully Road, and approximately 7± feet to the parcel to the north. Accordingly, the

applicant is proposing an alternative to the agricultural buffer for the northern and eastern property lines consisting of the following: a proposed 7-foot-tall solid wood fence bounding the site along the northern and eastern property lines. Further, 120 feet of physical distance, the existing single-family residence, frontage landscaping, and Tully Road will provide additional buffer between the proposed mosque and the properties to the east. The proposed orchard will provide additional barrier between the proposed use and the properties to the west and south. This project was referred to the Stanislaus County Agricultural Commissioner's Office who responded that no concerns were identified with the proposed alternative buffer. In light of the site's proposed buffer alternatives the limited activity to occur outside of the mosque, the impact to the adjacent agricultural uses is not anticipated to be greater as a result of this project

Incorporation of the fencing and the proposed orchard and landscaping, will minimize conflicts between the proposed use and adjacent agriculture as well as prevent light and physical trespass onto adjacent parcels. Additionally, the County's implementation of the Right-to-Farm Ordinance (Section 9.32.52 – *Right-to-Farm Notice*), as enforced by the County Agricultural Commissioner's Office, protects agricultural operations from complaints and nuisance suits as a result of normal farming practices. The adjacent farmed parcels to the north, west, southwest, and across Tully Road to the east All have valid spray permits obtained through the County Agricultural Commissioner's Office. Although the new use does not meet the minimum suggested distance of 300 feet from all farmed properties, there are no regulatory requirements that necessitate leaving a buffer of physical distance. Most pesticides may have some buffer requirements, which the user must evaluate at the time of application. It is the opinion of the Agricultural Commissioner's Office that these uses can co-exist without conflict, taking into account the proposed landscape and fence alternative. As good management practice, off-target movement during application of sprays can be prevented by the applicator shutting off airblast before the orchard line terminates and not spraying when turning. This off-target movement should be prevented by applicators regardless of adjacent use. Further, these precautions are unlikely to be any different than precautions growers of adjacent orchards already take to prevent pesticide drift onto cars on Tully Road or Kiernan Avenue, or onto rural residences in the surrounding area. Typically, pesticide application occurs during nighttime when the proposed facility would be closed, further limiting its impact on maintenance of adjacent agriculture.

There are no forest resources on the site or in the surrounding area. Impacts to agriculture and forest resources are considered to be less than significant.

Mitigation: None.

References: Referral response from Modesto Irrigation District, dated October 18, 2018; Referral response from the City of Modesto, dated October 16, 2018; Natural Resources Conservation Service Soil Survey; application information; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program – Stanislaus County Farmland 2018; Stanislaus County General Plan Agricultural Element 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 regulatory programs and policies to prevent cumulative deterioration of air quality within the Basin. The site is currently improved with a single-family dwelling and detached garage and no new construction with the exception of building permits to legalize unpermitted tenant improvements is proposed. Occupancy of the proposed mosque will increase traffic in the area and, thereby, impact air quality.

The project was referred to the Air District who responded to the project indicating that the project is not anticipated to exceed any of the adopted District significance thresholds for air quality. Further, Air District staff noted the project does not meet the definition of a development project and is consequently not subject to District Rule 9510. The proposed project may be subject to the following District Rules: Regulation VIII, Rule 4102, Rule 4601, Rule 4641, or Rule 4002; therefore, staff will apply a condition of approval to the project requiring consultation with the Air District regarding compliance with these standard District rules and regulations prior to issuance of a building permit. The Air District has a three-tiered approach to assessing projects for significant impacts to air quality via their Small Project Analysis Level (SPAL), Cursory Analysis Level (CAL), and Full Analysis Level (FAL) screening tools. Using the project type, size, and number of vehicle trips, the District has pre-quantified emissions and determined values below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. Projects which fall under SPAL are deemed to have a less than significant impact on air quality and, as such, are excluded from quantifying criteria pollutant emissions for CEQA purposes. The District categorizes places of worship less than 141,000 square feet in size that generate 1,000 non-heavy heavy-duty truck (HHDT) trips or fewer per day and 15 one-way HHDT trips or fewer per day as falling within the SPAL. The project proposes the conversion of an existing single-story, 720± square-foot detached garage into a mosque and graveling and striping of the proposed parking lot. The use anticipates generating an maximum of 25 vehicle trips at peak time. The proposed project falls within the SPAL screening level for places of worship and consequently is less than significant with respect to impacts on air quality.

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.

Construction activities associated with the proposed project would consist primarily of grading and graveling of the proposed parking lots. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is considered to be topographically flat. Consequently, emissions would be minimal. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

The proposed project is anticipated to be consistent with the applicable air quality plans. Also, the proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project and would be considered to have a less than significant impact.

Potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds, as a result of the nature of the proposed project and project’s operation after construction. Implementation of the proposed project would fall below the SJVAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed above. Because construction and operation of the project would not exceed the SJVAPCD significance thresholds, the proposed project would not increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

Mitigation: None.

References: Referral response from the San Joaquin Valley Air Pollution Control District, dated October 1, 2018; SJVAPCD Small Project Analysis Level Guidance, dated November 13, 2020; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project is located within the Salida Quad of the United States Geological Survey 7.5-minute quadrangle map. According to aerial imagery and application materials, the surrounding area consists primarily of A-2 zoned parcels developed as ranchettes or production agricultural, ranging in size from 5 acres to 38 acres; however, the parcel to the southeast of the project site identified by Assessor's Parcel Number 046-001-001 is approved for light industrial development. There is additional light industrial development less than a ¼ mile east of the project site. The City of Modesto is located ½ mile to the south. The project site is bordered to the south and east by Kiernan Avenue and Tully Road, respectively. The site is on the northwest corner of the major collector Tully Road and rural expressway Kiernan Avenue intersection.

Based on results from the California Natural Diversity Database (CNDDB) Quad Species List, there are six animal species which are state or federally listed or threatened that have been recorded to either occur or have occurred within the Salida Quad. These species include the California tiger salamander, Swainson's hawk, tricolored blackbird, steelhead, Crotch bumble bee, and the valley elderberry longhorn beetle. Five additional species are listed as species of special concerns within the Salida Quad including: the Sacramento hitch (fish); hardhead (fish); Sacramento splittail (fish); chinook salmon (fish); and the coast horned lizard. The site neither contains nor is adjacent to aquatic resources such as vernal pools, rivers, tributaries, creeks, lakes, or wetlands which makes the presence of any of the identified special status fish species unlikely to occur on-site. Further, the site does not contain any elderberry bushes making the presence of the valley elderberry longhorn beetle unlikely to occur. The site is currently improved with a single-family dwelling and accessory structures but is otherwise vacant. The parcel is surrounded by Tully Road to the east, Kiernan Avenue to the south, and parcels routinely disturbed by practices associated with production agricultural also make it have a low likelihood to have

the presence of the special status bird species for nesting or breeding habitat. According to CNDDDB records, the nearest documented occurrences of any nearby special-status species are over 2.5 miles away from the project site. The project was referred to the California Department of Fish and Wildlife. The agency has responded indicating they have no concerns with the proposed project's impacts to biological resources.

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.

Impacts to biological resources are considered to be less than significant.

Mitigation: None.

References: E-mail correspondence from Jim Vang of the California Department of Fish & Wildlife, dated December 9, 2021; 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: There are no historical buildings registered with the state or federally, nor is the project site located within or near a historic district. It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is developed with a single-family dwelling and a detached garage. The balance of the property is partially vacant but previously disturbed in conjunction with a now-removed orchard. The project proposes interior improvements to the existing garage, and installation of two graveled parking lots. Standard conditions of approval regarding the discovery of cultural resources or human remains during the construction process will be added to the project.

Impacts to cultural resources are considered to be less than significant.

Mitigation: None.

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

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

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

to be generated by the project, and the additional energy consumed per trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable state or local energy legislation, policies, and standards must be considered.

The project site is currently developed with a single-family dwelling and a detached garage. The project proposes to convert an existing single-story, 13-foot-tall 720± square-foot detached garage into a mosque. The residence will remain as on-site quarters to be occupied by the imam of the congregation. The site is served by PG&E for gas and the Modesto Irrigation District (MID) for electrical service. Although no new structures will be constructed, all grading, permitting of existing tenant improvements and change of occupancy, and any future construction shall be in compliance with all San Joaquin Valley Air Pollution Control District (SJVAPCD) regulations and with Title 24, Green Building Code, which includes energy efficiency requirements. Consequently, emissions would be minimal. As stated under the Air Quality section, a condition of approval requesting the operator contact and obtain any applicable Air District permits will be added to the project. If approved, the applicant anticipates a peak of 40 people at a time will utilize the site during mosque activities. The site will operate Monday through Sunday, 7:00 a.m. to 9:30 p.m. The proposed project anticipates generating up to 25 trips during peak hours. Additionally, the anticipated range of trips will be generated 95% from within the local community. As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per day generally or achieves a 15% reduction of VMT may be assumed to cause a less than significant transportation impact. As the project will generate fewer than 110 trips per day, it is considered to have a less than significant impact.

The project was referred to PG&E who have not commented on the project to date. MID provided a referral response identifying an existing irrigation easement and underground pipeline on the parcel, and overhead electrical facilities within and adjacent to the project site; conditions of approval have been added to the project addressing their comments.

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

Mitigation: None.

References: Referral response from the San Joaquin Valley Air Pollution Control District, dated October 1, 2018; Referral response from Modesto Irrigation District, dated October 18, 2018; Application Materials; 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:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion: The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is entirely comprised of Hanford sandy loam, 0 to 3 percent slopes (HdA). 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, 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 project proposes to convert an existing detached 720 square-foot garage into a mosque and installation of a 35 space gravel parking lot with no construction proposed. Although no new construction is proposed, a referral response from the Stanislaus County Planning and Community Development Department Building Permits Division provided conditions for the project, requiring the applicant to obtain a building permit for a change of occupancy from a U to an A building classification, which would include a building permit for any unpermitted structural alterations to the site, provision of an egress system designed in accordance with the maximum occupancy load established in accordance to the most current adopted version of the California Building Code, and a permitting of existing bathrooms with the most current adopted California Building Code. These requirements have been added as conditions of approval. Further, any future structures resulting from this project or unpermitted alterations to existing structures which are subject to a building permit shall be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed.

The project proposes to discharge stormwater runoff overland and proposes graveled parking lots to allow percolation. An Early Consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project will be required to be submitted prior to operation, subject to Public Works review and Standards and Specifications. The site proposes to utilize on-site private septic tanks for wastewater service. The Department of Environmental Resources (DER) responded to the Early Consultation referral stating that the on-site wastewater treatment system shall be required to be compliant with Measure X, provide a 100% future expansion area, and be designed according to the type and maximum occupancy of the proposed structure. Conformance to these requirements will be reviewed and approved by DER through the building permit process, which will take soil type into consideration within the specific design requirements. Conditions of approval will be added to the project to include these requirements.

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

DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Conditions of approval regarding these standards will be applied to the project and will be triggered when a building permit is requested. Impacts to geology and soils are considered to be less than significant.

The project site is developed with a single-family dwelling and a detached garage. The balance of the property is vacant but previously disturbed in conjunction with a now removed orchard; however, as part of the project request a new orchard will be planted.

Mitigation: None.

References: United States Department of Agriculture Natural Resources Conservation Service Soil Survey; Referral response from the Department of Environmental Resources (DER), dated October 10, 2018, and as revised on February 21, 2020; Referral response from the Stanislaus County Department of Public Works dated October 1, 2018; Referral response received from the Stanislaus County Department of Planning and Community Development – Building Permits Division, dated September 30, 2018; Application Materials; 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 Gases (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 2016 California Green Building Standards Code (CALGreen Code) went into effect on January 1, 2017, and includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. The code also requires mandatory inspections of building energy systems for non-residential buildings over 10,000 square feet to ensure that they are operating at their design efficiencies. It is the intent of the CALGreen Code, that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives. With the requirements of meeting Title 24, CALGreen Code, greenhouse gas impacts from the project are considered to be less than significant. The project proposes to convert an existing detached 720 square-foot garage into a mosque and installation of a 35 space gravel parking lot with no construction proposed. A condition of approval will be added requiring the building permits for conversion of the garage and tenant improvement for an ADA bathroom be in compliance with Title 24, CALGreen Code, which includes energy efficiency requirements.

If approved, the applicant anticipates a peak of 40 people at a time will utilize the site during mosque activities. The site will operate Monday through Sunday, 7:00 a.m. to 9:30 p.m. The proposed project anticipates generating up to 25 trips during peak hours. Additionally, the anticipated range of trips will be generated 95% from within the local community. As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per day generally or achieves a 15% reduction of VMT may be assumed to cause a less than significant transportation impact. As the project will generate fewer than 110 trips per day, it is considered to have a less than significant impact on vehicle miles traveled.

The Air District has a three-tiered approach to assessing projects for significant impacts to air quality via their Small Project Analysis Level (SPAL), Cursory Analysis Level (CAL), and Full Analysis Level (FAL) screening tools. Using the project type, size, and number of vehicle trips, the District has pre-quantified emissions and determined values below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants or greenhouse gases. Projects which fall at the SPAL are deemed to have a less than significant impact on air quality and, as such, are excluded from quantifying criteria pollutant emissions for CEQA purposes. The District categorizes places of worship less than 141,000 square feet in size that generate 1,000 non-heavy heavy-duty truck (HHDT) trips or fewer per day and 15 one-way HHDT trips or fewer per day as falling within the SPAL. The project proposes the conversion of an existing single-story, 720± square-foot detached garage into a mosque to be used as a prayer hall and graveling and striping of the proposed parking lot. The proposed project anticipates generating up to 25 trips during peak hours. The proposed project falls within the SPAL screening level for places of worship and consequently is less than significant with respect to impacts on air quality. The project was referred to the Air District who responded to the project indicating that the project is not anticipated to exceed any of the adopted District significance thresholds for air quality. Further, Air District staff noted the project does not meet the definition of a development project and is consequently not subject to District Rule 9510. The proposed project may be subject to the following District Rules: Regulation VIII, Rule 4102, Rule 4601, Rule 4641, or Rule 4002; therefore, staff will apply a condition of approval to the project requiring consultation with the Air District regarding compliance with these standard District rules and regulations prior to issuance of a building permit.

Mitigation: None.

References: 2016 California Green Building Standards Code (CALGreen Code); Referral response from the San Joaquin Valley Air Pollution Control District, dated October 1, 2018; SJVAPCD Small Project Analysis Level Guidance, dated November 13, 2020; 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 County Department of Environmental Resources (DER) is responsible for overseeing hazardous materials. The project proposes to convert an existing detached 720 square-foot garage into a mosque and installation of a 35 space parking lot with no construction proposed. The project was referred to the DER Hazmat Division and no comment has been received to date. The proposed use is not recognized as a generator and/or consumer of hazardous materials.

The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Salida Fire Protection District. The project was referred to Salida Fire, who requested that the owner(s) of the property form or annex into a Community Facilities District for operational services with the Salida Fire Protection District and required the provision of standard fire suppression systems such as on-site water supply, Rapid Entry System (Knox) for the proposed mosque. Additionally, the project shall be required to annex into a Community Facilities District for operational services. Conditions of approval will be added to the project requiring the applicant meet these requirements prior to issuance of any building permit.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The groundwater is not known to be contaminated in this area. The project site is not within the vicinity of any airstrip or wildlands. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Referral response from Salida Fire Protection District, dated October 24, 2018; 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. All flood zone requirements will be addressed by the Building Permits Division during the building permit process.

The project proposes to convert an existing detached 720 square-foot garage into a mosque and installation of a 35 space parking lot with no construction proposed. By virtue of the proposed installation of two graveled parking lots providing 35 spaces and one paved ADA parking space, the current absorption patterns of water upon this property will be altered; however, current standards require that all of a project's stormwater be maintained on-site. The applicant proposes to address stormwater runoff on-site via overland runoff, allowing runoff to percolate through the on-site soils and graveled spaces. The Department of Public Works referral response requested a Grading and Drainage Plan, to be included in this project's conditions of approval.

A referral response received from the Central Valley Regional Water Quality Control Board (RWQCB) provided a list of the Board's permits and programs that may be applicable to the proposed project. The developer will be required to contact RWQCB to determine which permits/standards must be met prior to construction as a condition of approval.

The project proposed to utilize the existing on-site well for domestic water purposes, and MID for irrigation water. The project was referred to the Department of Environmental Resources who commented that the proposed project meets the definition of a Public Water System and therefore subject to the requirements of SB1263. The California Safe Drinking Water Act (CA Health and Safety Code Section 116275(h)) defines a Public Water System as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

- 1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
- 2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
- 3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

The project proposes to use an estimated 0.0011-acre feet of water per year. The water quality of the existing well has yet to be determined. If the existing well does not meet Public Water System standards the applicant may need to either drill a new well or install a water treatment system for the current well. Based on this information, if required to meet current water quality standards, the drilling of a new well would be considered a de minimis extractor, exempt from the County's Groundwater Ordinance and thus not require CEQA-compliance. If the applicant is required to install a water treatment system, it will be required to be approved by the Regional Water Quality Control Board and the Department of Environmental Resources. Regardless of which avenue the applicant takes to meet public water system standards, public water supply permits require on-going testing. Goal Two, Policy Seven, of the Stanislaus County General Plan Conservation/Open Space Element requires that, new development that does not derive domestic water from pre-existing domestic and public water supply systems be required to have a documented water supply that does not adversely impact Stanislaus County water resources. This Policy is implemented by requiring proposals for development that will be served by new water supply systems be referred to appropriate water districts, irrigation districts, community services districts, the State Water Resources Board and any other appropriate agencies for review and comment. Additionally, all development requests shall be reviewed to ensure that sufficient evidence has been provided, to document the existence of a water supply sufficient to meet the short and long-term water needs of the project without adversely impacting the quality and quantity of existing local water resources. Prior to receiving occupancy of any building permit for any later construction, the property owner must obtain concurrence from the State of California Water Resources Control Board (SWRCB), Drinking Water Division, in accordance with CHSC, Section 116527 (SB1263) and apply for a water supply permit if necessary, with the associated technical report to Stanislaus County DER and compliance with CEQA. This will be added as a condition of approval. If the developer utilizes an on-site well as the water source for the project and it does not meet water quality standards, then they may need to install a water treatment system.

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 Modesto Sub-basin

under the jurisdiction of the Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA. The GSP was adopted for the Modesto Subbasin on January 31, 2022.

Stanislaus County adopted a Groundwater Ordinance in November 2014 (Chapter 9.37 of the County Code, hereinafter, the "Ordinance") that codifies requirements, prohibitions, and exemptions intended to help promote sustainable groundwater extraction in unincorporated areas of the County. The Ordinance prohibits the unsustainable extraction of groundwater and makes issuing permits for new wells, which are not exempt from this prohibition, discretionary. For unincorporated areas covered in an adopted GSP pursuant to SGMA, the County can require holders of permits for wells it reasonably concludes are withdrawing groundwater unsustainably to provide substantial evidence that continued operation of such wells does not constitute unsustainable extraction and has the authority to regulate future groundwater extraction. The site has an existing private well and septic system serving the on-site residence. There are no additional wells proposed as part of this request. If in the future the facility results in the formation of a new Public Water System, then the project site will be subject to all applicable rules, regulations and standards, as discussed above.

The new and existing wells are not anticipated to have a significant effect on groundwater supplies. The water quality of the existing well has yet to be determined. If the existing on-site well does not meet public water system standards the applicant may need to drill a new well. If the new well does not meet Public Water System standards the applicant may need to either drill an additional well or install a water treatment system for the existing or proposed wells. Goal Two, Policy Seven, of the Stanislaus County General Plan's Conservation/Open Space Element requires that new development that does not derive domestic water from pre-existing domestic and public water supply systems be required to have a documented water supply that does not adversely impact Stanislaus County water resources. This Policy is implemented by requiring proposals for development that will be served by new water supply systems be referred to appropriate water districts, irrigation districts, community services districts, the State Water Resources Board and any other appropriate agencies for review and comment. Additionally, all development requests shall be reviewed to ensure that sufficient evidence has been provided to document the existence of a water supply sufficient to meet the short and long-term water needs of the project without adversely impacting the quality and quantity of existing local water resources.

The landscaping required to be installed for project development will need to meet state standards for water efficiency and is not expected to have significant effects on groundwater supplies.

Impacts associated with drainage, water quality, and runoff are considered to be less than significant.

Mitigation: None.

References: E-mail correspondence from Department of Environmental Resources staff, dated April 9, 2021; Referral response from the Central Valley Regional Water Quality Control Board, dated October 4, 2018; Referral response from the Department of Environmental Resources (DER), dated October 10, 2018, and as revised on February 21, 2020; Referral response from DER Groundwater Resources Division dated October 24, 2018; Referral response from the Stanislaus County Department of Public Works dated October 1, 2018; Referral response from Modesto Irrigation District, dated October 18, 2018; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: Request to operate a mosque on a 2.71-acre parcel in the General Agriculture (A-2-40) zoning district. The project proposes to convert an existing detached 720 square-foot garage into a mosque; while no construction is proposed, the facility has already been in operation. Both a change of occupancy for the change in use of the structure and a building permit for a tenant improvement to bring the existing garage's restroom into compliance with ADA standards is required. The site will be improved with two graveled parking lots providing 35 spaces and one paved ADA parking space, frontage

landscaping, and a driveway approach providing access to County-maintained Tully Road. The balance of the site will be planted in orchard. The project site has also been developed with a 1,560 square-foot single-family dwelling, which is proposed to be used as on-site housing for CVC's imam and family.

The facility will typically operate Tuesday through Sunday to facilitate prayer five times a day at various intervals from sunrise to shortly after sunset (between 7 a.m. to 9 p.m.). The timing of these intervals will depend on the timing of sunset and sunrise but generally occur in 10-minute increments as follows: in the morning before sunrise, mid-day around 1:30 p.m., afternoon, at sunset, and nighttime around one hour after sunset. The number of attendees for these daily prayers is anticipated to range from two to nine congregants at a time. On Fridays, one hour-long prayer will typically occur from 1:30 p.m. to 2:30 p.m. and be attended by up to 35 members. Children's religious classes for up to 12 children will be taught within the hall on Tuesday through Friday for 45 minutes approximately one hour before sunset, and may stay for the sunset prayer period. During Ramadan, which is a 30-day long period which occurs annually and varies depending on the lunar calendar, there will be special daily night prayers which will occur for 1.5 hours after sunset and be attended by up to 40 members.

All activities will remain indoors except one day a year after Ramadan, where the congregation will have a catered meal served outdoors immediately adjacent to the mosque; otherwise no food is included in any daily activities. The project was referred to the Department of Environmental Resources (DER) who indicated the proposed facility offering catered meals meets the definition under California Retail Food Code as a "Host Facility." A condition of approval requiring the applicant to submit three sets of plans of the facility to DER for review for compliance with California Retail Food Code section 114380 has been added to the project. No music, amplified or otherwise, will be played as part of on-site activities; however, a public address (PA) system for the purpose of speaking will be utilized on the interior of the mosque only. The project will be conditioned that it shall comply with all applicable County Noise Element standards. At any given time, a maximum of 40 people are proposed to utilize the mosque.

Both the proposed mosque and existing residence site will utilize the existing private well for domestic water and septic system for wastewater service. The site will utilize existing MID irrigation facilities for the proposed orchard. The proposed facility will take access off County-maintained Tully Road via a paved driveway allowing a right-in/right-out egress system. The segment of Kiernan Avenue which abuts the project site is part of the planned Phase IV of the North County Corridor project. No access shall be permitted to be taken from the Kiernan Avenue frontage. Storm drainage will be handled via overland percolation into the gravel and on-site soils.

To approve a Use Permit, the Planning Commission must find that it 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. Additionally, as a Tier Three use, the Planning Commission must find that the use will not be substantially detrimental to agricultural uses in the vicinity and that the proposed use is not located in one of the County's "most productive agricultural areas".

The project site is located a ½ mile from City of Modesto city limits and is located outside of Modesto's Sphere of Influence (SOI) but within their adopted General Plan boundaries. The Stanislaus County General Plan Land Use Element Policy 27 requires all discretionary projects within one mile of a City's adopted SOI boundary shall be referred to that city for an application of that city's development standards if requested. Consequently, the project was referred to the City of Modesto, who provided a referral response requiring the 20-foot width of road frontage between Tully Road and the proposed parking lot be landscaped. This will be required as conditions of approval applied to the project.

The site is surrounded by A-2 zone parcels planted in orchard or row crops in the vicinity of the project site in all directions, ranging in size from 5 acres to 38 acres; however, the parcel immediately to the southeast of the project site identified by Assessor's Parcel Number 046-001-001 was approved by the Stanislaus County Board of Supervisors on August 17, 2021 for light industrial development pursuant to General Plan Amendment & Rezone No. PLN2018-0081 – Libitzky Holdings. The Planning Commission has also approved a church facility under Use Permit PLN2013-0005 and Staff Approval Permit PLN2020-0118 - Holy Family Church, on Assessor's Parcel Number 046-012-007, located three parcels away to the southeast. Additionally, the Planning Commission approved a Use Permit for the construction and establishment of a new Hindu Temple, serving a maximum of 200 people on Assessor's Parcel Number 046-006-009, on January 5, 2023. The Modesto Landmark Missionary Baptist Church is located two parcels to the south across Kiernan Avenue and within the City's SOI. The City of Modesto is located ½ mile to the south. As stated, the project site is not enrolled in a Williamson Act Contract. There are no adjoining parcels that are enrolled in a Williamson Act Contract; however, the nearest enrolled

parcel is a 4.48 acre parcel addressed as 5106 Tully Road (APN: 004-071-030), which is not presently farmed, and is 150 feet away from the parcel on the east side of Tully Road. Additionally, a 38.69± acre parcel approximately 170 feet to the west, which is addressed as 1443 Kiernan Avenue (APN: 004-069-042) is enrolled under a contract and planted in orchard. Both of these parcels will be physically separated from the project site via an agricultural buffer, as described in Section II – *Agricultural and Forest Resources*, or Tully Road.

Appendix Seven of the Stanislaus County General Plan Agricultural Element – “*Buffer and Setback Guidelines*” requires that discretionary projects incorporate physical separation such as a topographic feature, a stand of trees, berm, fencing, or similar feature when non-agricultural development is proposed in or adjacent to agriculturally zoned parcels. The Appendix states that projects that are people-intensive shall include a 300-foot-wide buffer setback. Exceptions to the buffer include; public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people-intensive uses. The Buffer and Setback Guidelines also allows the applicant to propose an alternative to the buffer setback subject to Planning Commission approval. Although the Planning Commission has the ultimate determination, it is the opinion of staff that the proposed use falls under the category of a “people-intensive use”. The proposed project does not meet the 300-foot setback for people-intensive uses from all adjacent A-2-zoned parcels. The proposed mosque is located 200± feet to the adjacent eastern parcel, and approximately seven feet to the parcel to the north. Accordingly, the applicant is proposing an alternative to the agricultural buffer for the northern and eastern property lines consisting of the following: a proposed 7-foot-tall solid wood fence bounding the site along the northern and eastern property lines. Further, 120feet of physical distance, the existing single-family residence, frontage landscaping, and Tully Road will provide additional buffer between the proposed mosque and the western property line of the properties to the east. Project details, including the proposed agricultural buffer was referred to the Agricultural Commissioner’s Office, who identified no issues with the project as proposed.

The project will not physically divide an established community nor conflict with any habitat conservation plans. Impacts to land use and planning are considered to be less than significant.

Mitigation: None.

References: Referral response from the Department of Environmental Resources, dated February 21, 2020; Referral response from the City of Modesto, dated October 16, 2018; Stanislaus County General Plan and Support Documentation¹.

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The Stanislaus County General Plan Noise Element identifies daytime (7:00 a.m. to 10:00 p.m.) maximum allowable average noise exposure for stationary noise sources to be an hourly average of 55 decibels and maximum level of 75 decibels, and nighttime (10:00 p.m. to 7:00 a.m.) to be an hourly average of 45 decibels and maximum of 65 decibels, measured at residential or other noise-sensitive land use on neighboring properties. Noise consisting of speech, music, or recurring impulsive noises are subject to a reduction of these thresholds by an additional 5 decibels. However, where measured ambient noise levels exceed these standards, the standards shall be increased to the ambient levels, pursuant to the County General Plan Noise Element standards. The nearest sensitive receptor, a single-family dwelling, is located approximately 170 feet from the eastern property line of the project site. The project proposes to convert an existing detached 720 square-foot garage into a mosque with no new exterior construction proposed; however, the applicant will be required to obtain a change of occupancy building permit to change the occupancy of the garage. No music, amplified or otherwise, will be played as part of mosque activities; however, a public address (PA) system for the purpose of speaking will be utilized on the interior of the mosque only. Any on-site grading for the proposed parking lot may result in a temporary increase in the area's ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. The site itself is impacted by the noise generated from State Route 219 (Kiernan Avenue). Moreover, operating hours are limited to 7 a.m. to 9:30 p.m. daily. All activities will remain indoors except one day a year during Ramadan, where the congregation will have an outdoor catered potluck, without associated amplified sound, immediately adjacent to the hall. At any given time, a maximum of 40 people are proposed to utilize the mosque. The area's ambient noise level will temporarily increase during grading of the parking lot. As such, the project will be conditioned to abide by County Noise Element standards as well as regulations related to hours and days of construction.

The site is not located within an airport land use plan.

Mitigation: None.

References: Application Materials; Stanislaus County General Plan 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. The existing single-family residence is proposed to remain and to be occupied by the mosque imam and family. No population growth will be induced, nor will any existing housing be displaced as a result of this project. Impacts to population and housing are considered to be less than significant.

Mitigation: None.

References: Stanislaus County General Plan Housing Element 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 School, Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. All adopted public facility fees will be required to be paid at the time of building permit issuance for the proposed construction.

The project site is located within the district boundaries of Salida Fire Protection District for fire protection services, Stanislaus County Sheriff's Office for police protection, Stanislaus Union and Modesto Union for school services, Stanislaus County Parks Department for parks services, and Modesto Irrigation District for electric and irrigation services. This project was circulated to all applicable school, fire, police, irrigation, public works departments and districts during the Early Consultation referral period, and no concerns were identified with regard to public services.

A referral response was received from the Modesto Irrigation District (MID), which stated the District has existing overhead electrical facilities that occur near and on the project site and provided requirements with respect to trenching and construction near these facilities. The Salida Fire Protection District provided a comment letter requiring the site to meet fire apparatus access standards, provision of fire protection water supply, installation of a Rapid Entry System (Knox), payment of Fire Service Impact Mitigation Fees, and annexation into a community facilities district for operational services. Conditions of approval will be added to address both District's comments. Additionally, the Department of Public Works responded to the project, requiring submittal of a grading, drainage, and erosion/sediment control plan, prohibition of parking and unloading or loading of vehicles in the Tully Road right-of-way, and installation of a single asphalt driveway serving the site.

The project is anticipated to less than significant impacts to public services.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works dated October 1, 2018; Referral response from Salida Fire Protection District, dated October 24, 2018; Referral response from Modesto Irrigation District, dated October 18, 2018; 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. Impacts to recreation are considered to be less than significant. Non-residential development pays parks fees through the payment of public facilities fees, which are collected during the issuance of a building permit.

Mitigation: None.

References: Stanislaus County General Plan Conservation/Open Space Element 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 project site abuts the Tully Road/Kiernan Avenue (State Highway 219) intersection to the northwest. Traffic associated with the proposed project will take access off of County-maintained Tully Road via a single asphalt driveway, developed in accordance with Public Works Standards and Specifications for Major and Collector Roads. The project site is presently improved with a paved driveway serving the existing residence and a graveled driveway allowing a right-in/right-out egress system to the detached garage located at the rear of the site. Tully Road is identified as a 110-foot-wide Minor Arterial in the Circulation Element of the General Plan. Additionally, the segment of Kiernan Avenue (State Highway 219), from the intersection of Tully Road heading east, is planned for future build-out and development as part of Phase IV of the North County Corridor project. While no additional right-of-way is needed to accommodate the planned build-out, no access will be permitted to be taken from Kiernan Avenue.

If approved, the applicant anticipates a peak of 40 people at a time will utilize the site during mosque activities. The site will operate Monday through Sunday, 7:00 a.m. to 9:30 p.m. The proposed project anticipates generating up to 25 trips during peak hours. Additionally, the anticipated range of trips will be generated 95% from within the local community. As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per day generally or achieves a 15% reduction of VMT may be assumed to cause a less than significant

transportation impact. As the project will generate fewer than 110 trips per day, it is considered to have a less than significant impact.

This project was referred to the Department of Public Works, City of Modesto, and the California Department of Transportation (Caltrans). Both the Stanislaus County Department of Public Works and California Department of Transportation responded stating they had no concerns or issues with the proposed project, nor did they indicate the proposed project will result in significant impacts to either LOS or VMT. The City of Modesto provided no comments related to the proposed project's impacts to traffic. The Department of Public Works stated the proposed project will be required to install a single asphalt driveway serving the site in conformance with Public Works Standards and Specifications, installation of traffic control signage as required, and submittal of a grading and drainage plan. The comments received from Public Works will be applied to the project as conditions of approval.

As stated in Section Fifteen – *Public Services*, the County has adopted Public Facilities Fees, to address impacts to public services. Fees paid on behalf of the project include Regional Transportation Improvement Fees (RTIF), which will be utilized for improvements to existing County road network. Therefore, impacts to traffic are anticipated to be less than significant for the proposed project.

Transportation impacts are considered to be less than significant.

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works dated October 1, 2018; Referral response from the City of Modesto, dated October 16, 2018; 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: 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. It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site is improved with a single-family residence and a detached garage. The site is not located near any areas of high sensitivity. Previous agricultural production on the site has left the site disturbed. However, standard conditions of approval regarding the discovery of cultural or paleontological resources during the construction process will be added to the project.

Impacts to tribal cultural resources are considered to be less than significant.

Mitigation: None.

References: 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. The project proposes to utilize a private on-site septic system for wastewater service and address stormwater drainage via overland runoff. A referral response from the Department of Environmental Resources (DER) stated that the on-site sewage disposal shall be by individual Primary and Secondary wastewater treatment units in compliance with Measure X and provide 100% of the original system for future expansion area. The Department of Public Works will review and approve grading and drainage plans prior to construction. Conditions of approval will be added to the project to reflect these requirements.

The site is served by PG&E for gas service and MID for electrical service. A referral response received from MID indicated the presence of overhead power lines and transformers on and near the project site. Standard notices regarding trenching near overhead facilities, verification of underground utilities prior to construction, and dust control measures will be added to the project as conditions of approval.

As stated in section X – Hydrology and Water Quality of this report, the project proposes to utilize an on-site well for domestic water service and qualifies as a public water system, subject to the requirements of SB1263. Irrigation water will be sourced from Modesto Irrigation District. The project proposes to use an estimated 0.0011-acre feet of water per year. Based on this information and as discussed in Section X – *Hydrology and Water Quality*, should the existing well not meet water quality standards and a new well have to be installed, the drilling of a new well would be considered a de minimis extractor, exempt from the County's Groundwater Ordinance and thus not require CEQA-compliance. If the applicant is required to install a water treatment system, it will be required to be approved by the Regional Water Quality Control Board and the Department of Environmental Resources. Regardless of which avenue the applicant takes to meet public water system standards, public water supply permits require on-going testing.

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

Mitigation: None.

References: E-mail correspondence from Department of Environmental Resources staff, dated April 9, 2021; Referral response from the Central Valley Regional Water Quality Control Board, dated October 4, 2018; Referral response from the Department of Environmental Resources (DER), dated October 10, 2018, and as revised on February 21, 2020; Referral response from DER Groundwater Resources Division dated October 24, 2018; Referral response from the Stanislaus County Department of Public Works dated October 1, 2018; Referral response from Modesto Irrigation District, dated October 18, 2018; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat, and the site has access to a County-maintained road with secondary emergency vehicle access. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Salida Fire Protection District. The project was referred to the District who provided comments related to the requirement of annexation into a community facilities district, fire apparatus access standards, provisions of fire protection water supplies, and installation of a Rapid Entry System (Knox). These comments will be added as conditions of approval. California Building Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and embers. The proposed project will be required to meet these standards.

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

Mitigation: None.

References: Referral response from Salida Fire Protection District, dated October 24, 2018; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area. With implementation of the conditions of approval recommended in this document, compliance with Stanislaus County requirements for Use Permits and church-type facilities, and application of standard practices, project-related impacts are not anticipated to degrade the quality of the environment, substantially reduce the habitat of plant or wildlife species, cause a wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animals; or, eliminate important examples of the major periods of California history or prehistory. Impacts are anticipated to be less than significant.

The project is located outside of the City of Modesto's LAFCO adopted Sphere of Influence (SOI), but within the City's adopted General Plan Land Use Diagram, which designates the site Village Residential (VR). Development within ½ miles of a city's SOI is referred to the City for input and application of the city's development standards. The City of Modesto does not oppose the proposed project provided the frontage is landscaped to the City's landscape standards. There is a mix of production agriculture, scattered single-family dwellings, and light industrial development surrounding the site. The North County Corridor, which is a six-lane highway (SR219), abuts the project site to the south, south of which is the boundary for the City of Modesto's SOI. The City of Modesto is located approximately ½ mile southwest of the project site; however, the City's SOI extends north to Kiernan Avenue. The site adjoins A-2 zoned parcels to the north, and west, Tully Road to the east, and Kiernan Avenue to the south. There are parcels planted in crops to the north, west, southwest, and across Tully Road to the east. Modesto Irrigation District facilities and the Modesto Landmark Missionary Baptist Church are located to the south across Kiernan Avenue. Additionally, scattered urban development is located in the surrounding area to the south and east.

The parcel immediately to the southeast of the project site identified by Assessor's Parcel Number 046-001-001 was approved by the Stanislaus County Board of Supervisors on August 17, 2021 for light industrial development pursuant to General Plan Amendment & Rezone No. PLN2018-0081 – *Libitzky Holdings*. The Planning Commission has also approved a church facility under Use Permit PLN2013-0005 and Staff Approval Permit PLN2020-0118 - *Holy Family Church*, on Assessor's Parcel Number 046-012-007, located three parcels away to the southeast. Additionally, the Planning Commission approved a Use Permit for the construction and establishment of a new Hindu Temple, serving a maximum of 200 people on Assessor's Parcel Number 046-006-009, on January 5, 2023. This project is being requested via Use Permit Application No. PLN2018-0069 – *Hindu Temple* and is currently undergoing project review and CEQA compliance prior to being scheduled for public hearing and a vote by the County's Planning Commission. Approximately 1.4± miles to the west, the City of Modesto has adopted the Kiernan Business Park Specific Plan, designating approximately 614 acres adjacent to the City of Modesto's northern border east of Highway 99 and west of Morrow Road, for office, commercial, mixed-use,

and high-density residential uses. The North County Corridor Final Phase Plans have also been adopted, rerouting Kiernan Avenue (State Route 219) to State Route 120. Development of these projects cumulatively would not result in conditions in excess of adopted standards for LOS or queuing; further, implementation of the North County Corridor project is projected to greatly alleviate queuing times and traffic congestion on SR 219 and surrounding traffic networks.

The project site is not enrolled in a Williamson Act Contract, and the nearest parcel in production agriculture and under a Williamson Act Contract is the 38.7± acre parcel to the west identified as Assessor's Parcel Number 004-069-042, which is physically separated from the site by another undersized parcel. Any future unrelated new or expanding development of parcels located in the A-2 zoning district in the vicinity of the project site would be subject to the uses permitted by the A-2 zoning district or would require discretionary land use permits that are subject to CEQA review and the public hearing process. Rezoning parcels to another designation that would create islands or disregard infilling are not consistent with the General Plan and would likely not be approved.

The project will not generate environmental impacts that will directly or indirectly cause substantial adverse effects on human beings. Where potential impacts occur, standard project measures have been implemented to ensure direct and indirect impacts to human beings do not occur. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area and accordingly, impacts associated with the project are considered to be less than significant.

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.

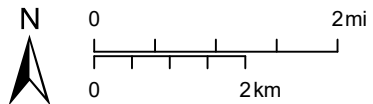
CENTRAL VALLEY CRESCENT

UP
PLN2018-0080

AREA MAP

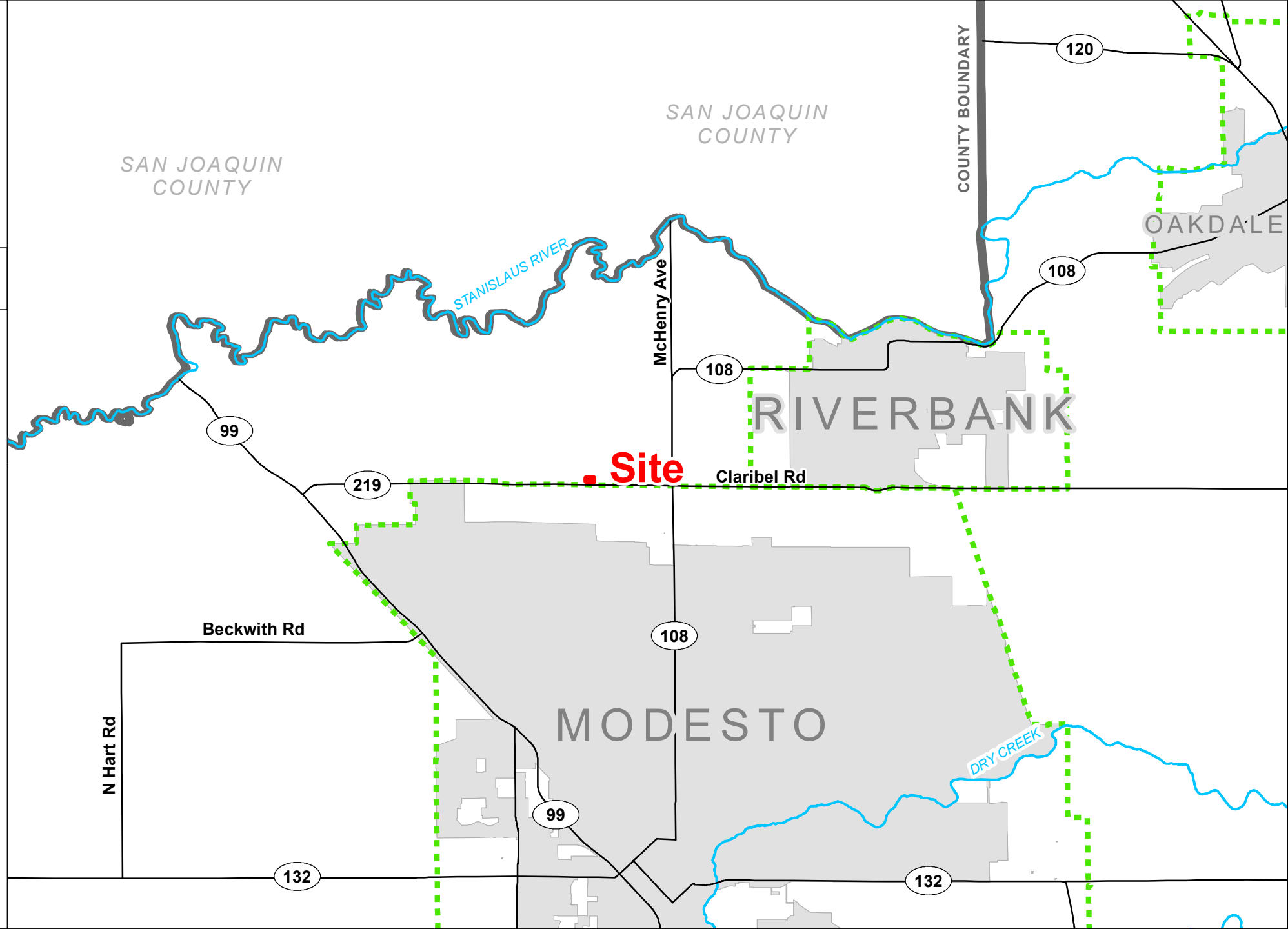
LEGEND

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



Source: Planning Department GIS

Date: 5/19/2022






CENTRAL VALLEY CRESCENT




UP
PLN2018-0080

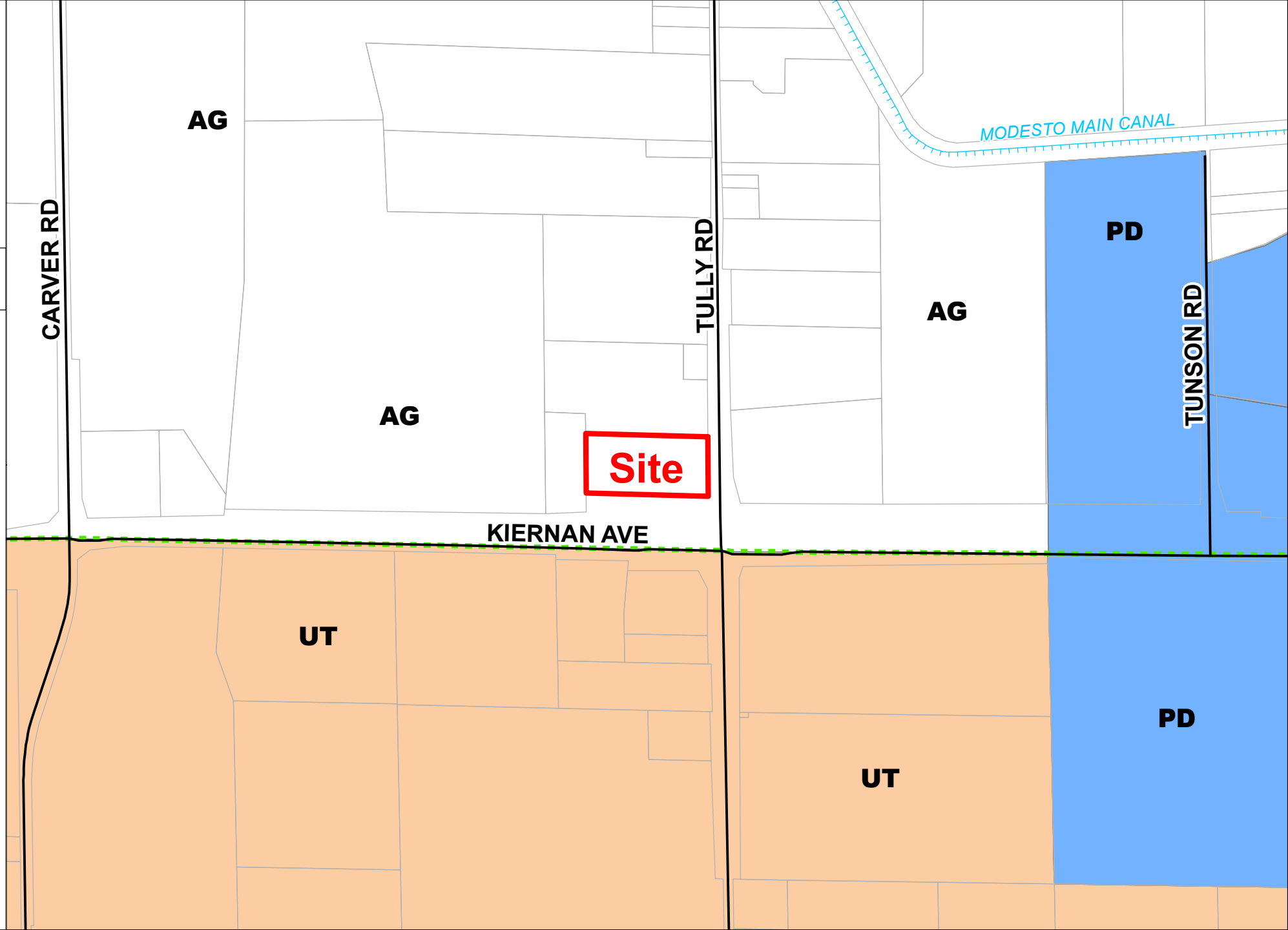
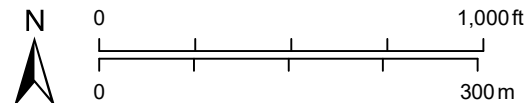
GENERAL PLAN MAP

LEGEND

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

General Plan

-  Agriculture
-  Urban Transition
-  Planned Development






CENTRAL VALLEY CRESCENT




UP
PLN2018-0080

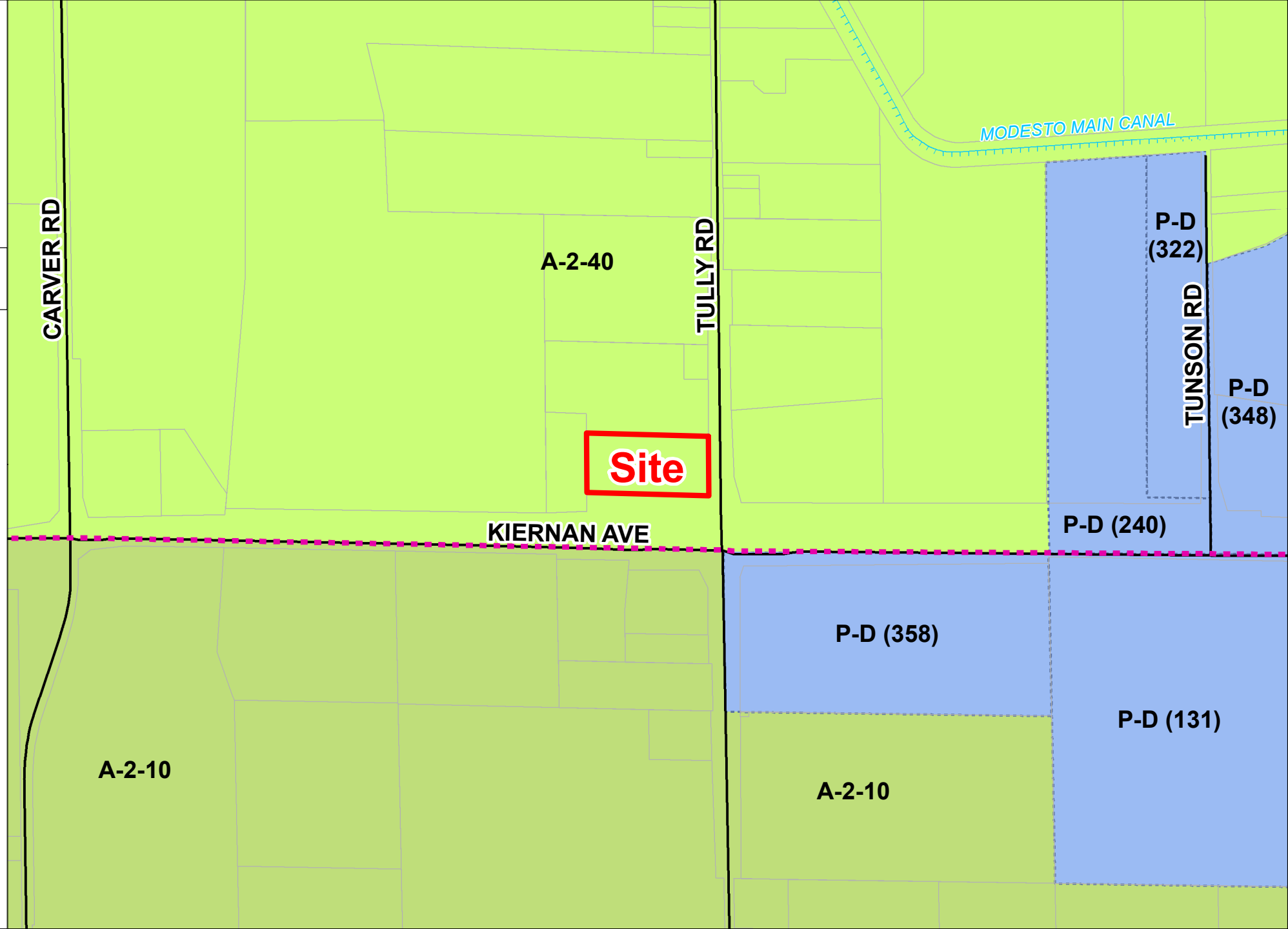
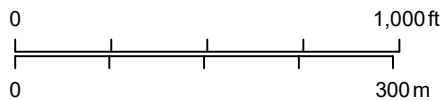
ZONING MAP

LEGEND

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

Zoning Designation





-  Planned Development
-  General Agriculture 10 Acre
-  General Agriculture 40 Acre

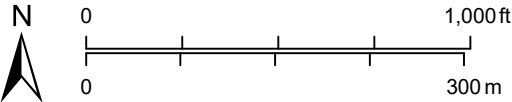


CENTRAL VALLEY
CRESCENT
UP
PLN2018-0080

2021 AERIAL AREA MAP

LEGEND



-  Project Site
-  Sphere of Influence
-  Road
-  Canal

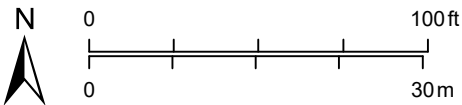


CENTRAL VALLEY
CRESCENT
UP
PLN2018-0080

2021 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road



CENTRAL VALLEY CRESCENT

UP
PLN2018-0080

ACREAGE MAP

LEGEND



Project Site



Sphere of Influence



Parcel/Acres

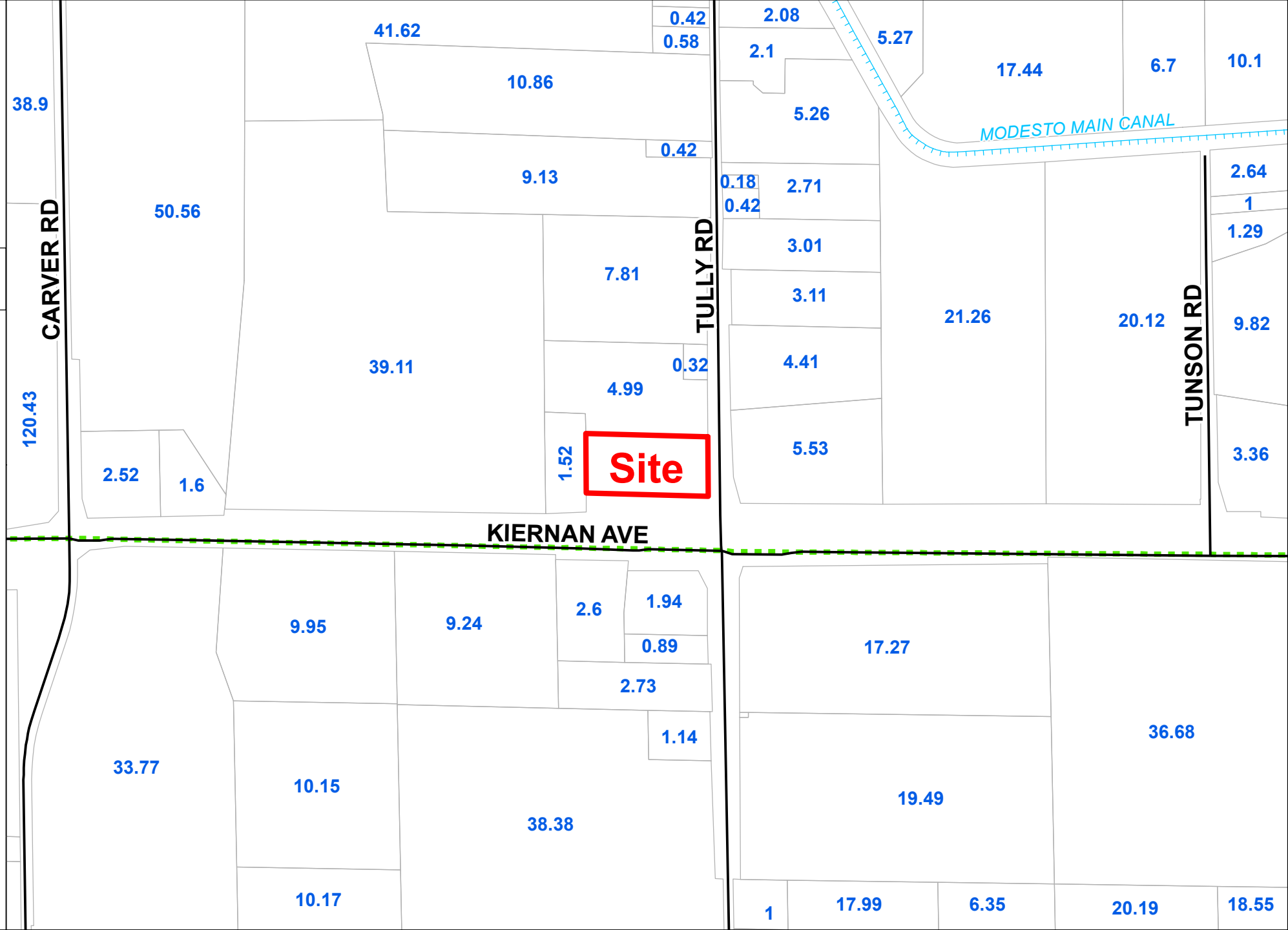
Road

Canal



Source: Planning Department GIS

Date: 5/19/2022



SCOPE OF WORK

PROPOSED OCCUPANCY CHANGE OF EXISTING DETACHED GARAGE/SHOP TO A PRAYER ASSEMBLY AREA.

BUILDING CODE ANALYSIS

DESCRIPTION OF USE: PRAYER ASSEMBLY AREA
OCCUPANCY TYPE: R3 / A3
FIRE SPRINKLERS: NOT REQUIRED
NO. OF STORIES: ONE
TOTAL AREA: (E) GARAGE 120 SQ. FT. / PROPOSED PRAYER ASSEMBLY AREA 120 SQ. FT.

ALLOWABLE AREA: PER CBC TABLE 503 & CBC SECTION 508.4
A3 (ACTUAL) = 120 SQFT.

PARKING ANALYSIS

1. OCCUPANCY LOAD = 102
2. PARKING SPACE FACTOR: 1 SPACE / 4 OCC.
3. REQUIRED # OF SPACES: 102 OCC. / 4 OCC. / SPACE = 26
4. # OF SPACES PROVIDED:
VAN ADA = 1
VEHICAL = 35
TOTAL = 36

SITE STATISTICS

1. ASSESSORS PARCEL NUMBER: 004-069-033
2. PRESENT ZONING: A-2-40
3. PARCEL SIZE: 118,222 SQ. FT. / 2.714 AC.
4. SITE ADDRESS: 5043 TULLY ROAD MODESTO, CA. 95356

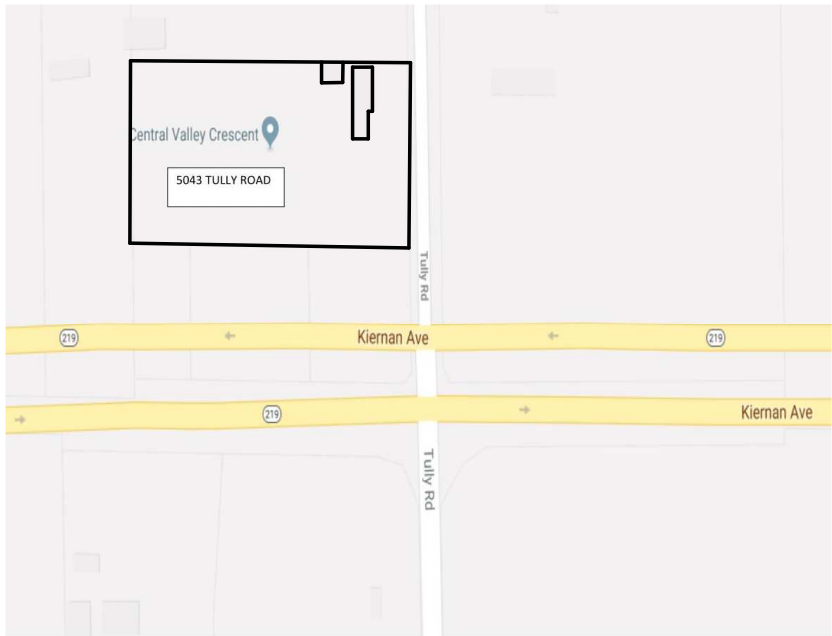
SHEET INDEX

SHEET NO.	DESCRIPTION
TI	TITLE SHEET/SITE PLAN
TE	ENLARGED SITE PLAN

OCCUPANT LOAD ANALYSIS

TABLE 1004.1.1 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT
1. PRAYER ROOM: 120 SQ. FT.
OCCUPANCY LOAD = 102 OCC.

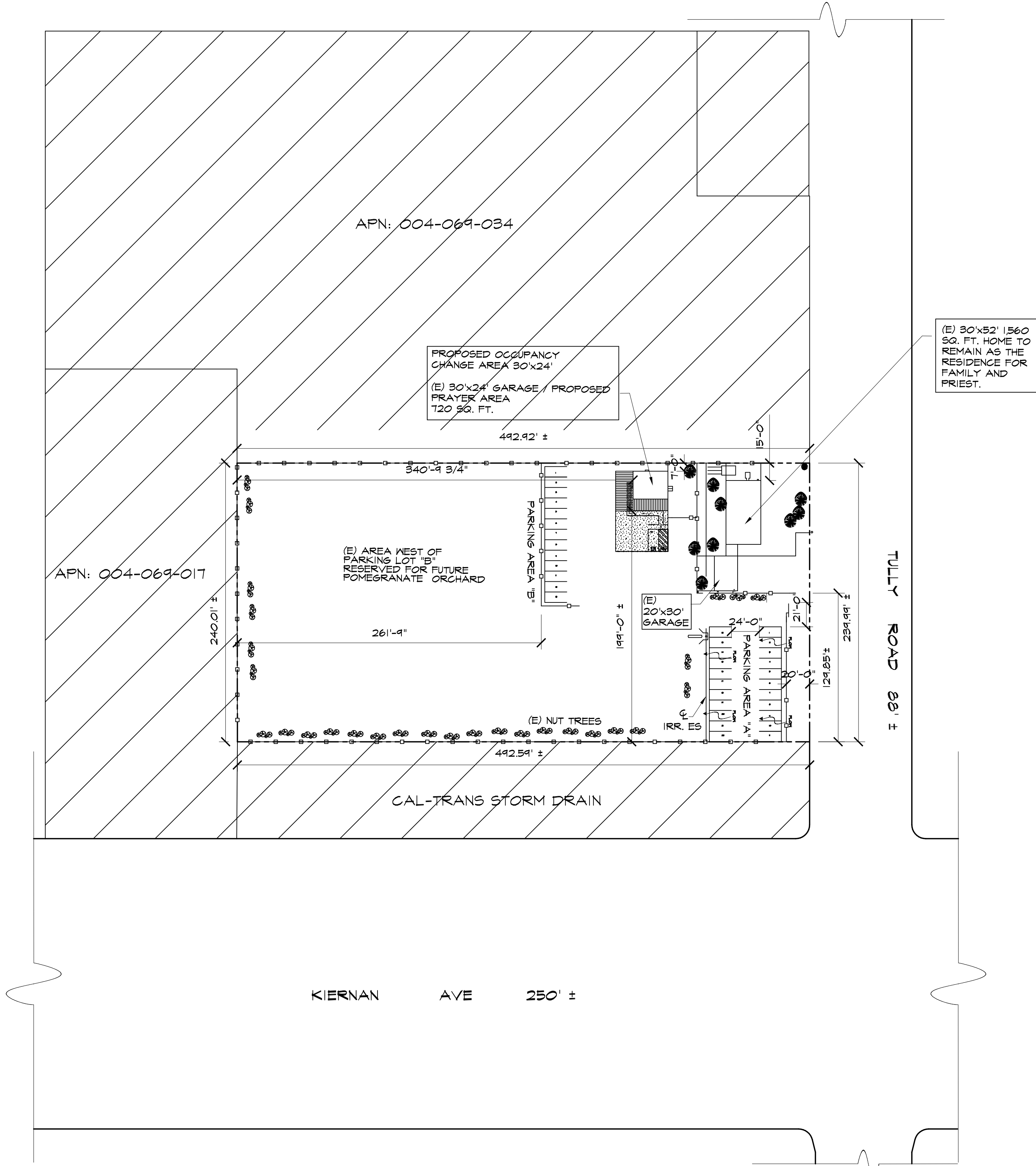
2. REQUIRED # OF EXITS: 2
3. # OF EXITS PROVIDED: 2, 1 MAIN EXIT AND 1 SIDE EXIT



VICINITY MAP

SCALE: N.T.S.

PROPOSED OCCUPANCY CHANGE. CONVERT (E) GARAGE/SHOP INTO A PRAYER ASSEMBLY AREA
5043 TULLY ROAD MODESTO, CA. 95356



SITE MAP

SCALE: 1"=60'-0"

Rev	Revisions	App	Date
1	SITE PLAN SUBMISSION FOR OCC. CHANGE	1	7/18/2018
2	TREES, SCALED SITE/AREA, PER CLIENT REQUEST	2	8/1/2018
3	PLANNER REQUEST TO ADD SHRUB, FLORAL CLEARANCE, DRIVE		8/29/2018

SOHEL SARESHWALA
5043 Tully Road
Modesto, Ca. 95356
209-988-6292
APN: 004-069-033

JON D. CAMPICONICA P.E.
2712 RIVER VALLEY CIR.
MODESTO, CA. 95351
209-484-9782



DRAWN BY: FRANK RODRIGUEZ

CHKD BY: .

DATE: 7/18/2018

JOB NO: .

SHEET NO.

T1

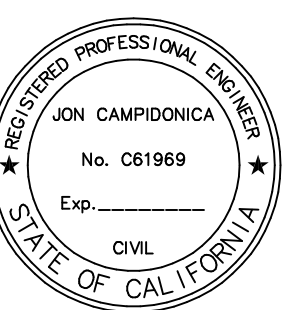
	TREE/PLANT	
LOCATION	DESCRIPTION	QTY.
1	PINE TREE	1
2	ORANGE TREE	2
3	POMEGRANATE TREE	5
4	GRAPEFRUIT	1
5	WALNUT TREE	3
6	CHERRY TREE	2
7	PLUM TREE	2
8	PEACH TREE	3
9	NECTURINE TREE	2
10	APRICOT TREE	2
11	APPLE TREE	2
12	GUAVA	2
14	MULBERRY TREE	6
15	ALMOND	2
16	PECAN	1



SCALE: 1"=20'-0"

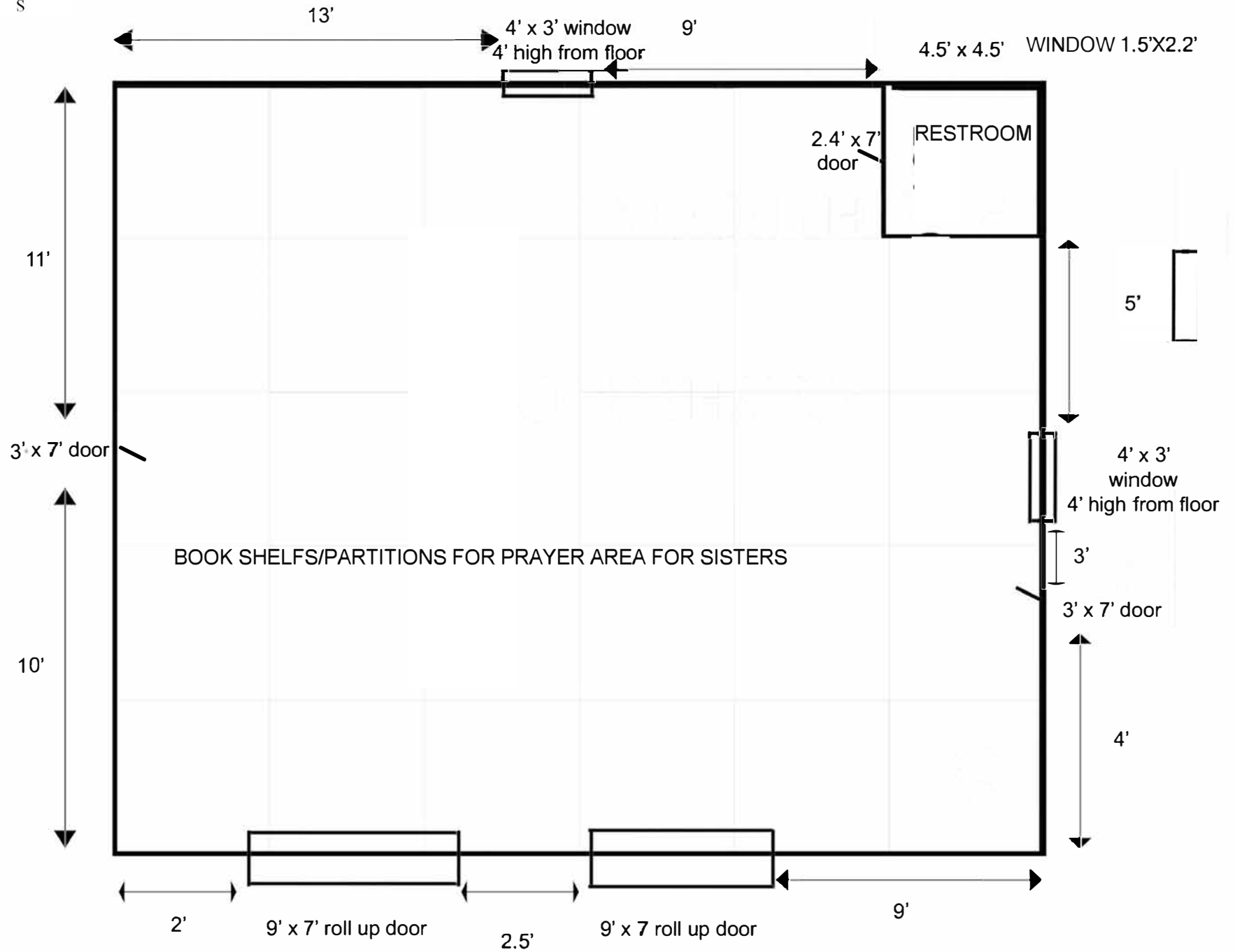
REV	DESCRIPTION	DATE
1	SITE PLAN SUBMISSION FOR OCC. CHANGE	7/10/2018
2	TREES, SCALED SITE AREA, PER CLIENT REQUEST	8/1/2018
3	PLANNER REQUEST TO ADD STRIP, FLON20 CLEARANCE DRIVE	8/23/2018

JON D. CAMPICONICA P.E.
2712 RIVER VALLEY CIR.
MODESTO, CA. 95351
209-484-9782



SHEET NO.

TE





CHIEF EXECUTIVE OFFICE

Jody L. Hayes
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Patrice M. Dietrich
Assistant Executive Officer

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

February 25, 2020

Kristen Anaya, Assistant Planner
Stanislaus County Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

**SUBJECT: ENVIRONMENTAL REFERRAL – CENTRAL VALLEY CRESCENT – USE
PERMIT APPLICATION NO. PLN2018-0080 – EARLY CONSULTATION**

Ms. Anaya:

Thank you for the opportunity to review the Early Consultation phase of the above-referenced project.

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and provides the following comments to the applicant's clarification in response to our letter dated October 10, 2018, requesting additional information:

Utilities and Service Systems

A new public water system should be included in the CEQA review and determination process as CEQA documentation is required for the regulated water system, water supply permitting process.

1. The subject project will constitute a new public water system that will be subject to SB1263 and a water supply permit cannot be granted without concurrence from the State Water Boards.
2. Occupancy cannot be provided until a Water Supply permit has been obtained from Stanislaus County Department of Environmental Resources.
3. Any new building permits for proposed project cannot be finalized or receive occupancy, until a Water Supply Permit has been issued by the Local Primacy Agency (Department of Environmental Resources).

Also, please see attached Conditions of Approval issued by the Stanislaus County Department of Environmental Resources, Environmental Health Division.

STRIVING TOGETHER TO BE THE BEST!

1010 10th Street, Ste. 6800, Modesto, CA 95354 Post Office Box 3404
Modesto, California 95353 Phone: 209.525.6333 Fax: 209.544.6226

ENVIRONMENTAL REFERRAL – CENTRAL VALLEY CRESCENT – USE PERMIT
APPLICATION NO. PLN2018-0080 – EARLY CONSULTATION
February 25, 2020
Page 2

The ERC appreciates the opportunity to comment on this project.

Sincerely,



Patrick Cavanah
Sr. Management Consultant
Environmental Review Committee

PC:ss

Attachment: Stanislaus County Department of Environmental Resources, Environmental
Health Division – Conditions of Approval – CEQA Referral Response Form

cc: ERC Members



**STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM**

TO: Stanislaus County Planning & Community Development
FROM: Department of Environmental Resources
SUBJECT: **ENVIRONMENTAL REFERRAL- USE PERMIT APPLICATION NO.
PLN2018-0080 – CENTRAL VALLEY CRESCENT**

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

- ☒ Will not have a significant effect on the environment. See comment below
☐ May have a significant effect on the environment.
☐ No Comments.

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

- 1.
- 2.

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

- 1.
- 2.

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

For the Water:

1. The subject project will constitute a new public water system that will be subject to SB1263 and a water supply permit cannot be granted without concurrence from the State Water Boards.
2. Occupancy cannot be provided until a Water Supply permit has been obtained from Stanislaus County Department of Environmental Resources.

3. Any new building permits for proposed Central Valley Crescent cannot be finalized or receive occupancy, until a Water Supply Permit has been issued by the Local Primacy Agency (Department of Environmental Resources).

Onsite Wastewater:

1. On-site wastewater treatment system (OWTS) shall be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.
2. On-site wastewater disposal system (OWTS) shall be designed according to type and/or maximum occupancy of the proposed structure to estimated waste/sewage design flow rate and in accordance to number of plumbing fixture units proposed within the building. The dispersal field shall be designed and sized using field data collected from soil profile and percolation tests performed at the locations proposed for dispersal field and the 100 % future reserved.
3. The OWTS designed system shall provide 100% of the original system for the "future expansion area".
4. The sewage disposal system is to be installed on-site shall not be paved or covered by concrete or any material that is capable of reducing or inhibiting a possible evaporation of the effluent.

Food Facility:

Based on the information provided in Application PLN2018-0080, the applicant must submit 3 sets of plans for the food facility described in Exhibit 1. The Department of Environmental Resources will review the plans for compliance with the California Retail Food Code section 114380. The submitted food facility construction plans are to be complete, easily readable, drawn to scale and include specification sheets.

Response prepared by

Date: February 21, 2020

Bella Badal

BELLA BADAL, PhD, REHS
SENIOR REGISTERED ENVIRONMENTAL HEALTH SPECIALIST
Department of Environmental Resources



DEPARTMENT OF ENVIRONMENTAL RESOURCES

3800 Cornucopia Way, Suite C, Modesto, CA 95358-9494
Phone: 209.525.6700 Fax: 209.525.6774

COPY

October 24, 2018

Sohel & Asfiya Sareshwala
7150 Carver Road
Modesto, CA 95356

RE: Central Valley Crescent New Public Water System – 7150 Carver Road, Modesto, CA 95356

Dear Soheli & Asfiya:

The Department of Environmental Resources (DER) is the Local Primacy Agency (LPA) for Stanislaus County. As the LPA, DER is responsible for the oversight of small water systems (less than 200 service connections) within Stanislaus County. DER oversight includes the permitting of small water systems in accordance with California Health and Safety Code (HSC) and regulation of small water systems in accordance to California Code of Regulation (CCR).

HSC Section 116275 (h) defines a public water system as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. Based on the project description in the Use Permit Application No. PLN2018-0080, the Central Valley Crescent project will establish a new public water system as it will serve a maximum of 40 worshipers on a year-round basis.

HSC Section 116527 requires that, before any water related improvements or application for water supply permit can be initiated for a new public water system, the ownership must submit a preliminary technical report six months in advance to beginning construction of any water related improvement to the LPA and receive concurrence from the Water Boards. In order to assist in expediting the permitting process, it is encouraged, but not required, that a person considering submitting an application for a permit for a proposed new public water system should submit the preliminary technical report no later than seven days after submission of an application to the city or county for a building permit for any water-related improvement.

The Water Boards is requiring that preliminary technical reports be submitted six months in advance of the anticipated construction date to ensure adequate time to determine if concurrence will be given. Therefore, DER is requesting that Soheli or Asfiya contact this Department so that we may assist with these and other public water system requirements.

Please contact Rachel Riess at rariess@envres.org or (209) 525-6720 weekdays 7:30 a.m. – 5:00 p.m. to initiate this process. Enclosed with this letter are the applicable sections of HSC Section 116527, SB126 FAQ's and a Preliminary Technical Report Guideline for your reference.

Sohel & Asfiya Sareshwala

October 24, 2018

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read 'Waleed Yosif', written in a cursive style.

Waleed Yosif, REHS

Registered Environmental Health Specialist

WY:dlp

cc: ✓ Kristin Doud, Senior Planner, Stanislaus County Planning and Community Development

Bhupinder Sahota, P.E., State of CA SWRCB, Drinking Water Division, District 10, 31 E. Channel Street,
Room 270, Stockton, CA 95202



DEPARTMENT OF PUBLIC WORKS

*David Leamon, PE
Interim Public Works Director
Construction Administration/Operations*

*Chris Brady, PE
Deputy Director - Design/Survey/Fleet Maintenance*

*Frederic Clark, PE, LS
Deputy Director - Development/Traffic*

*Letti Ortiz
Senior Business and Finance Manager*

www.stancounty.com/publicworks

October 1, 2018

To: Kristen Anaya, Assistant Planner, Planning and Community Development

From: Angie Halverson, Senior Land Development Coordinator

Subject: PLN2018-0080 Central Valley Crescent Use Permit

This is a request to establish a prayer room on a 2.71 acre parcel outside the Sphere of Influence for the City of Modesto. The project will utilize an existing 720 square foot garage for the prayer hall. The site is proposed to be improved with a fruit and nut orchard with two graveled parking lots and a driveway approach. Public Works recommends the following conditions.

OFF-SITE:

1. Prior to operation of the prayer room or within 6 months of the approval of the use permit, whichever comes first, an encroachment permit shall be taken out for an asphalt driveway onto Tully Road. The driveway to be paved is the driveway that sees the most traffic accessing Tully Road.
 - A paved driveway shall be installed per Stanislaus County Public Works Standards and Specifications for a Major and Collector Roads.
2. No parking, loading, or unloading of vehicles is permitted within the Tully Road right of way. The developer shall install or pay for the installation of any off-site signs and/or markings, as required by Stanislaus County.

ON-SITE:

3. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted with any building permit that will create a larger building footprint for the site. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - 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.
 - 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 Discharger Identification Number and a copy of the Notice of Intent and the projects Stormwater Pollution Prevention Plan shall be provided prior to the approval of any grading, if applicable.
 - The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the grading plan.

PLN2018-0080
Central Valley Crescent
Use Permit

- 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.

From: [Miguel Galvez](#)
To: [Rachel Wyse](#); [Teresa McDonald](#); [Kristen Anaya](#); [Jeremy Ballard](#); [Kristin Doud](#)
Cc: [Jennifer Akin](#)
Subject: FW: Coments to Planning Items
Date: Monday, October 01, 2018 8:45:06 AM

Project referral response comments from the Building Permits Division on several projects.

From: Denny Ferreira
Sent: Sunday, September 30, 2018 2:15 PM
To: Jennifer Akin <AKINJ@stancounty.com>
Cc: Miguel Galvez <GALVEZM@stancounty.com>; Angela Freitas <ANGELA@stancounty.com>
Subject: Coments to Planning Items

Jennifer, I don't know the best way to do this but I have a feeling you do. The following are comments for the following cases:

1. PLN2018-0058-
 1. Prior to applying for a Demolition permit approval from the San Joaquin Valley Air Control Board is to be provided.
 2. Demolition permit will be required prior to demolition of the structures on "proposed parcel 2".
2. PLN2018-0090-
 1. The proposed Parcels are located in the "State Responsibility Area (SRA)". All future structures will be required to be constructed in accordance of Chapter 7A of the most current adopted version of the California Building Code and California Residential Code.
3. PLN2018-0076
 1. A change of use permit will be required for the existing shop per the most current adopted version of the California Existing Building Code. The use classification will go from Assessory to Storage.
 2. Existing "Shop Building" structure to be used shall have been previously permitted and inspected by the County's Building Permit Services Division. Any unpermitted structure(s) will be required to be permitted as new.
4. PLN2018-0080

1. A change of use permit will be required for the existing garage per the most current adopted California Existing Building Code. The use classification will go from Assessor to Assembly.
2. Existing "Garage" structure to be used shall have been previously permitted and inspected by the County's Building Permit Services Division. Any unpermitted structure(s) will be required to be permitted as new.
3. The egress system of the proposed prayer hall shall be designed in accordance to the maximum Occupant Load established in accordance to the most current adopted version of the California Building Code.
4. A building permit will be required for the renovation of the existing bathrooms. Bathrooms shall comply with the most current adopted California Building Code.

Thank you for the help.



STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: Caltrans District 10: Metropolitan Planning Branch

SUBJECT: ENVIRONMENTAL REFERRAL – USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT

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

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

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

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

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

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

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

Response prepared by:

Steven R. Martinez	Associate Transportation Planner	9/26/2018
Name	Title	Date



City of Modesto
Community and Economic
Development Department/Planning Division
1010 Tenth Street, Third Floor
Modesto, CA 95354

Kristen Anaya
Stanislaus County Planning
1010 Tenth Street, Suite 3400
Modesto, CA 95354

October 16, 2018

Re: Use Permit Application PLN2018-0080—Central Valley Crescent, 5043 Tully Road,
APN 004-069-033, Northwest corner of Tully Road and Kiernan Avenue/CA-219 (Sarehwala)

Dear Ms. Anaya;

This letter is in response to the Referral/Early Consultation submitted by Stanislaus County for the application listed above, proposal for the conversion of an existing 720 square foot garage into a prayer hall, with gravel driveway and 35 parking spaces in two graveled parking areas.

The site is located at the northwest corner of Tully Road and Kiernan Avenue/CA-219, with a CalTrans maintained storm drainage facility located between the westbound lanes of Kiernan Avenue/CA-219 and the site. While the site is located outside of the City's Sphere of Influence, it is located within the Kiernan-Carver North Comprehensive Planning District of the City's General Plan, and is designated for Village Residential uses in the Land Use Diagram of the General Plan.

Planning staff recommends that the 20-foot setback between the 24-stall parking area along the Tully Road frontage be landscaped, and that the gravel driveway approach instead be paved with asphalt or concrete in similar fashion to the driveway approaches of properties to the north and east, to prevent gravel or dirt track-out onto the street.

Thank you for the opportunity to comment on this project. If you have any questions concerning these comments, please contact me at (209) 577-5465.

Sincerely,



Katharine Martin
Associate Planner

cc: PRR-18-011

Kristen Anaya

From: Vang, Jim@Wildlife <Jim.Vang@wildlife.ca.gov>
Sent: Thursday, December 9, 2021 8:19 AM
To: Kristen Anaya
Subject: RE: Tully Road Projects Biological Resource Question - Hindu Temple and Central Valley Crescent

*** **WARNING:** This message originated from outside of **Stanislaus County**. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe ***

Good morning Kristen,

The CNDDDB is a useful tool and I use it every time I review a project, but it doesn't always capture what special status species may be in an area since the records are based on what's reported. Regarding both of the projects you've attached, we have no comments. Thanks.

Jim Vang
Environmental Scientist
CA Department of Fish and Wildlife
Central Region
1130 E. Shaw Avenue, Suite 206
Fresno, CA 93710
(559) 243-4014 ext. 254 (559) 580-3203

From: Kristen Anaya <ANAYAK@stancounty.com>
Sent: Wednesday, December 8, 2021 2:02 PM
To: Vang, Jim@Wildlife <Jim.Vang@wildlife.ca.gov>
Subject: Tully Road Projects Biological Resource Question - Hindu Temple and Central Valley Crescent

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Good afternoon Jim,

I have two Use Permit applications for projects of religious facilities that were circulated for Early Consultations and one for an Initial Study. I didn't receive any comment from Fish and Wildlife; however, we received public comments concerning the biological impacts of one of the proposed facilities (located at **4801 Tully Road, Modesto, CA 95356**).

In referencing the CNDDDB (see below), I didn't locate any sightings or occurrences of any of the special-status species which are located in the site's Quad (Salida Quad) near the project sites. The second Church facility project located is located 3 parcels to the north at **5043 Tully Road, Modesto**. **My question is, do you see any issues or need for biological resource mitigation for either project pursuant to CEQA?** I've attached the Early Consultations for both Use Permit applications and the Initial Study which has already circulated for Use Permit App. PLN2018-0069 – Hindu Temple.

Thank you for your assistance in this matter.

4801 Tully Road Project Site:



Black circle 0.8 miles to the south:

California Natural Diversity Database (CNDDDB) Government [ds45] Identified features: 4

	Zoom	Scientific Name	Common Name	Element Code	Occ Number	MAPNDX	Element
1	Go	<i>Lytta moesta</i>	moestan blister beetle	IICOL4C020	10	39485	6
2	Go	<i>Bombus caliginosus</i>	obscure bumble bee	IIHYM24380	139	39485	9
3	Go	<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	IICOL48011	156	39485	3
4	Go	<i>Bombus crotchii</i>	Crotch bumble bee	IIHYM24480	26	39485	9

Red circle 2.5 miles to the east in Riverbank:

	Zoom	Scientific Name	Common Name	Element Code	Occ Number	MAPNDX	EONDX	Key Quad Code	Key Quad N
1	Go	<i>Athene cunicularia</i>	burrowing owl	ABNSB10010	283	39743	34745	3712068	Riverbank

River buffer 2.5 miles to the north:

	Zoom	Scientific Name	Common Name	Element Code	Occ Number	MAPNDX	Element
1	Go	<i>Oncorhynchus mykiss irideus</i> pop. 11	steelhead - Central Valley DPS	AFCHA0209K	20	91311	

Circles within riparian corridor along river 2.5 miles to the north:

	Zoom	Scientific Name	Common Name	Element Code	Occ Number	MAPNDX	Element
1	Go	<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	IICOL48011	122	33050	

Kristen Anaya
Assistant Planner
Planning & Community Development

October 18, 2018

Stanislaus County – Planning and Community Development
Attention: Kristen Anaya, Assistant Planner
1010 10th Street, Suite 3400
Modesto, CA 95354



**RE: Environmental Referral – Use Permit Applic. PLN2018-0080 – Central Valley
Crescent
APN: 004-069-033 (5043 Tully Road)**

Thank you for allowing the District to comment on this referral. Following are the recommendations from our Electrical, Irrigation and Domestic Water Divisions:

Irrigation

- There is an existing thirty-six (36) inch concrete improvement district pipeline (ID No. 192 – Langdon ID) that lies within a ten (10) foot easement within the above-noted parcel. Please see the attached assessor's parcel map for clarification purposes.
 - The location and size of the existing pipeline must be located and verified in the field.
 - The proposed site plans must be submitted to MID's Civil Engineering Department for review and approval and must show the location of the existing irrigation easement and facilities.

Domestic Water

- No comments at this time.

Electrical

- The attached drawing shows the approximate location of the District's existing electrical facilities within or adjacent to the project area.
- High voltage is present within and adjacent to the project area. This includes 69,000 volts overhead transmission, 12,000 volts overhead primary, overhead secondary facilities, and an overhead fiber optic cable. Use extreme caution when operating heavy equipment, using a crane, ladders, scaffolding, hand held tools or any other type of equipment near the existing MID electric lines and cables. Assume all overhead electric facilities are energized.

- MID Requires that any trenching maintain a 1:1 horizontal distance from any existing pole, determined by the depth of the trench. If trenching encroaches on this requirement, the
- Contractor needs to contact the MID Electric Engineering Department to brace any effected poles during the trenching process. The cost of any required pole bracing will be assumed by the requesting party. Estimates for bracing any existing poles will be supplied upon request.
- The District's Electric Engineering Department is concerned about construction dirt/dust falling on MID electric facilities at the Kiernan Substation during the construction phase of this project. The MID high voltage electric facilities require protection from dirt/dust. Do not dig new utility trenches, grade, level or dig building foundations without effective construction dust control measures in place. Windblown dirt/dust on electric facilities at the MID Kiernan Substation may cause a power outage.
- Please contact Modesto Irrigation District at (209) 526-7337 or (888) 335-1643 and ask for the Electrical Engineering Design Group if additional information is required.

The Modesto Irrigation District reserves its future rights to utilize its property, including its canal and electrical easements and rights-of-way, in a manner it deems necessary for the installation and maintenance of electric, irrigation, agricultural and urban drainage, domestic water and telecommunication facilities. These needs, which have not yet been determined, may consist of poles, crossarms, wires, cables, braces, insulators, transformers, service lines, open channels, pipelines, control structures and any necessary appurtenances, as may, in District's opinion, be necessary or desirable.

If you have any questions, please contact me at 526-7447.

Sincerely,



Lien Campbell
Risk & Property Analyst

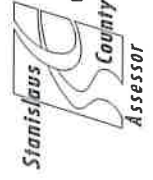
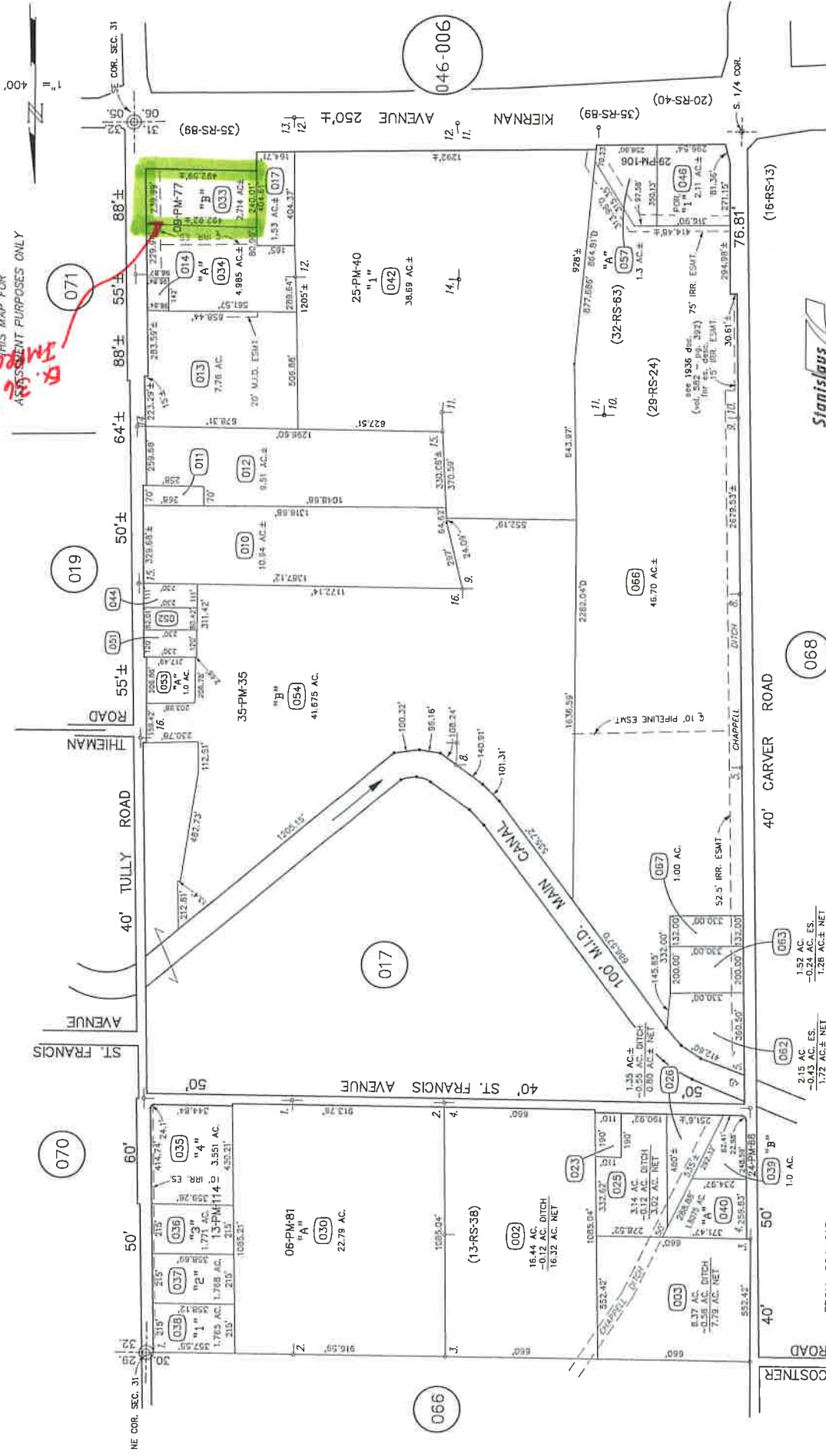
Copy: File

POR. E 1/2 SECTION 31 T.2S. R.9E. M.D.B.& M.
PORTION CARVER TRACT - LOTS 1-5, 8-16 (07M45)

004 - 069

098 001

EX. 36" CONCRETE
IMPROVEMENT DISTRICT
W/IN EX.
EASEMENT
THIS MAP FOR
ASSESSMENT PURPOSES ONLY



65,98,05,06,08,12

004 - 069

FROM: 004-015
DRAWN: 11-5-64
REVISED: 8-20-84, 12-8-97, 4-30-98, 3-30-04(V) MF, 7-5-05 DH, 08-17-07 MB,
5-20-08 MB, 04-12-10 MB, 5-18-10 MF, 08-04-10 MB, 09-10-10 MB, 11-29-10 MB,
12-17-10 MB, 02-21-11 MB, 07-13-11 MB, 2-14-12 MF, 10-02-12 MB, 4-18-17 MF

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RECEIVED

OCT 9 2018

STANISLAUS CO. PLANNING &
COMMUNITY DEVELOPMENT DEPT.



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

4 October 2018

Kristen Anaya
Stanislaus County
Department of Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

CERTIFIED MAIL
7014 3490 0001 3008 4613

COMMENTS TO REQUEST FOR REVIEW FOR THE EARLY CONSULTATION, USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT PROJECT, STANISLAUS COUNTY

Pursuant to the Stanislaus County Department of Planning and Community Development's 26 September 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Early Consultation* for the Use Permit Application No. PLN2018-0080 – Central Valley Crescent Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to

restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to*

Surface Waters (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Senior Environmental Scientist



Sent 10/24/18

STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: Salida fire

SUBJECT: ENVIRONMENTAL REFERRAL – USE PERMIT APPLICATION NO. PLN2018-0080 – CENTRAL VALLEY CRESCENT

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

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

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

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

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

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

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

See Attached

Response prepared by:

Pat Bex
Name

Fire Captain
Title

10/24/18
Date

scanned
10/29



SALIDA FIRE PROTECTION DISTRICT

P.O. Box 1335, Salida, CA 95368
Fire Station: 209.545-0365 Fax: 209 545-3840
Admin: 209 543-0190 Fax: 209 543-6719

October 24, 2018

Stanislaus County
Department of Planning and Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

RE: PLN2018-0080 / APN 004-069-033 Rezone, Use permit and Development Application

The Salida Fire Protection District ("District") has reviewed the proposed project and offers the following comments:

- This project will be subject to Fire Service Impact Mitigation Fees as adopted by the District Board of Directors and currently in place at the time of issuance of construction permits.
- This project shall meet the District's requirements of on-site water for fire protection prior to construction of combustible materials. Fire hydrant(s) and static source locations, connections, and access shall be approved by the District.
- Prior to, and during, combustible construction, the District shall approve provisions for serviceable fire vehicle access and fire protection water supplies.
- A District specified Rapid Entry System (Knox) shall be installed and serviceable prior to final inspection allowing fire department access into gated areas, limited access points, and or buildings.
- Buildings of 5,000 square feet and greater shall be required to have fire sprinklers meeting the standards listed within the adopted California Fire Code and related amendments.
- For buildings of 30 feet or three (3) or more stories in height, gated 2 ½ " hose connections (Class III) for fire department use shall be installed on all floors in each required exit stairwell.
- The project shall meet fire apparatus access standards. Two ingress/egress accesses to each parcel meeting the requirements listed within the California Fire Code.
- If traffic signals are installed and/or retrofitted for the project, signal preemption devices shall be paid for or installed by the developer/owner and shall conform to the District's standards and requirements.

- Prior to recording the final map, issuance of a permit, and/or development, the owner(s) of the property will be required to form or annex into a Community Facilities District for operational services with the Salida Fire Protection District. Due to the fact this process may take 60-120 days to complete, it is recommended that advanced consideration be given to initiate this requirement early in the project.

Thank you for the opportunity to comment. If we can be of further assistance, feel free to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'PB', with a stylized flourish extending from the end.

Patrick Burns
Fire Captain
Administration & Special Projects

CC:
Sohel Sareshwala
5043 Tully Rd
Modesto CA 95358

October 1, 2018

Kristen Anaya
County of Stanislaus
Department of Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

Project: Use Permit Application No. PLN2018-0080 for Central Valley Crescent (CVC)

District CEQA Reference No: 20181038

Dear Ms. Anaya:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project consisting of a request to operate a church (Project), on a 2.71-acre parcel, located on the southeast corner of Tully Road and Kiernan Avenue (5043 Tully Road), in the Modesto area, in Stanislaus County. (APN: 004-069-033). The Project proposes utilizing the existing on-site 720 square foot garage for the prayer hall; no construction is proposed beyond renovating the existing garage's restroom to comply with ADA standards. The site will be improved with two graveled parking lots, which will provide 36 parking spaces. The existing single-family residential dwelling and detached garage will be used as on-site housing for CVC's priest and family. The District offers the following comments:

1. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NO_x), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SO_x), 15 tons per year of particulate matter of 10 microns or less in size (PM₁₀), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM_{2.5}). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. Based on the information provided to the District, the proposed Project does not meet the definition of a development project. Therefore, the District concludes that the

Samir Sheikh

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

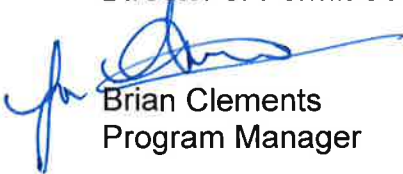
proposed Project is not subject to District Rule 9510 (Indirect Source Review).

3. The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
4. The District recommends that a copy of the District's comments be provided to the Project proponent.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this Project. If you have any questions or require further information, please call Georgia Stewart at (559) 230-5937 or e-mail Georgia.Stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20181038.

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

AM: gs