



**STANISLAUS LAFCO
LOCAL AGENCY FORMATION COMMISSION**

Sara Lytle-Pinhey, Executive Officer
1010 10th Street, Third Floor
Modesto, California 95354
Phone: 209-525-7660
Fax: 209-525-7643
www.stanislauslafco.org

Chair Amy Bublak, City Member
Vice Chair Terry Withrow, County Member
Sue Zwahlen, City Member
Vito Chiesa, County Member
Ken Lane, Public Member
Charlie Goeken, Alternate City Member
Mani Grewal, Alternate County Member
Bill Berryhill, Alternate Public Member

**AGENDA
Wednesday, March 26, 2025
6:00 P.M.
Joint Chambers—Basement Level
1010 10th Street, Modesto, California 95354**

- Members of the public may attend this meeting in person.
- You can also observe the live stream of the LAFCO meeting at:
<http://www.stancounty.com/sclive/>
- In addition, LAFCO meetings are broadcast live on local cable television. A list of cable channels is available at the following website:
<http://www.stancounty.com/planning/broadcasting.shtm>

1. CALL TO ORDER

- A. Pledge of Allegiance to the Flag.
- B. Introduction of Commissioners and Staff.

2. PUBLIC COMMENT PERIOD

This is the period in which persons may comment on items that are not listed on the regular agenda. All persons wishing to speak during this public comment portion of the meeting are asked to fill out a "Speaker Card" and provide it to the Commission Clerk. Each speaker will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented during the public comment period.

3. CORRESPONDENCE

No correspondence addressed to the Commission, individual Commissioners or staff will be accepted and/or considered unless it has been signed by the author, or sufficiently identifies the person or persons responsible for its creation and submittal.

- A. Specific Correspondence.
- B. Informational Correspondence.

C. "In the News."

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

5. CONSENT ITEMS

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the discussion of the matter.

A. **MINUTES OF THE FEBRUARY 26, 2025, LAFCO MEETING**
(Staff Recommendation: Accept the Minutes.)

B. **AMENDMENT TO RULE 45: PROCEDURES TO IMPLEMENT THE REQUIREMENTS OF THE POLITICAL REFORM ACT.** The Commission will consider a minor update to its Policies and Procedures Rule 45 (Procedures to Implement the Requirements of the Political Reform Act, 1974). The adoption of the Policies and Procedures amendment is a continuing administrative or maintenance activity with no potential for a direct or indirect physical change to the environment. It is therefore not a “project” for the purposes of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(2). (Staff Recommendation: Approve amendment to Rule 45 and adopt Resolution No. 2025-04.)

6. PUBLIC HEARING

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than three (3) minutes, unless additional time is permitted by the Chair. All persons wishing to speak are asked to fill out a “Speaker Card” and provide it to the Commission Clerk.

A. **OUT OF BOUNDARY SERVICE APPLICATION – TOP SHELF MEGA STORAGE (KEYES COMMUNITY SERVICES DISTRICT):** The Keyes Community Services District has a requested to extend water service outside of the Keyes Community Services District’s boundary to serve a property at 4401 W. Barnhart Road, east of Golden State Boulevard, for a new storage facility. Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA) prepared an Initial Study and Mitigated Negative Declaration for the project. (Staff Recommendation: Approve the request and adopt Resolution No. 2025-03.)

7. OTHER BUSINESS

A. **CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS (CALAFCO) UPDATE** (Staff Recommendation: Receive an informational update regarding CALAFCO and provide direction to Staff as needed.)

8. COMMISSIONER COMMENTS

Commission Members may provide comments regarding LAFCO matters.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

The Commission Chair may announce additional matters regarding LAFCO matters.

10. EXECUTIVE OFFICER'S REPORT

The Commission will receive a verbal report from the Executive Officer regarding current staff activities.

A. On the Horizon.

11. ADJOURNMENT

- A. Set the next meeting date of the Commission for April 23, 2025.
- B. Adjournment

LAFCO Disclosure Requirements & Notices

Disclosure of Campaign Contributions: Government Code Section 84308 requires that a LAFCO Commissioner disqualify themselves from voting on an application involving an "entitlement for use" (such as a change of organization, reorganization or sphere of influence) if, within the last 12 months, the Commissioner has received \$500 or more in campaign contributions from the applicant, participant or a representative of either. The law requires any applicant or other participant in a LAFCO proceeding to disclose the amount and name of the recipient Commissioner on the official record of the proceeding. The law also prohibits an applicant or other participant from making a contribution of \$500 or more to a LAFCO Commissioner while a proceeding is pending and for 12 months afterward.

Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings: Any person or combination of persons who directly or indirectly contributes a total of \$1,000 or more in support of or opposition to a LAFCO proposal must comply with the disclosure requirements of the Political Reform Act (Section 84250). These requirements contain provisions for making disclosures of contributions and expenditures at specific intervals. More information on the scope of the required disclosures is available from the Fair Political Practices Commission (www.fppc.ca.gov or 1-866-ASK-FPPC).

LAFCO Action in Court: All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission.

Reasonable Accommodations: In compliance with the Americans with Disabilities Act, hearing devices are available for public use. If hearing devices are needed, please contact the LAFCO Clerk at 209-525-7660. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

Alternative Formats: If requested, the agenda will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the Federal rules and regulations adopted in implementation thereof.

Notice Regarding Non-English Speakers: Proceedings before the Local Agency Formation Commission are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

IN THE NEWS

Newspaper Articles

- Patterson Irrigator, February 27, 2025, “Keystone Ranch subdivision map approved.”
- Modesto Bee, March 4, 2025, “Scannell warehouse project on Kiernan Avenue wants to be part of Modesto. What to know.”
- Oakdale Leader, March 4, 2025, “Council’s 4-1 vote ok’s Sierra Pointe Annexation.”
- Westside Connect, March 5, 2025, “Westside Community Healthcare District delays discussion about financial future to March 17 meeting.”
- Ceres Courier, March 5, 2025, “Apartment complex will soon expand Ceres housing stock by 28 units.”
- Ceres Courier, March 5, 2025, “Water Collaborative launches free well testing, replacement water program for private wells.”
- Patterson Irrigator, March 6, 2025, “Volunteer firefighters show support to Fire Chief.”
- Westside Connect, March 17, 2025, “Del Puerto Water District fined by air district for illegal burn.”

This page intentionally left blank

Keystone Ranch subdivision map ‘approved’

By Jessica Wilkinson



The Patterson Planning Commission unanimously approved Keystone Ranch, LLC’s subdivision map, with the stipulation of conditions recommended by city staff, during an adjourned regular meeting last Thursday at City Hall.

The developer, however, was not on board with all 159 conditions the city set forth with the approval of the map. Evette Davis, public affairs representative for Keystone, said the approval on Thursday was not really an approval because the conditions were not feasible, practical, and some of them were illegal.

Davis said the city’s conditions would cost Keystone an additional \$20-30,000 per unit, and with 700 units that amounts to about \$15-20 million.

“It’s not economically feasible,” she said.

A list of all of the conditions can be found at the bottom of the Planning Commission’s agenda for the Adjourned Regular meeting from Feb. 13 to Feb. 20, 2025 on the City of Patterson’s website, pattersonca.gov/AgendaCenter/Planning-Commission-12/.

Keystone Ranch is a proposed housing project on a 95-acre site within the larger Zacharias and Baldwin Ranch Master Planning Area. The project includes 719 single- and multi-family housing units, a 7.68-acre park, and a bike and pedestrian pathway.

The developer has been tied up in pending litigation with the city since early 2024. The subdivision map will now be passed to Patterson City Council for a final decision, but with most of the current city staff recommendations, the city may end up in a longer legal battle.

If the council decides to approve the subdivision map with the conditions recommended by city staff, Matthew Francois, attorney representing Keystone Ranch, LLC, said if it’s a condition that doesn’t allow for financially viable development to go forward, the action will most likely be challenged in court.

The law firm cited the Housing Accountability Act, a state law that was passed in January, that significantly restricts a local agency’s ability to deny a housing development. In a letter to the planning

IN THE NEWS – Patterson Irrigator, February 27, 2025 - Continued

commission, Francois states the city's actions have significantly delayed the project and substantially increased the costs such that it is not financially feasible to proceed with it.

If the courts rule in the developer's favor, the city would be required to pay attorneys' fees and costs of suit and "may also impose penalties of \$10,000 per unit on the agency for failing to comply with a court order requiring compliance with the HAA," Francois' letter states.

"If a court finds that an agency acted in bad faith, the court must multiply the fine/penalty be a factor of five, i.e. \$50,000 per unit."

As for the planning meeting on Thursday, Francois said if they had gotten the city staff report with the conditions outlined more than two days before the meeting, they would have had more time to try to work things out prior to the meeting.

"(We're) grateful to be moving on, was hopeful that we'd have a little more dialogue and engagement on some of the bigger, more problematic conditions including this condition that we can't move forward until the recharge basin is constructed for the entire Master Plan," Francois said following the meeting.

"But we're still open to having conversations and we'll see if we can reach a reasonable resolution to this so we can move forward with the project and provide housing," he added.

RECHARGE BASIN

The recharge basin was a big point of contention. One of the city's conditions included that Keystone could not get any building permits to move forward with the development until the recharge basin is constructed—a project estimated to now cost \$18 million and five years to complete.

Also representing Keystone, attorney Dave Lanferman said on Monday that early on the city recognized the need to provide recharge facilities adjacent to the Del Puerto Creek and it was going to be a city expense, but when the Zacharias plan came up, developers agreed to take the expense among themselves. At the time, cost estimates were between \$2 to \$4 million and there were no conditions about not being able to apply for a building permit until the recharge basin was constructed, as the city has now set forth.

Lanferman said the recharge basin was intended to be phased in over time, paralleling the growth of the city and something all the developers would contribute to covering the cost of through the CFD. When the master plan and EIR were approved back in 2022, documentation showed the housing development would significantly reduce demand for groundwater pumping by about 60 percent and "would have no significant impact on groundwater supplies," Francois' letter states.

"It's just not fair to have the rules of the game change this late in the process," Lanferman said.

City Attorney Nubia Goldstein said during the meeting that California has undergone many changes in the legislative level as it relates to water, and because of those changes, the complex water issues have to be contemplated for possible impacts to the project and addressed.

The City Manager Fernando Ulloa released the following statement following the meeting:

"The requirements related to water supply that were discussed at the Planning Commission meeting on February 20th are necessary to address State regulations. The State adopted the Sustainable Groundwater Management Act in 2014, which required that the City prepare a Groundwater Sustainability Plan by 2020. The City, along with several other agencies in the Delta-Mendota Basin prepared that plan,

IN THE NEWS – Patterson Irrigator, February 27, 2025 - Continued

as required. However, the Department of Water Resources determined that the plan was inadequate. The GSP was amended late last year to address DWR's comments. Based on those amendments, moving forward, all new development projects in the City will be required to provide a source of surface water to meet the demands of their project. Because this will apply to all new development projects in the City, all new development will share proportionately in securing new water sources to meet each project's new water demands, rather than those projects continuing to exclusively depend on groundwater."

Francois wrote in his letter, if the city needs to enter into an agreement with the irrigation districts to purchase surface water for recharge purposes in order to comply with the city's new contractual obligations under the Groundwater Sustainability Act, the costs of such water purchases should be a city-wide obligation, built into the citywide water rates applicable to all customers.

"I would say, as a whole, the concept that city residents should pay for the impacts associated with this development doesn't necessarily fit in line with the expectation of the Master Plan and the city's approval on the project. And so from that perspective, again, the conditions that have been included as part of the packet are intended to offset the development's impacts," Goldstein said.

"And again, these conditions will be imposed equally among all of the developers, so I want to make sure that that's clear to the commission."

The city also has pending litigation with the Patterson Irrigation District and West Stanislaus Irrigation District. The water district's petition against the city states the Zacharias/Baldwin EIR draft shows there were significant adverse environmental and water supply impacts and alleges a lack of stable water supply for the project.

"There is a possible settlement arrangement that that is in the works and will hopefully be finalized soon. Those requirements have been included as part of the conditions, but alternatively, if the applicant feels that those are inadequate or they are not in line with the EIR, we could propose a change to alternatively allow the applicant to elect to proceed with a change to the EIR and additional consideration through potentially a supplemental EIR if they elect. If they feel that those requirements are not justified," Goldstein said Thursday.

Francois said they already had a final EIR that concludes there is no impact to groundwater so Keystone would not be doing a supplemental EIR.

With the city's conditions, Lanferman said that all developers should be concerned they won't be able to get a building permit until the recharge basin is constructed "since (the moratorium) needs to be applied fairly and evenly to everyone."

PARK SPACE

Two community members spoke during the public hearing for the subdivision map, via the Zoom app, including Parks, Recreation and Beautification Commissioner Adolfo Virgen and former Patterson resident and planning commissioner Elias Funez.

The two shared concerns about the subdivision's lack of parkland space. Virgen said the proposed "park" space was incongruent with the city's promise to include 5 acres per 1,000 residents, which the city is close to fulfilling.

Funez raised concerns that if the "park" is actually a basin then portions of that park will be unusable to those with ADA capabilities.

IN THE NEWS – Patterson Irrigator, February 27, 2025 - Continued

“So we’ve got to make sure that is the correct size and that is actually a park and those areas are usable for all populations. When you start building a basin, there’s very limited things that you can do. You can’t build future community centers, there’s a lot of limitations to your infrastructure that you can do with basins,” Funez said.

Francois said in terms of parks, they believe their plan is consistent with the Master Plan.

“As you know, you have soccer fields in detention basins as part of the business park now. So those are well used and active park fields so I’m not sure that we’re going to make more progress on that by continuing it,” Francois said.

IMPACT FEES & CFDS

The developers were also concerned about the city double-dipping with fees. Francois said the city’s fees on top of those same improvements made under the Community Facilities District has saddled them with “erroneous fee conditions that are not practical.”

Goldstein said there seemed to be a misunderstanding about the impact fees associated with the project. Part of SB 330 dictates that the requirements at the time an application has been submitted be frozen and the fees are locked in.

“There are fees that have been adopted, there are fees that have been increased over time due to the CCI increases, but the fees, the fee schedule, creates a framework. It’s a default framework of what developers are required to pay in terms of impact fees, but the final picture of what that looks like is really dependent upon the finance plan and what a CFD would look like,” she said.

Francois said the fee schedule they were given by the city does not match up with what the city attorney was saying.

“It’s been almost three years since the Master Plan was done, this was the first project to move forward, so let’s be transparent and clear so everyone knows going in there’s no surprises,” he said.

Francois added that the city should have enacted the CFD as part of the Master Plan two years ago. The council just recently approved three resolutions declaring their intentions to add territory to Future Annexation Areas of CFDs, including those for non-residential maintenance services, residential maintenance services and public safety services.

“In the event that a CFD is formed, and there is contributions made and infrastructure built by all of the developers, that will in essence provide them credits to offset their fees. So there is no duplicative fees hidden in this structure and the determination on the CFD and what that looks like ultimately is a council decision and none of that has even started,” Goldstein said.

A public hearing for the CFDs is set for 7 p.m. April 1 at City Hall.

“We’re asking the city to be transparent and not hide numbers,” said Debbie Gavaghan, one of Keystone’s Senior Advisors for real estate projects and daughter of Pat Gavaghan, president of Keystone Corporation.

Gavaghan said they met with city officials three years ago regarding fees, and for three years they didn’t hear anything until a 400-page city agenda was adopted without anyone telling them.

IN THE NEWS – Patterson Irrigator, February 27, 2025 - Continued

She added that they waited a year and a half to file on SB 330 because they wanted to be fair to the city, but they needed to protect their investors at that point and lock in their fees.

“We had no choice because of the lack of transparency and the hiding of the fees,” she said.

Now, Lanferman said with the city trying to get a housing element approved, which they are already behind the ball on, the city told the state one thing regarding the development projects and told Keystone Ranch the complete opposite.

OTHER AREAS OF CONCERN

Some other areas of concern raised by city staff and commissioners during the meeting included having only one access point in the subdivision.

“Only having one access (point) to any development is a dangerous situation especially for fire and rescue and things like that,” Planning Commissioner Eric Bendix said. “So I think it’s important to have a second access period.”

Francois said they raise no issues with that, and to ultimately construct the secondary access road will require cooperation from the neighboring property. He added he doesn’t believe it will be a major hurdle to overcome because he believes the property to the north will also want to develop and view the road as an amenity and an access to their development.

An encroachment on Patterson Irrigation District was also discussed, and Francois talked about paying their fair share of the cost it would take to put the canal underground, which would only be about 25 percent, not shouldering the responsibility of the length of the entire canal.

Davis added that the cost of these things must be applied and fairly distributed among all parties, not one private developer shouldering 100 percent of the fees.

“You don’t really get a feel for how momentous all of this is,” Davis said, adding that there are little things that begin to add up and unless you’re the developer working on the project, you may not see how big of an impact it’s making. “It’s a massive amount of money for one, family-owned developing company to take on when they’re only one of a number of developers in a master plan.”

This page intentionally left blank.

IN THE NEWS – Modesto Bee, March 4, 2025

Scannell warehouse project on Kiernan Avenue wants to be part of Modesto. What to know

By Ken Carlson

Proponents of the Scannell warehouse development on Kiernan Avenue are proposing that city of Modesto annex the 145-acre development.

Stanislaus County officials said Monday the proponents chose to apply for annexation to the city as a quicker route to get the project approved and built. Scannell Properties initially applied to the county for approval of 2.5 million square feet of warehouses and distribution centers, at the northwest corner of Kiernan and Dale Road, and still has an active land-use application with the county.

In July, the county Board of Supervisors hired a consulting firm to perform a long-awaited environmental study on the Salida Community Plan, which was expected to delay the Scannell project for 15 months. The warehouse project site is within the Salida growth plan.

Modesto issued a notice of preparation last month for an environmental impact report on the Scannell development. A project description proposes city annexation of the 145-acre site, with Modesto providing water and sewer service.

Angela Freitas, director of county planning and community development, said it was the proponents' decision to seek annexation to Modesto. Previous proposals to annex the Salida community have run into opposition from residents. The environmental study on the 3,400-acre Salida Community Plan will include a feasibility analysis of city incorporation of Salida, an unincorporated town of 14,500 residents.

Freitas said Scannell's application with the county remains active and the county still has a contract for preparation of the project EIR.

The local development team has not responded to requests for comment, though Scannell Properties has promised an extensive environmental review.

Supervisor Terry Withrow, whose district includes the area, said the county wants the Scannell development to remain in the county jurisdiction. "I know the people of Salida don't want anything to do with any part of their Salida Community Plan annexed by Modesto," Withrow said. "The people of Salida have hopes of being a city someday."

Withrow said the fastest route is to let the county finish the environmental work on the Salida Plan and negotiate a deal with Modesto for water and sewer service, so the complex can develop in the county jurisdiction.

Withrow said the Salida Plan EIR should be completed in August, earlier than expected. The supervisor said the annexation route is more time-consuming because it involves a yearlong environmental review, land-use approvals and an annexation application to the Local Agency Formation Commission. There is no guarantee LAFCo will approve the annexation, Withrow said.

The Scannell project is on the eastern edge of the Salida Community Plan near Gregori High School and north of the Kaiser Permanente hospital. The site is within Modesto's General Plan boundary.

IN THE NEWS – Modesto Bee, March 4, 2025 - Continued

Katherine Borges, an advocate for city incorporation of Salida, said she expects fellow residents will oppose the annexation. "If the intention of the city of Modesto is to annex the land, then they have a fight on their hands from Salida," she said.

If Salida becomes a city, it would depend on tax revenue from the 3,400-acre community plan area to fund municipal services.

Jessica Hill, director of economic and community development for Modesto, said the Scannell project proponents submitted an application to the city and the plans will be reviewed, as with any development.

"We are going through the process and it depends on what is found through the environmental review," Hill said. The study will assess the water and sewer service capacity of the large warehouse project, which is essential for determining the next step of potential annexation, she said.

A city General Plan update, in progress, will consider the potential for other industrial development in the Kiernan Avenue corridor and include a plan for city growth through 2050.

What the city review will study

The 30-day period for agencies and the public to comment on the scope of the city's Scannell project EIR began Feb. 12 and runs until March 27. The study will consider environmental topics including aesthetics, air quality, biological resources, energy, greenhouse gases and climate change, hydrology, noise, impacts on population and housing, public services, traffic circulation and other issues.

A virtual meeting on the scope of the environmental study is set for March 20 from 3 to 4 p.m.

The development plan calls for 2 million to 2.5 million square feet of warehouse, distribution and manufacturing space, plus a small retail center at the corner of Kiernan and Dale. One issue is managing the circulation of trucks and before- and after-school traffic tied to Gregori High, which will converge on the Kiernan and Dale intersection.

Brad Johnson, a senior member of the Salida Municipal Advisory Council, said the proposed warehouse complex is not the same character as development around the nearby Kaiser hospital. "I don't want to live in the middle of a truck stop," Johnson said. "There won't be high-paying jobs in a warehouse."

Withrow said he believes the Salida Community Plan will spawn more development proposals once the county's EIR is completed. "Our hope is that people in our county won't have to travel over the hill for jobs," he said.

Council's 4-1 vote Oks Sierra Pointe annexation

By Kim Van Meter

After nearly three hours of public testimony and council deliberation, the Oakdale City Council voted 4-1 on Monday, March 3 to approve amendments to the Sierra Pointe Specific Plan, including a General Plan Amendment, Prezone, Environmental Impact Report addendum, and annexation of approximately 297 acres in the southeastern portion of the city. Councilmember Jarod Pitassi cast the lone dissenting vote.

Background of the Proposal

Applicant Randall P. Thomas requested the amendments, covering 297 acres of the Sierra Pointe Specific Plan area, with 182.35 acres currently under his ownership. The project aims to accommodate phased residential and commercial development, with a focus on future growth while addressing infrastructure, school impacts, and emergency services.

According to Contract Planner Mark Niskanen, the Sierra Pointe Specific Plan was initially approved on March 3, 2014, alongside the city's 2030 General Plan and the Crane Crossing Specific Plan. Monday's vote refined the plan to include eight development phases and updated land use designations, including increased park space and adjustments to residential densities to better transition between existing neighborhoods.

Community Concerns

The meeting drew significant public participation, with residents voicing concerns about school capacity, water resources, traffic, emergency response times, and the preservation of rural character.

One resident, a retired paramedic, raised alarms about emergency services.

"Considering how the system is currently configured in Oakdale, I doubt that they could make it from their station in the middle of town out to this area within five minutes for the fire department, and it's questionable whether the ambulance can make it within eight minutes," he said, recommending the development include new fire and ambulance facilities.

Water supply was another prominent concern. One resident shared his experience with the nearby Sterling Hills development, where dust, traffic, and well failure plagued the construction period. "My well went dry, and I spent 18 months trying to get a permit from the city to drill. I had no water. I just got married. It was terrible," he said.

School Impacts

Potential impacts on Oakdale schools were also heavily discussed. Updated projections indicate the development may generate approximately 220 elementary school students, 72 junior high students, and 152 high school students. The high school, with a capacity of 2,077, currently enrolls around 1,600 students, suggesting sufficient room in the short term.

In response to school concerns, project language was modified to strengthen agreements with the Oakdale Joint Unified School District. Dave Romano, representing the applicant, confirmed that a mandatory mitigation agreement would be required before the first residential subdivision is approved.

IN THE NEWS – Oakdale Leader, March 4, 2025 - Continued

“The wording just wasn’t quite firm enough to give (the superintendent) comfort, so we immediately modified that wording. It’s mandatory now,” Romano said.

Council Discussion

Councilmembers cited the long-standing inclusion of the Sierra Pointe area in Oakdale’s growth plans, dating back to the 1994 General Plan. Councilmember Christopher Smith emphasized the need for controlled growth to maintain the city’s vitality.

“Cities are going to either expand or they’re going to contract, and if they contract, they’re going to die,” Smith said.

While acknowledging community concerns, supporters on the council highlighted the lack of available housing in Oakdale and the need to provide opportunities for future generations.

“There are 8,200 homes in Oakdale and only about 30 available properties for sale,” Smith noted.

Next Steps

With City Council approval secured, the annexation process now moves to the Stanislaus Local Agency Formation Commission (LAFCO) for consideration. Further studies and permits, including hydrology reviews, infrastructure improvements, and school agreements, will be required as the development progresses.

As Mayor Cherilyn Bairos summarized, “This is a project that’s been decades in the making, and while there are legitimate concerns to address, tonight’s vote reflects our commitment to carefully managed growth for the future of Oakdale.”

For more information on the annexation plans, contact City Hall at 209-845-3571.

IN THE NEWS – Westside Connect, March 5, 2025

Westside Community Healthcare District delays discussion about financial future to March 17 meeting

By Navtej Hundal

Discussions about Westside Community Healthcare District's future were pushed to a March 17 meeting.

Initially, discussions about the district's future were supposed to happen during last Tuesday's meeting. Westside Community Ambulance Board Vice President Kenneth Helms said the delay was given to get more information from their partners regarding possible steps the district could consider to alleviate their current situation.

"They've been crunching numbers and looking at ways where we could save money to keep us solvent so we can continue business," Helms said. "I'm hearing that we might have good news, hopefully on the 17th. I'm actually looking forward to what they present to us."

Board President David Varnell was not present at Tuesday's meeting. Helms mentioned that Varnell didn't attend the meeting due to a family emergency.

The district saw a net revenue of \$130,804.83 last month, according to its latest statement of financial activities & financial position report. This was a decrease of \$30,260.39 from December 2024, when they generated a net revenue of \$161,064.82.

The report also showed that the ambulance revenue was \$523,669. However, \$392,864.57 of the revenue went towards contractual allowance and discounts. \$303,728 was allocated to contract adjustments, \$113.57 went towards refunds and \$89,023 was allotted to service write-offs, leaving the district with their net revenue amount from last month.

For salaries, the total salary expense was \$86,608.04. It consisted of multiple payroll expenses, including regular pay, overtime pay and retroactive pay. Regular pay was the single largest payroll expense at \$36,454.63.

Additionally, the district recorded a bank balance of \$542,997.56 last month, which was an increase of \$71,079.42 from December 2024.

Leo Landaverde, the district's financial manager, told the board at the meeting that the district still faces a possible shutdown by September, despite an increase in the bank balance for January.

"The minute that the district cannot fund payroll, it's over," Landaverde said. "I'll be telling the district that when we're 130 days away, long before they're 30 days away."

The next meeting is set to focus on the steps the district could take along with an informational presentation about its situation, Helms anticipates the meeting will include details about avoiding a possible shutdown by September.

"They got a lot of stuff that they're still putting together and it sounds positive, and we'll know more on the 17th," Helms said.

IN THE NEWS – Ceres Courier, March 5, 2025

Apartment complex will soon expand Ceres housing stock by 28 units

By Jeff Benziger

In-fill projects are often a win-win for cities like Ceres.

For one thing, much needed housing is constructed for those unable to find it.

Secondly, vacant weed-covered lots are filled with family life.

Such is the case with the building of 28 multiple-family unit apartment complex behind the Richland Shopping Center. The 1.2-acre project located at 2125 Moffet Road broke ground in September 2024 and is expected to be ready for occupancy in summer, maybe as early as July.

The \$6.8 million complex consists of four two-story buildings with each apartment occupying approximately 875 square feet with two bedrooms and two bathrooms.

The apartments will be rented at market rates, likely around \$2,200 per month.

"If someone wanted to put an application in now at our office, first come first served, I think we'll be between \$2,200 and \$2,300," said Harinder Toor, president of Interjit S. Toor Construction. "I don't think there's going to be more than \$2,300, \$2,400 because the market has gone considerably soft. Houses are sitting on the market longer, interest rates are still up there and people have a hard time right now."

Toor's office is located at 2351 Tenaya Drive in Modesto, near the Modesto Airport tower.

Toor won approval for the project in November 2021 but it almost didn't happen due to concerns over traffic congestion that already exists at times close to Carroll Fowler Elementary School and Mae Hensley Jr. High. A change of the property's designation in the General Plan from Community Commercial to High Density Residential was required as well as a rezone from Community Commercial to High Density Multiple-Family Residential (R5).

City planners argued the apartments would generate fewer vehicle trips than had it been eventually developed with businesses.

Some felt the project didn't have enough onsite parking but it does meet the city's minimum parking requirements. A total of 56 parking spaces along the north property line will serve the complex. A gated emergency access will consist of a 25-foot-wide path on the south side. A six-foot-tall perimeter block wall will shoulder the west and south property lines.

Toor said construction of the apartment complex was delayed by high interest rates for a time.

His company is also building a 24-unit apartment complex at 1192 Norwegian Avenue in Modesto and working approval on a 10-unit on F Street in Waterford.

IN THE NEWS – Ceres Courier, March 5, 2025

Water Collaborative launches free well testing, replacement water program for private wells

Valley Water Collaborative (VWC) has begun accepting applications for its new free well testing and replacement water program for private wells located in five groundwater basins throughout the Valley.

VWC started its free well testing program in the basins under Ceres, Modesto and Turlock in 2021. Its service is now expanded to five more basins: Yolo, Eastern San Joaquin, Delta Mendota, Merced and Madera.

The program is being offered free to residents living in the five basins who rely on private drinking water wells.

VWC provides water testing for a range of groundwater contaminants such as nitrate, arsenic, uranium and 1,2,3-TCP. If the water exceeds state standards, replacement water is provided to those residents who meet program requirements.

In nearly four years of operation in the Modesto and Turlock groundwater basins, VWC has tested almost 800 wells and is currently providing 614 residences with free bottled water or under-sink water treatment systems.

Importantly, the program is not for residents connected to public water systems. Drinking water provided by both small and large cities in the region must meet stringent State standards and is safe to drink.

“Private well owners deserve the same level of protection as those on public water systems,” says Parry Klassen, executive director of VWC. “This program expansion encompasses areas where known groundwater contamination has been identified. People are often surprised what is in the water they use for drinking and cooking.”

When VWC started its efforts in 2021, the well testing focus was on nitrate as mandated by the Central Valley Regional Water Board in its Nitrate Control Program. VWC expanded to a broader list of contaminants due to grant support from the Safe and Affordable Funding for Equity and Resilience (SAFER), a program of the State Water Resources Control Board.

“This is an enormous effort we are undertaking,” said VWC chairman Justin Gioletti. “The VWC board and the participating industries and municipalities are committed to collaboration to ensure access to safe drinking water for impacted communities.”

VWC is actively spreading the word about the program through direct mail, social media community events and by collaborating with other local organizations in the region. More than 15,000 postcards are being mailed to residents, mostly in rural areas, in each of the five basins who use private wells for drinking water.

Applications for the program are available online at www.valleywaterc.org or by calling 209-750-3867. After an application is screened, VWC staff connects the residents with a certified laboratory to arrange the well test. Results are typically available in 10 to 14 days or less. Free replacement water deliveries can be expected within about one to two weeks after results are received.

This page intentionally left blank.

Volunteer firefighters show support to Fire Chief

West Stanislaus County Fire Protection District volunteer firefighters filled several rows of seats on Tuesday night in the Patterson City Council Chambers at City Hall to give a show of support to Fire Chief Jeff Frye.

Cee Cee Howell, public information officer for the fire district, said they wanted to show Chief Frye that they support him as equally as he supports them every day.

“We believe ensuring the public and city leadership of our commitment to them under our current leadership builds trust among our community and encourages open dialogue about the services we offer,” Howell said.

The show of support comes after City of Patterson firefighters with the local firefighter union protested hiring external candidates for a Firefighter Engineer position.

“We believe that Chief Frye’s leadership is of the utmost, standalone, respectable and honorable character and we have no argument with his leadership style, with his ability to command his dual agencies and we appreciate your continued cooperation and partnership with our agency,” Howell told city council.

WSCFPD volunteer Erickson Brown also talked about what Frye’s leadership meant to him.

“He’s always had community as number one, and I thank you for being that example so that I may be the same. You bring more to the meaning of just fire chief. You have brought enthusiasm, opportunities and structure to West Stanislaus Fire Protection District. There is no better leader and mentor than Chief Frye,” Brown said.

Mayor Michael Clauzel also thanked the fire district for their dedication to serving the community and the fire chief for his leadership.

KEYSTONE SUBDIVISION MAP

After public comments were made, the City Council moved quickly through their agenda with the whole meeting only lasting about 20 minutes.

One of the consent agenda items, unanimously approved with no discussion from city council, staff or members of the public, included setting a public hearing for the Keystone Ranch subdivision map previously approved by the Planning Commission.

The city remains in pending litigation with the Keystone developers, who have shown push back against the city’s conditions to approve the map, as well as their decision to increase developer impact fees.

City staff notes in the agenda packet state that per Patterson Municipal code, City Council must fix the meeting date at which a tentative map approval will be considered during a public hearing. That hearing was set for April 1.

“Setting the Tentative Map public hearing will give the City Council ample time to consider the proposal. If needed, City Council can continue the public hearing as long as the Council’s action is within the statutory thirty-day period for approval, conditional approval, or disapproval,” staff notes state.

IN THE NEWS – Patterson Irrigator, March 6, 2025 - Continued

SETTLEMENT AGREEMENT

Prior to the regular meeting, City Council also announced when they returned from closed session they reached a settlement agreement with Patterson Irrigation District and West Stanislaus Irrigation District.

“The settlement agreement places obligations on the city to ensure the city’s groundwater is being protected and monitored. Under the agreement, the city must evaluate or require evaluation of the city’s groundwater, existing storm drain systems, stormwater recharge, sustenance and water quality,” Clauzel said.

“Further, the city also is obligated to require both that the Del Puerto Creek capture and recharge project is constructed and that the water supply to offset new development’s water demand is secure.”

PUBLIC COMMENT TIME LIMITS

The council also unanimously approved a resolution to reduce individual public comment time limits from five minutes to three minutes per speaker.

City Clerk Aracely Alegre said recently the city has introduced virtual public comment options, significantly increasing public participation and accessibility. To evaluate best practices, a survey was conducted of cities across California to determine public comment time limits and results showed a majority of cities had adopted a three-minute limit per speaker.

“This amendment allows more residents to participate while ensuring that meetings remain effective and productive. The presiding officer will still have discretion to adjust time limits based on meeting circumstances,” Alegre said.

“I just hope that we’re not sending the wrong message to the public by thinking that we need to cut them off when it seems like we need to get more public engagement as it is right now,” Patterson resident Elias Funez said, who commented on the agenda item via the Zoom app.

Clauzel said the change will bring Patterson in alignment with the future of what the city is going to be.

“The vision of the city is a city of 66,000 residents and in order to do that, we need to be aligned in common practices across the state,” he said. “Again, it gives the mayor the authority to be able to extend that time period, which I’ve done on several occasions. I have no problem hearing people out. I think I make myself available online, on the phone, through email, through any medium possible to make sure that our citizens are heard out.”

SAFETY COORIDOR PROJECT

The mayor also gave a shoutout to the new Director of Engineering Tiffany Rodriguez after receiving a call from Stanislaus Council of Governments that the city was awarded \$193,525 for the Las Palmas safety corridor project through the local carbon reduction program.

Clauzel said Rodriguez has helped further their vision in improving our city, streets and sidewalks by applying for grants to help fund projects.

“Just for more information on this project, it will completely cover the cost of the design with no local match,” he said.

A description of the project is .064 mile corridor near downtown Patterson including an area of Las Palmas Avenue from 9th Avenue to State Route 33, and 6th Street to F Street.

IN THE NEWS – Patterson Irrigator, March 6, 2025 - Continued

“Local CRP funding would allow for the design involved in replacing or upgrading 37 ADA curb ramps, replacing and installing a 1,400 linear foot of sidewalk, installing a signalized crosswalk, a 0.75 miles of class 2 bike lanes and new thermal plastic striping,” Clauzel said.

OTHER ITEMS

Other items of note approved in the city council’s consent agenda included the following:

- A request for road closures of Rogers Road south of Zacharias Road, north of the Restoration Hardware Truck access driveway, and Keystone Pacific Parkway west of Rogers Road from March 17 to July 14 to complete underground utilities and road improvements for the I-5 Trade Center project.
- A resolution proclaiming Arbor Week during March 7-14, 2025 in the City of Patterson.

This page intentionally left blank.

Del Puerto Water District fined by air district for illegal burn

By Sabra Stafford

The Del Puerto Water District and the San Joaquin Valley Air Pollution Control District have reached a settlement over a violation of the air district's burning rules, though the water district contends the violation was not of their doing.

The violation was cited on Oct. 21, 2024, on Orestimba Road and was a violation of the air district's rule on open burning. Specifically, it was burning of hewn almond trees, according to the air district. The air district notified the water district of the violation and stated that the water district was facing a financial penalty for the violation.

The water district responded to the violation notice on Oct. 29, 2024, in an effort to explain that the violation was not their doing and hopefully mitigate the fine.

Paul Stearns, the Deputy General Manager of the Del Puerto Water District wrote a response to the air district, explaining the project and what happened. Stearns wrote that the Orestimba Road property is being used for the creation of a \$13,000 recharge basin for the Delta-Mendota Subbasin and local groundwater dependent communities, like the neighboring city of Newman. The project is a partnership between the Del Puerto Water District and the Central California Irrigation District and will capture flood flows in Orestimba Creek and convey that captured water, as well as other developed waters, into the recharge basins.

"As part of the construction of the pipeline to the recharge ponds, two rows of almond trees were purchased and removed from the westerly neighbor's orchard over the winter of 2023-2024," Stearns wrote. "Those trees were temporarily stockpiled in one of the ponds located on the east side of the District's property. The Districts contacted multiple tree shredding companies to properly dispose of the trees but had difficulty securing a contractor due to scheduling difficulties or lack of interest due to the small size of the job. Unfortunately, someone unbeknownst to the Districts lit the trees on fire on the afternoon of October 21, 2024.

"The Districts, as well as the construction contractor for the recharge ponds, have experienced vandalism throughout the construction of the project such as graffiti, breaking-in to flow measurement panels to steal batteries, and theft of components from construction equipment," Stearns went on to state in the letter.

The water district took steps to make sure the remaining trees were not burned by having the remaining remnants shredded and any stumps too big to shred removed.

"On a regular basis, weather permitting, the pond basins are disked, the levees are mowed, and herbicide is applied to keep control of vegetation," Stearns wrote.

Stearns closed off the letter asking that the air district rescind the fine for the violation.

"The Districts ask that the San Joaquin Valley Air Pollution District not impose any fines or penalties on the Districts as this was an isolated case, was not authorized or condoned by the Districts, and the Districts have no history of non-compliance," Stearns wrote.

Initially, the letter didn't seem to move the proverbial needle because the air district sent a notice to the water district on Dec. 4, 2024, that stated they were imposing a fine for the violation.

IN THE NEWS – Westside Connect, March 17, 2025 - Continued

“California Health & Safety Code (CH&SC) 42402 provides that any person who violates District Rules is liable for a civil penalty, and each day on which a violation occurs constitutes a separate offense,” the air district’s letter states. “Based on the facts known to the District at the time of this letter, and in consideration of the relevant factors prescribed in CH&SC § 42403, the District has assessed a civil penalty in the amount of \$3,500.00.”

On Feb. 12, the two districts negotiated a new settlement of \$2,500 and at the Feb. 19, Del Puerto Water District meeting the board voted to pay the reduced fine.



STANISLAUS LOCAL AGENCY FORMATION COMMISSION MINUTES

February 26, 2025

1. CALL TO ORDER

Chair Bublak called the meeting to order at 6:00 p.m.

- A. Pledge of Allegiance to Flag. Chair Bublak led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners and Staff. Chair Bublak led in the introduction of the Commissioners and Staff.

Commissioners Present: Amy Bublak, Chair, City Member
Sue Zwahlen, City Member
Vito Chiesa, County Member
Ken Lane, Public Member
Mani Grewal, Alternate County Member
Bill Berryhill, Alternate Public Member

Commissioners Absent: Terry Withrow, Vice Chair, County Member

Staff Present: Sara Lytle-Pinhey, Executive Officer
Javier Camarena, Assistant Executive Officer
Jennifer Vieira, Commission Clerk
Shaun Wahid, LAFCO Counsel

2. PUBLIC COMMENT

Milt Trieweler spoke regarding sustainable growth and farmland protection. Jami Aggers and Karen Conrotto spoke regarding their concerns about the City of Riverbank's River Walk Specific Plan proposal.

3. CORRESPONDENCE

- A. Specific Correspondence.
None.
- B. Informational Correspondence.
 - 1. Response Letter to the City of Ceres's Draft Environmental Impact Report for the Copper Trails Specific Plan dated January 27, 2025.
- C. In the News

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

5. CONSENT ITEMS

A. MINUTES OF THE JANUARY 22, 2025, LAFCO MEETING

(Staff Recommendation: Accept the Minutes.)

Motion by Commissioner Lane, seconded by Commissioner Chiesa, and carried with a 5-0 vote to approve the consent items, by the following vote:

<i>Ayes:</i>	<i>Commissioners: Bublak, Chiesa, Grewal, Lane and Zwahlen</i>
<i>Noes:</i>	<i>Commissioners: None</i>
<i>Ineligible:</i>	<i>Commissioners: Berryhill and Goeken</i>
<i>Absent:</i>	<i>Commissioners: Withrow</i>
<i>Abstention:</i>	<i>Commissioners: None</i>

6. PUBLIC HEARING

A. LAFCO APPLICATION NO. 2024-01 - ST. ANTHONY'S CHANGE OF ORGANIZATION TO THE CITY OF HUGHSON:

The City of Hughson has requested to annex approximately 6.6 acres located at the southeast corner of Euclid Avenue and Fox Road (2020 Euclid Avenue). The property is the existing site of St. Anthony's Church. The proposed annexation is within the City's Sphere of Influence and is being requested to obtain City sewer services. The City, as Lead Agency under the California Environmental Quality Act (CEQA), found the project to be exempt from further environmental review in accordance with Sections 15061 and 15183 of the CEQA Guidelines as it has been determined with certainty that there is no possibility that the annexation will have a significant effect on the environment. The Commission will consider this determination as part of its review. (Staff Recommendation: Approve the request and adopt Resolution No. 2025-02.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation to approve the request.

Chair Bublak opened the item for comment at 6:10 p.m.

Mark Niskanen spoke on behalf of the City of Hughson.

Chair Bublak closed the item for comment at 6:11 p.m.

Motion by Commissioner Chiesa, seconded by Commissioner Lane, and carried with a 5-0 vote to approve the request, by the following vote:

<i>Ayes:</i>	<i>Commissioners: Bublak, Chiesa, Grewal, Lane and Zwahlen</i>
<i>Noes:</i>	<i>Commissioners: None</i>
<i>Ineligible:</i>	<i>Commissioners: Berryhill and Goeken</i>
<i>Absent:</i>	<i>Commissioners: Withrow</i>
<i>Abstention:</i>	<i>Commissioners: None</i>

7. OTHER BUSINESS

- A. **NOTICE OF EXPIRING TERMS FOR PUBLIC MEMBERS AND APPOINTMENT OF A SUBCOMMITTEE**. (Staff Recommendation: Direct staff to initiate the Public Member recruitment process and appoint a subcommittee.)

Sara Lytle-Pinhey, Executive Officer, presented the item.

Chair Bublak opened the item for comment at 6:16 p.m.

No one spoke.

Chair Bublak closed the item for comment at 6:16 p.m.

Motion by Commissioner Chiesa, seconded by Commissioner Zwahlen, and carried with a 5-0 vote to appoint the Chairperson and Vice-Chairperson as the subcommittee, by the following vote:

<i>Ayes:</i>	<i>Commissioners: Bublak, Chiesa, Grewal, Lane and Zwahlen</i>
<i>Noes:</i>	<i>Commissioners: None</i>
<i>Ineligible:</i>	<i>Commissioners: Berryhill and Goeken</i>
<i>Absent:</i>	<i>Commissioners: Withrow</i>
<i>Abstention:</i>	<i>Commissioners: None</i>

8. COMMISSIONER COMMENTS

None.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

10. EXECUTIVE OFFICER'S REPORT

The Executive Officer informed the Commission of the following:

- Staff welcomed Commissioner Goeken back to the the LAFCO Commission. Commissioner Goeken has previously served on the Commission from 2009-2013.
- Former Commissioner DeMartini visited the LAFCO office today and passed on his well wishes to the Commission.
- For the March meeting staff will bring an out-of-boundary application from the Keyes Community Services District.
- Staff is awaiting an annexation application for a County Service Area in Denair as well as an application from the City of Oakdale.

11. ADJOURNMENT

- A. Chair Bublak adjourned the meeting at 6:19 p.m.

DRAFT

Sara Lytle-Pinhey, Executive Officer

**EXECUTIVE OFFICER'S AGENDA REPORT
MARCH 26, 2025**

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Executive Officer *SLP*

**SUBJECT: AMENDMENT TO RULE 45: PROCEDURES TO IMPLEMENT THE
REQUIREMENTS OF THE POLITICAL REFORM ACT**

RECOMMENDATION

It is recommended that the Commission approve an amendment to Rule 45.

DISCUSSION

Government Code section 56300(a) requires each LAFCO to establish written policies and procedures. Staff regularly reviews and proposes updates to the Policies and Procedures document to reflect changes to State law. The current update to the Commission's Policies and Procedures is recommended to remain consistent with State law.

Two recent senate bills (SB 1243 and SB 1181) recently amended the Levine Act as it relates to campaign contributions. The senate bills raised the threshold of potentially disqualifying campaign contributions from \$250 to \$500. The Commission's Policies and Procedures includes references to these campaign contribution restrictions within Rule 45 – Procedures to Implement the Requirements of the Political Reform Act. Therefore, a minor amendment to Rule 45 is necessary in order to represent current law. The amendment is attached as part of Resolution 2025-04.

ENVIRONMENTAL ANALYSIS & REVIEW

The adoption of the Policies and Procedures amendment is a continuing administrative or maintenance activity with no potential for a direct or indirect physical change to the environment. It is therefore not a "project" for the purposes of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(2). Although not subject to CEQA, the proposed amendment was posted online and referred to each of the nine cities and the County. No comments have been received as of the drafting of this report.

COMMISSION ACTION

Staff recommends that the Commission, following the public hearing and consideration of all relevant information presented, approve the amendment to Rule 45 and adopt Resolution 2025-04 (attached), which:

1. Finds that the proposed amendment to Rule 45 is consistent with State Law and the overall goals of LAFCO;
2. Finds that the amendment is not a project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(2); and,
3. Adopts the amendment to Rule 45 to be effective immediately.

Attachment: Draft Resolution 2025-04

This page intentionally left blank.

**STANISLAUS LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: March 26, 2025

NO. 2025-04

SUBJECT: Amendment to Rule 45: Procedures to Implement the Requirements of the Political Reform Act

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.) and more specifically, Government Code section 56300(a) requires each LAFCO to establish written policies and procedures;

WHEREAS, the Commission desires to amend Rule 45 of its Policies and Procedures to be consistent with recent changes to State Law;

WHEREAS, the Commission has conducted a noticed public hearing on March 26, 2025 to consider the amendment to Rule 45;

WHEREAS, the Commission has considered the written staff report and testimony and evidence presented at the public hearing held on March 26, 2025 regarding the update;

WHEREAS, adoption of the amendment to Rule 45 is considered a continuing administrative or maintenance activity with no potential for direct or indirect physical change to the environment and is therefore not a "project" for the purposes of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(2); and,

WHEREAS, there is no possibility that the policy amendment will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that this Commission:

1. Finds that the proposed amendment to Rule 45 is consistent with State Law and the overall goals of LAFCO;

2. Finds that the amendment is not a project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(2); and,
3. Adopts the amendment to Rule 45 to be effective immediately.

DRAFT

ATTEST:

Sara Lytle-Pinhey
Executive Officer

Attachment: Amendment to Rule 45

RULE 45: PROCEDURES TO IMPLEMENT THE REQUIREMENTS OF THE POLITICAL REFORM ACT, 1974.

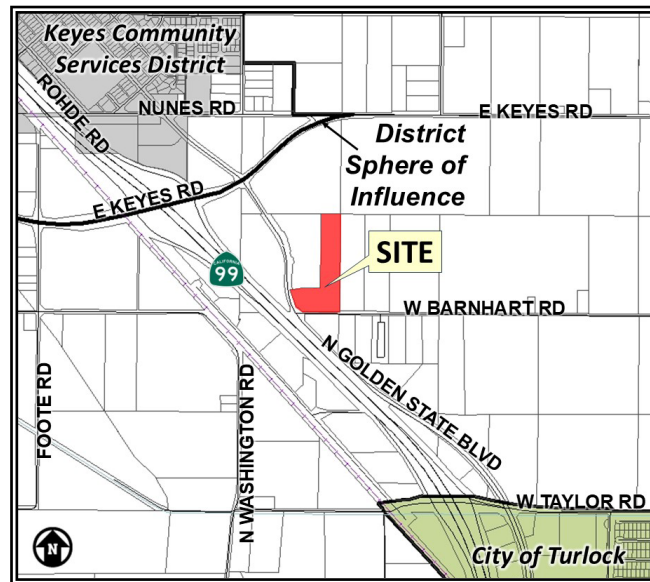
- A. The Commission has directed staff to proceed in the following ways to implement the requirements of the Political Reform Act. (Government Code Sections 56300, 56700.1, and 57009)
 - 1. Informing the public who may apply for or participate in a proceeding, by inserting a notice of the general requirements of the Political Reform Act on the application disclosure form, and agenda.
 - 2. Informing the Commissioners of the general requirements of the Act as it applies to the Commission, and then informing them of who the applicants or participants may be in advance of a public hearing.
- B. For each application received, the Commission will be responsible to comply with the law by:
 - 1. Disclosure, nonparticipation, and disqualification from the proceeding if a contribution of ~~\$250~~ **\$500** or more has been received from an applicant or participant up to twelve (12) months prior to the LAFCO proceedings; and,
 - 2. Refusing a contribution of ~~\$250~~ **\$500** or more from an applicant or participant while the proceeding is pending and for twelve (12) months following the final decision on the application (Section 84308).
- C. Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contribute \$1,000 or more in support of or in opposition to a proposal that has been submitted to Stanislaus LAFCO must comply with the disclosure requirements of the Political Reform Act (commencing with Section 84250). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information about the requirements pertaining to disclosures can be obtained by consulting the Fair Political Practices Commission at www.fppc.ca.gov or 1-866-ASK-FPPC.
- D. Pursuant to Government Code Section 57009, expenditures for political purposes related to proceedings for a change of organization or reorganization that will be conducted pursuant to this part, and contributions in support of, or in opposition to those proceedings, shall be disclosed and reported to the Commission to the same extent and subject to same requirements as the Political Reform Act, Title 9 (commencing with Section 81000) as provided for local initiative measures. Refer to Appendix C for Stanislaus LAFCO's reporting and disclosure requirements.

**STANISLAUS LOCAL AGENCY FORMATION COMMISSION
OUT-OF-BOUNDARY SERVICE APPLICATION:
TOP SHELF MEGA STORAGE (KEYES COMMUNITY SERVICES DISTRICT - WATER)**

APPLICANT: Keyes Community Services District

LOCATION: The site consists of approximately 10 acres located at 4401 W. Barnhart Road at the northeast corner of the Golden State Boulevard and Barnhart Road intersection (See Exhibit A). The site includes Assessor's Parcel Number (APN) 045-052-031.

REQUEST: Stanislaus County recently rezoned the project site to allow development of a recreational vehicle and boat storage facility known as Top Shelf Mega Storage. Water service is being requested from an existing water line adjacent to the property to accommodate a 560-square foot office and restroom. The Keyes Community Services District has provided a will-serve letter for the proposal, attached as Exhibit B.



BACKGROUND

Government Code Section 56133 requires a city or special district to apply for and obtain LAFCO approval prior to providing new or extended services outside its jurisdictional boundaries. The section describes two situations where the Commission may authorize service extensions outside a city or district's jurisdictional boundaries:

- (1) For proposals *within* a city or district sphere of influence: in anticipation of a later change of organization (e.g. annexation).
- (2) For proposals *outside* a city or district sphere of influence: to respond to an existing or impending threat to the public health or safety of the residents of the affected territory.

Stanislaus LAFCO has adopted a policy to assist in the Commission's review of out-of-boundary service requests, known as Policy 15 (see Exhibit C). Policy 15 reiterates the requirements of Government Code Section 56133 and allows the Executive Officer, on behalf of the Commission, to approve proposals to extend services in limited scenarios to respond to health and safety concerns for existing development. As the current request would serve new development outside of the District's Sphere of Influence, Commission approval is necessary.

DISCUSSION

State law and Commission policies generally prefer annexation to accommodate an extension of an agency's services. During Top Shelf Mega Storage's land-use entitlement process with the County, LAFCO Staff commented on the proposal recommending a sphere of influence

amendment and annexation of the site as the appropriate steps to accommodate an extension of services.

The current Sphere of Influence for the Keyes CSD follows Keyes Road, northwest of the Top Shelf Mega Storage site (as shown in Exhibit A). However, Stanislaus County's adopted Community Plan for Keyes (also included in Exhibit A) includes a slightly larger area along Golden State Boulevard, north of Barnhart Road. As new development has occurred in this area, the inconsistency between the District's Sphere of Influence and the County's Community Plan has led to several requests for out-of-boundary service extensions, rather than annexations which are preferred by LAFCO policy.

LAFCO Staff has had discussions with Keyes CSD staff and Dave Romano, a representative for Top Shelf Mega Storage and other businesses in the area, about amending the District's Sphere of Influence (SOI) to be consistent with the Keyes Community Plan boundary. An SOI amendment would include the additional development properties seeking water service, align the Keyes Community Plan with its main service provider, and allow those properties to seek annexation rather than out-of-boundary service requests. Mr. Romano has provided documentation to initiate this process with the District on behalf of the businesses he represents.

As construction of Top Shelf Mega Storage is nearly complete, water service is being requested in advance of awaiting the process for an SOI expansion and annexation. A standard condition of approval has been placed on the proposal requiring the landowner to record an agreement consenting to annex the territory into the Keyes CSD. A copy of this agreement will need to be provided to Staff prior to services being extended.

Consistency with Commission Policy 15

The Commission's Policy 15(C) describes a variety of situations where the Commission may favorably consider service extensions as an alternative to annexation. These include the following:

1. *Services will be provided to a small portion of a larger parcel and annexation of the entire parcel would be inappropriate in terms of orderly boundaries, adopted land use plans, open space/greenbelt agreements or other relevant factors.*
2. *Lack of contiguity makes annexation infeasible given current boundaries and the requested public service is justified based on adopted land use plans or other entitlements for use.*
3. *Where public agencies have a formal agreement defining service areas provided LAFCO has formally recognized the boundaries of the area.*
4. *Emergency or health related conditions mitigate against waiting for annexation.*
5. *Other circumstances which are consistent with the statutory purposes and the policies and standards of the Stanislaus LAFCO.*

For the current request, the Commission may consider the situations described in #2 and #4 to be applicable. As noted, the property has obtained entitlements, consistent with the Keyes Community Plan boundary and has already started developing while overall efforts continue to

amend the District's Sphere of Influence.

The Keyes area is known to have issues with groundwater quality, thus increasing the demand for connection to public water services. Nearby businesses, including Interstate Truck Center / Peterbilt, located across Golden State Boulevard, have had issues with their on-site water systems exceeding Maximum Contaminant Level (MCL) for arsenic and nitrates. In 2018, the Interstate Truck Center / Peterbilt property received an out-of-boundary service approval from the Commission for water and connected to the Keyes CSD water line located along Golden State Boulevard. The Top Shelf Mega Storage site is proposing to connect to the same water line.

Commission Policy 15(D) further outlines criteria for those requests citing health and safety reasons for service extensions. The Policy states that service extensions outside a local agency's sphere of influence will not be approved unless the request meets one or more of the following criteria:

1. *The lack of the service being requested constitutes an existing or impending health and safety concern.*
2. *The property is currently developed.*
3. *No future expansion of service will be permitted without approval from the LAFCO.*

Consistent with item #1 above, the Commission may find that the request will remedy an impending health and safety concern related to the poor groundwater quality in the area. While the property is not currently developed, it is in the process of developing. Staff has placed a standard condition on the proposal, consistent with item #3 above, that no additional service connections may be allowed outside the District's boundary without first requesting and receiving approval from LAFCO.

Environmental Review

Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA), adopted a mitigated negative declaration for the proposal that determined there would not be a significant effect on the environment because of incorporated mitigations. A copy of the initial study and environmental determination is attached as Exhibit D.

CONCLUSION

Although annexations to cities or special districts are generally the preferred method for the provision of services, Commission policies also recognize that out-of-boundary service extensions can be an appropriate alternative. Staff believes the Commission can find that the Keyes CSD's proposal to provide water service to Top Shelf Mega Storage is consistent with Government Code Section 56133 and the Commission's Policy 15.

ALTERNATIVES FOR LAFCO ACTION

Following consideration of this report and any testimony or additional materials that are submitted at the public hearing for this proposal, the Commission may take one of the following actions:

- APPROVE the request, as submitted.
- DENY the request without prejudice.
- CONTINUE the proposal to a future meeting for additional information.

STAFF RECOMMENDATION

Based on the discussion in this staff report and following any testimony or evidence presented at the meeting, Staff recommends that the Commission approve the proposal as submitted by the Keyes CSD and adopt Resolution No. 2025-03, which finds the request to be consistent with Government Code Section 56133 and Commission Policy 15 and includes the following standard terms and conditions:

- A. This approval allows for the extension of water service to accommodate the property located at 4401 W. Barnhart only.
- B. Prior to connection to water service, the property owner shall record an agreement consenting to annex the property to the District and a copy of the agreement shall be forwarded to the LAFCO office.
- C. The District shall not allow additional water service connections outside the District's boundaries without first requesting and securing approval from LAFCO.

Respectfully submitted,

Javier Camarena

Javier Camarena
Assistant Executive Officer

Attachments: Exhibit A – Project Map, Site Plan, and Keyes Community Plan
Exhibit B – Application & Will Serve Letter
Exhibit C – LAFCO Policy 15
Exhibit D – Stanislaus County Initial Study, Mitigation Monitoring Plan and Notice of Determination
Exhibit E – Draft LAFCO Resolution 2025-03

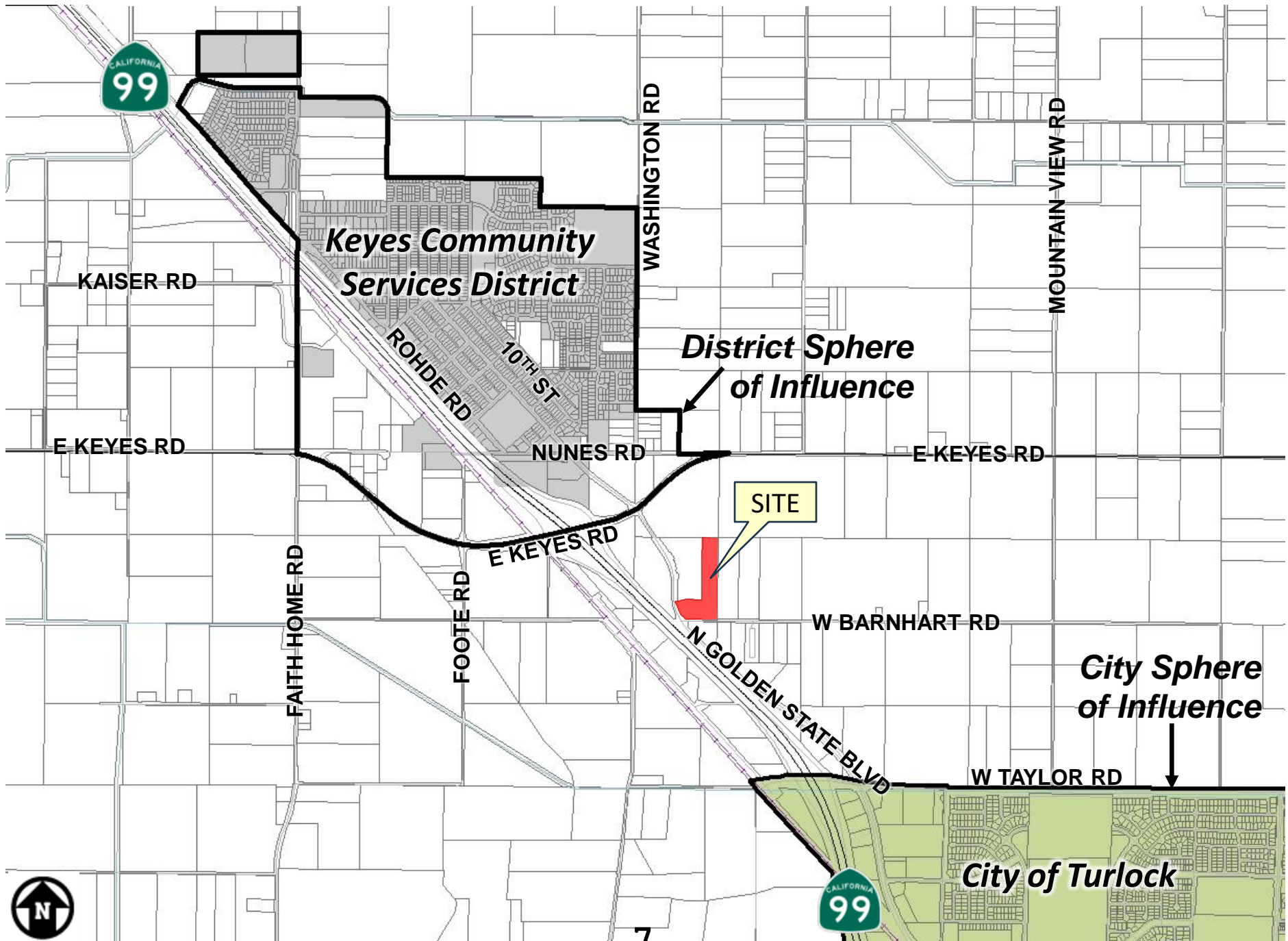
EXHIBIT A

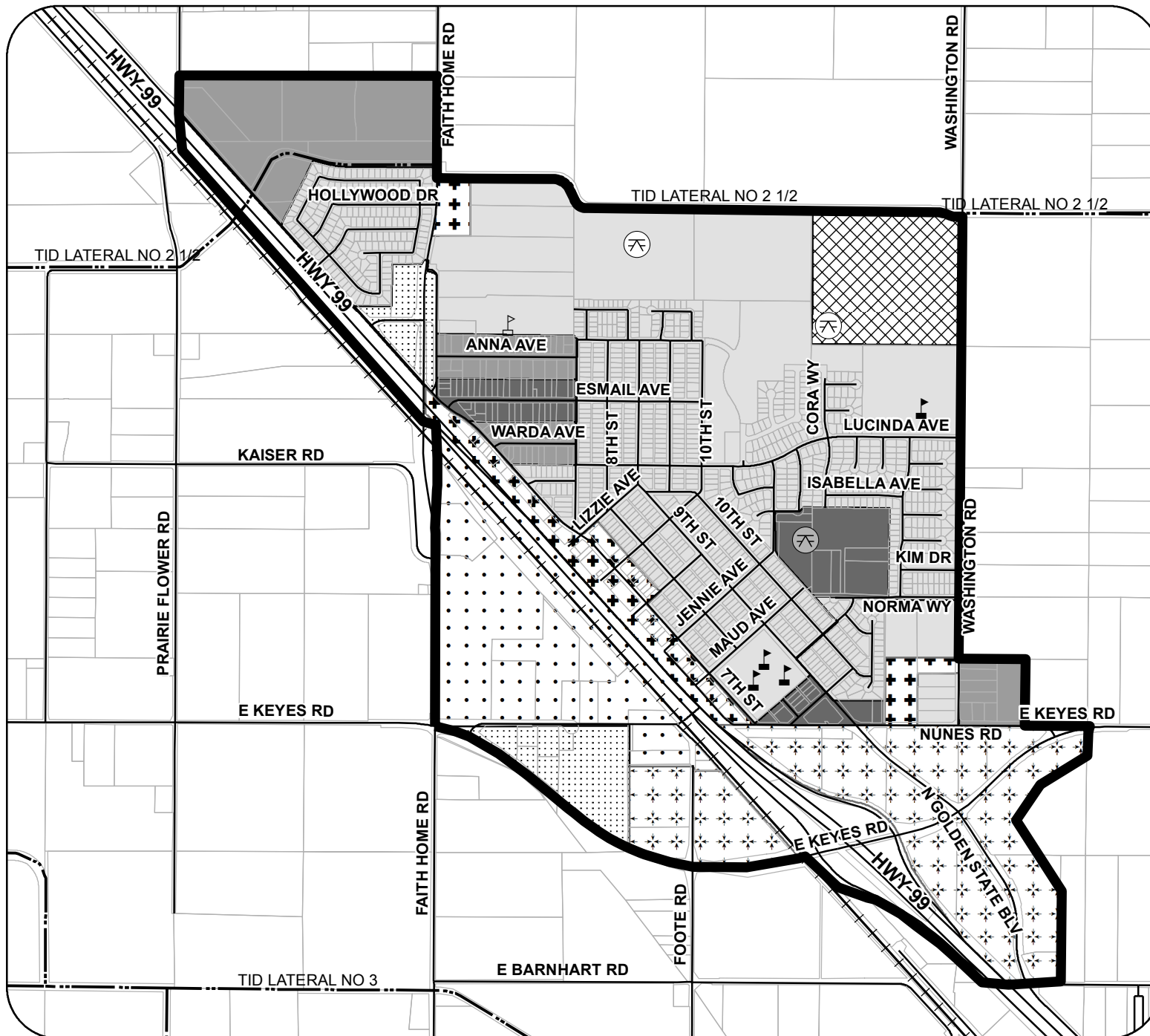
Project Map, Site Plan, and Keyes Community Plan

This page intentionally left blank.

Out of Boundary Service Application









Top Shelf Mega-Storage – Water Service









Keyes COMMUNITY PLAN


Land Use Designations:

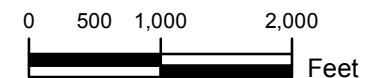
-  Commercial
-  Commercial - Highway
-  Industrial
-  Planned Industrial
-  Residential - Low
-  Residential - Medium
-  Residential - Medium-High
-  Urban Transition

Parks and Schools:

-  Existing Park
-  Proposed Park
-  Existing School
-  Proposed School

Rellevant Boundaries:

-  Community Plan Boundary



This page intentionally left blank.

EXHIBIT B

Application & Will Serve Letter

This page intentionally left blank.

STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

1010 – 10 th Street, 3rd Floor ♦ Modesto, CA 95354

(209) 525-7660 ♦ FAX (209) 525-7643

www.stanislauslafco.org

OUT OF BOUNDARY SERVICE APPLICATION

AGENCY TO EXTEND SERVICE:

AGENCY NAME: Keyes Community Services District (KCSD)

CONTACT PERSON: Michelle Harris, Administrative Executive

MAILING ADDRESS: P.O. Box 699, Keyes, CA 95328

PHONE: (209) 668-8341 E-MAIL: mharris@keyescsd.org

PROPERTY OWNER (PARTY RECEIVING SERVICE):

PROPERTY OWNER NAME: Top Shelf Mega Storage, LLC; Attn: Brian Demello

SITE ADDRESS: 4401 W. Barnhart Road; Turlock, CA 95382

PHONE: (209) 613-6140 E-MAIL: topshelfmegastorage@gmail.com

ASSESSOR PARCEL NUMBER(S): 045-052-031

ACREAGE: 10.0 acres (If multiple properties, attach a list with names, addresses and APNs.)

REQUIRED ATTACHMENTS - Please provide the following:

- ☐ Completed application and fees. (See [Schedule of Fees and Deposits](#). Please consult with LAFCO staff to determine the appropriate fee.)
- ☐ Map showing existing facilities and proposed extensions. The map should include measurements detailing how services are to be extended to the property.
- ☐ Draft service agreement or contract between the service provider and property owner OR a will-serve letter from the service provider.

PROPOSAL-SPECIFIC ATTACHMENTS – The following may also be required:

- ☐ If the proposed extension will serve new development, a copy of the environmental determination made by the Lead Agency.
- ☐ If the proposed service extension is to remedy a health and safety situation, documentation of the health and safety issue.

The following application questions are intended to obtain enough data about the proposal to allow the Commission and staff to adequately assess the service extension. By taking the time to fully respond to the questions below, you can reduce the processing time for this application. You may include any additional information that you believe is pertinent. Use additional sheets where and if necessary.

1. List type of service(s) to be extended:

Domestic water.

2. Is the service extension for new development or an existing use? Provide a complete description of the project and/or use to be served.

Enclosed RV and Boat Storage Facility

3. Is this request to address a health and safety situation? ☒ Yes ☐ No

If yes, please explain below.

Existing Groundwater inadequate to serve the site.

KCSD water line runs in front of the site and serves some surrounding uses.

4. Is the property to be served within the Agency's sphere of influence? ☐ Yes ☒ No

5. LAFCO policies generally prefer annexation rather than an extension of services outside the agency's boundary. Is annexation of the territory by your agency anticipated at a future time? ☒ Yes ☐ No

6. Please provide an explain of the Agency's preference for an out-of-boundary instead of annexation.

Annexation is preferred, but the property is currently outside of the KCSD sphere of influence.

Properties in the vicinity are working on a sphere expansion, with a target date of 2025.

7. Are there any land use entitlements involved in the project or contract? ☒ Yes ☐ No
If yes, please check the entitlements that were obtained and provide a copy of the approval:

☐ Tentative Map and Conditions

☐ Subdivision Map or Parcel Map

☐ Specific Plan

☐ General Plan Amendment

☒ Rezoning

☐ Other: _____

CERTIFICATION

I hereby certify that the statement furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement, and information presented herein are true and correct to the best of my knowledge and belief.

INDEMNITY AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, hold harmless and release the Stanislaus Local Agency Formation Commission (LAFCO), its officers, employees, attorneys, or agents from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul, in whole or in part, LAFCO's action on a proposal or on the environmental documents submitted to support it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, and expert witness fees that may be asserted by any person or entity, including the applicant arising out of or in connection with the application.

SIGNED:



PRINTED NAME:

Michelle Harris

AGENCY:

Keyes Community Services District

DATE:

January 6, 2024

Please forward the completed form, fees, and related information to:

Stanislaus Local Agency Formation Commission
1010 10th Street, 3rd Floor
Modesto, CA 95354

**KEYES COMMUNITY SERVICES DISTRICT
5601 7TH STREET
P O BOX 699
KEYES, CA 95328**

May 1, 2024

David Romano for Philip Mastagni
1034 12th Street
Modesto, Ca 95354

Re: Will Serve Letter Request for Commercial Industrial Institutional Project
APN #045-052-031

Dear Mr. Romano:

The Keyes Community Services District is willing to provide the requested water service on the following conditions:

1. All water service lines must be installed to District standards and according to plans approved by the district, at the expense of the owner.
2. All applicable District connection, facilities and inspection fees must be paid upon application for connections.
3. The owner must comply with all District rules and regulations.
4. This will-serve commitment will expire on May 2, 2025 unless construction has commenced by that date.
5. This Will Service Letter is valid only upon approval by Stanislaus County Local Agency Formation Commission (LAFCO).

Sincerely,


Ernie Garza
General Manager

Health and Safety Finding to Support

Out-of-Boundary Water Service

The Top Shelf Mega Storage project is located at the farthest south end of the Keyes Community Plan area and within the unincorporated area of Stanislaus County. On July 26, 2022, the Stanislaus County Board of Supervisors approved the Top Shelf Mega Storage project.

Due to groundwater contamination in the area, the Keyes Community Services District (KCSD) extended a water line down Golden State Boulevard and in front of this site. The water line continues east in Barnhart Road to an existing mobile home park that was experiencing water quality issues. At the same time, Valley Peterbilt connected to the water line and was able to take its well off-line. South of the project site, the Price Ford dealership was also considering a water connection to the KCSD, but instead the City of Turlock ended up extending water service south of Barnhart Road.

All of these aforementioned projects are outside of either the KCSD or City of Turlock sphere of influence.

In August of 2021, the County approved a new Price Honda project, outside of the City of Turlock sphere, and in September of 2021, LAFCO approved an out-of-boundary service - for both water and sewer - to the new Price Honda site. This action, in addition to allowing the existing Price Ford project to connect to domestic water service and abandon its well, also allowed the new Price Honda project to proceed and avoid construction of a new well. Since known water quality issues existed in the area, the County and LAFCO determined that new development, outside of the City's sphere of influence, was appropriate and the health and safety finding required to provide the out-of-boundary service was also appropriate. That is, new development outside of the City's sphere was allowed to proceed with the out-of-boundary service.

In this instance, the Top Shelf Mega Storage project is similarly situated, although it is adjacent to a KCSD water line. Connection to this line will provide health and safety benefits in that drilling of a new well and extraction of groundwater can be avoided in an area with known groundwater challenges.

Based on the foregoing, and historic precedence, connecting to the existing KCSD water service, rather than drilling a new water well, is appropriate and past actions and known water issues clearly demonstrate that connection to an existing water source is preferred from a health and safety perspective.

**REIMBURSEMENT AGREEMENT BETWEEN
THE KEYES COMMUNITY SERVICES DISTRICT
AND
TOP SHELF MEGA STORAGE, LLC**

This Reimbursement Agreement ("Agreement"), by and between the Keyes Community Services District, Stanislaus County, California, a political subdivision of the State of California, duly organized and existing under the Community Services District Law (California Government Code Sections 61000, et seq.) (the "District") and Top Shelf Mega Storage, LLC ("Top Shelf"), is dated and effective as of 8/18/2024 [DATE].

Recitals

A. The District provides water and wastewater collection services to properties in the District and the surrounding areas that are within the District's boundaries.

B. Top Shelf is the fee simple owner of a portion of that certain land located in Stanislaus County at Assessor's Parcel Number 045-052-031 consisting of approximately 10 acres identified in Exhibit "A" (the "Property") and commonly described as 4401 W. Barnhart Road, Turlock, CA 95382.

C. The Property is located at the northeast corner of Golden State Boulevard and Barnhart Road in Stanislaus County, California.

D. Top Shelf desires to have the District provide water service to the Property.

E. As of the effective date of this Agreement, there are no District water distribution lines within the vicinity of the Property.

F. In order for the District to provide water service to the Property, a water line that meet the standards set forth by the District's Engineer must be constructed to connect to the District's existing water distribution system.

G. It is not certain whether the Project is feasible.

H. Top Shelf agrees to submit all plans and specifications for any public improvements (i.e., all improvements concerning water service connections to District, including but not limited to water mains and/or laterals) signed by a California registered civil engineer upon which construction of the public improvements for the Project are to be based (hereinafter referred to as the "Project Drawings") to the District in an acceptable electronic format to the District's General Manager and District Engineer for review.

I. Upon District General Manager and District Engineer being satisfied that Project Drawings submitted by Top Shelf satisfy all District requirements, the Project Drawings will be submitted to the District's Board of Directors for consideration as to whether the Project is feasible.

J. The District desires to be reimbursed by Top Shelf for all costs incurred by the District associated with determining whether the Project is feasible, including, but not limited to the drafting of this Agreement, General Manager and District Engineer review of Project Drawings, and any other cost to the District arising from this Agreement.

K. Top Shelf is willing to deposit funds with the District to ensure payment for all costs incurred by the District associated with the performance of this Agreement in the amount of five thousand dollars (\$5,000).

L. The Parties agree that the sole purpose of this Agreement is to set forth the Parties' understanding regarding the conditions by which the District will consider the feasibility of the Project proposed by Top Shelf.

M. The parties hereto wish to set forth the terms and conditions under which the District's Board of Directors agrees to consider whether the Project is feasible.

Agreement

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants set forth herein, and for other consideration the receipt and sufficiency of which hereby are acknowledged, the District and Top Shelf agree to the following terms, covenants, and conditions:

1. Top Shelf Obligations.

- a. Plan Review. Top Shelf shall submit to the District's General Manager and District Engineer Project Drawings for review and comment to ensure that Project Drawings comply with all District requirements.
- b. Deposit – Incidental Costs. Top Shelf agrees to reimburse the District for all costs incurred by the District associated with any District efforts to determine whether the Project is feasible including but not limited to the costs to develop this Agreement, the District General Manager's and District Engineer's costs to review Project Drawings, the updating of the District's water maps, all costs of maintenance staff, administration, legal, and all other actual expenses relating to the District's efforts in determining the Project's feasibility. Top Shelf agrees to deposit, in cash, cash equivalents, or by Top Shelf's check, with the District's General Manager upon execution of this Agreement, the sum of five thousand dollars (\$5,000.00) (the "Deposit"). Any remaining balance on Deposit after payment of all such costs shall be refunded to Top Shelf upon the District's Board of Directors making a determination as to whether the Project is feasible. No interest shall be paid by the District on any refunded balance.
- c. Any time the balance of the Deposit with the District falls below Two Thousand Dollars (\$2,000.00), and upon seven (7) days' written notice by the District, Top Shelf agrees to place an additional deposit in the amount of Five Thousand Five Hundred Dollars (\$5,500.00) with the District prior to the District continuing any efforts in determining whether the Project is feasible.
- d. In the event that Top Shelf shall fail or refuse to remit any Deposit to or at the direction of the District, all efforts by the District related to review of determination of whether the Project is feasible, at the discretion of the District's General Manager, shall cease until such time as the Deposits so required are paid. Additionally, Top Shelf may, by written request executed and delivered by Top Shelf, direct the District to cease all work related to the Project and to not incur any additional costs under the Agreement.
- e. Top Shelf shall have the right to review all costs submitted by the District for which Top Shelf may be responsible, and the right to a review by the District Board of Directors. To that end, the District will provide Top Shelf with documentation supporting costs incurred by the District in connection with this Agreement concurrently with the District's notice requesting additional deposits, if any, and within a reasonable period of time upon the District's Board of

2. Indemnification. Top Shelf and its successors in interest ("Indemnifying Party") shall indemnify, hold harmless, and defend with counsel reasonably acceptable to the District, the District and its elective and appointive boards, officers, directors, managers, employees, agents, successors, and permitted assigns (collectively, "Indemnified Party") against any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, cost of preparing the record for any such action, including the Indemnified Party staff costs and all other costs and expenses the Indemnified Party may incur as a result of any such action or proceeding or expenses of whatever kind, including attorney's fees, that are incurred by Indemnified Party (collectively, "Losses"), arising out of or related to any third-party claim alleging:

- a. breach or non-fulfillment of any provision of this Agreement by Indemnifying Party or Indemnifying Party's personnel;
- b. any negligent or more culpable act or omission of Indemnifying Party or its personnel (including any reckless or willful misconduct) in connection with the performance of its obligations under this Agreement;
- c. any bodily injury, death of any person, or damage to real or tangible personal property caused by the negligent or more culpable acts or omissions of Indemnifying Party, its agent(s), or its personnel;
- d. any failure by the Indemnifying Party, its agent(s), or its personnel to comply with any applicable federal, state, or local laws, regulations, or codes in the performance of its obligations under this Agreement.

The Parties hereto expressly agree that no public interest or public policy is implicated or involved in the matters for which this indemnification is entered into and that this Agreement is not void or voidable pursuant to California Civil Code Section 1668, and the Parties waive all rights or protections provided pursuant to said section.

3. Nature of Commitment. This Agreement represents District's commitment only to consider whether the Project is feasible, and if Project is determined by the District Board of Directors to be feasible, the District shall present Top Shelf a Pre-Annexation Agreement setting forth the terms and conditions upon which application will be made to LAFCO for the annexation of the Property into the District's service boundary. Nothing in this Agreement is or should be construed to be a covenant, promise, or commitment by the District, or any agency, board, or commission of the District, to grant any Project approval or to provide any wastewater or water utility service connections to the Property or Project on any particular terms or conditions. Nothing herein shall be deemed a covenant, promise, obligation, or commitment by the District to approve, grant, authorize the Project submitted by Top Shelf, or its successors in interest, or to determine whether Project is feasible.

Agreement Not Debt or Liability of District. It is hereby acknowledged and agreed that this Agreement is not a debt or liability of the District. The District shall in no event be liable hereunder other than to return the unexpended and uncommitted portions of any Deposit held by the District as provided in Section 1 above. The District shall not be obligated to advance any of its own funds with respect to the Project. No member of the District Board of Directors or officer, employee or agent of the District shall to any extent be personally liable hereunder.

4. Notices. All notices and demands of any kind that either party may be required or desires to serve upon the other party shall be in writing and shall be served upon such other party by personal service; or by mailing a copy thereof, certified or registered mail, postage prepaid; or by overnight mail; or by facsimile or e-mail, addressed as follows:

If to the District: Keyes Community Services District
Attn: General Manager
5601 7th Street
Keyes, CA 95328
Telephone: (209) 668-8341
Facsimile: (209) 668-8396

with a copy to: Dennis L Hay, General Counsel for Keyes Community
Services District
Law Office of Dennis L. Hay, Esq.
P.O. Box 74
Proberta, California 96078
Telephone: (209) 759-3222

If to Top Shelf: Top Shelf Mega Storage, LLC
Attn: Brian Demello, Manager
201 N. Hopper Road
Modesto, California 95357

5. Construction of Terms; Severability. All parts of this Agreement shall be construed according to their plain meaning and shall not be construed in favor or against either of the parties. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, in whole or in part, the remainder of this Agreement shall remain in full force and effect and shall not be affected, impaired, or invalidated thereby.

6. ENTITY NAME's Authority. Top Shelf has the full right, capacity, power, and authority to enter into and carry out the terms of this Agreement. Top Shelf is the sole owner in fee simple of the Property and to Top Shelf's knowledge, no other person or entity has any right or interest in the Property.

7. Counterparts. This Agreement may be executed in any number of counterparts and each counterpart shall be deemed to be an original document. Delivery of the executed Agreement may be accomplished by facsimile transmission, and if so, the facsimile copy shall be deemed an executed original counterpart of the Agreement. All executed counterparts together shall constitute one and the same document, and any signature pages, including facsimile copies thereof, may be assembled to form a single original document.

8. Further Assurances. Each party will, whenever and as often as it shall be requested to do so by the other party, execute, acknowledge, and deliver, or cause to be executed, acknowledged, and delivered, any and all such further conveyances, assignments, approvals, consents and any and all other documents and do any and all other acts as may be reasonably necessary to carry out the intent and purpose of this Agreement.

9. Entire Agreement. This Agreement, together with all exhibits hereto and documents referred to herein, if any, constitutes the entire agreement among the parties hereto with respect to the subject matter hereof, and supersedes all prior understandings and agreements. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement whether or not actually attached.

10. Amendments. This Agreement may be modified only by a writing signed by both parties.



11. Legal Advice. Each party has had the opportunity to consult independent legal advice from its attorneys with respect to the advisability of executing this Agreement and the meaning of the provisions hereof to the extent they have desired, and that the parties fully understand the terms of this Agreement despite that legal counsel may not have been consulted.

12. Attorney's Fees and Venue. In the event of any litigation or other action between the parties arising out of or relating to this Agreement or the breach thereof, the prevailing party shall be entitled, in addition to such other relief as may be granted, to its reasonable costs and

attorneys' fees. The venue for any litigation, arbitration, or mediation shall be Stanislaus County, California.

13. Headings and Titles. The captions of the articles or sections of this Agreement are only to assist the parties in reading this Agreement and shall have no effect upon the construction or interpretation of any part hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

Top Shelf Mega Storage, LLC:	DISTRICT:
By:  Brian Demello, Manager	Keyes Community Services District, a political subdivision of the State of California
 See Attached California All Purpose Acknowledgement	By: _____ Ernie Garza, General Manager
	Approved as to Form:
	By: _____ Dennis L. Hay General Counsel

1283848-2

Exhibit "A"
Property Description



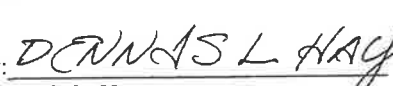
1283848-2

1283848-2

attorneys' fees. The venue for any litigation, arbitration, or mediation shall be Stanislaus County, California.

13. Headings and Titles. The captions of the articles or sections of this Agreement are only to assist the parties in reading this Agreement and shall have no effect upon the construction or interpretation of any part hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

Top Shelf Mega Storage, LLC:	DISTRICT:
By:  Brian Demello, Manager	Keyes Community Services District, a political subdivision of the State of California
 See Attached California II Purpose Acknowledgement	By: _____ Ernie Garza, General Manager
	Approved as to Form:
	By:  Dennis L. Hay General Counsel

1283848-2

Exhibit "A"
Property Description




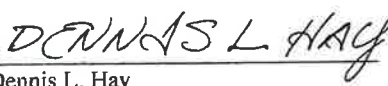
1283848-2

1283848-2

attorneys' fees. The venue for any litigation, arbitration, or mediation shall be Stanislaus County, California.

13. Headings and Titles. The captions of the articles or sections of this Agreement are only to assist the parties in reading this Agreement and shall have no effect upon the construction or interpretation of any part hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

<p>Top Shelf Mega Storage, LLC:</p> <p>By:  Brian Demello, Manager</p> <p> See Attached California 11 Purpose Acknowledgement</p>	<p>DISTRICT:</p> <p>Keyes Community Services District, a political subdivision of the State of California</p> <p>By:  Ernie Garza, General Manager</p> <p>Approved as to Form:</p> <p>By:  Dennis L. Hay General Counsel</p>
---	--

1283848-2

Exhibit "A"
Property Description

1283848-2

1283848-2

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Stanislaus

On 08.08.2024 before me, S. Malhi, Notary Public.
(insert name and title of the officer)

personally appeared Bryan J. Demello,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



This page intentionally left blank.

EXHIBIT C

LAFCO Policy 15

This page intentionally left blank.

POLICY 15 - OUT-OF-BOUNDARY SERVICE CONTRACTS OR AGREEMENTS

(Amended October 23, 2024)

Government Code Section 56133 (Cortese-Knox-Hertzberg Act) specifies that a city or special district must apply for and obtain LAFCO approval before providing new or extended services outside its jurisdictional boundaries. The Commission will consider this policy in addition to the provisions of Government Code Section 56133 when reviewing out-of-boundary service extension requests.

- A. Pursuant to Government Code Section 56133(b), the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries, but within its sphere of influence, in anticipation of a later change of organization. The Commission may authorize a city or district to provide new or extended services outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory in accordance with Government Code Section 56133(c).
- B. The Commission has determined that the Executive Officer shall have the authority to approve, or conditionally approve, proposals to extend services outside a city or district's jurisdictional boundaries but within its sphere of influence in cases where the service extension is proposed to remedy a clear health and safety concern for existing development. In addition, the Executive Officer shall have the authority to approve or conditionally approve service extensions where the services will not facilitate development or will provide water and/or sewer service to accessory dwelling units being created on lots where a single-family or multifamily dwelling unit already exists.

In cases where the Executive Officer recommends denial of such a proposed service extension or where the proposal will facilitate new development, that proposal shall be placed on the next agenda for which notice can be provided so that it may be considered by the Commission. After the public hearing, the Commission may approve, conditionally approve, or deny the proposal.

- C. Considerations for Approving Agreements: Annexations to cities and special districts are generally preferred for providing public services; however, out-of-boundary service extensions can be an appropriate alternative. While each proposal must be decided on its own merits, the Commission may favorably consider such service extensions in the following situations:
 - 1. Services will be provided to a small portion of a larger parcel and annexation of the entire parcel would be inappropriate in terms of orderly boundaries, adopted land use plans, open space/greenbelt agreements or other relevant factors.
 - 2. Lack of contiguity makes annexation infeasible given current boundaries and the requested public service is justified based on adopted land use plans or other entitlements for use.
 - 3. Where public agencies have a formal agreement defining service areas provided LAFCO has formally recognized the boundaries of the area.
 - 4. Emergency or health related conditions mitigate against waiting for annexation.

5. Other circumstances which are consistent with the statutory purposes and the policies and standards of the Stanislaus LAFCO.
- D. Health or Safety Concerns: The requirements contained in Section 56133(c) of the Government Code will be followed in the review of proposals to serve territory with municipal services outside the local agency's sphere of influence. Service extensions outside a local agency's sphere of influence will not be approved unless there is a documented existing or impending threat to public health and safety, and the request meets one or more of the following criteria as outlined below:
1. The lack of the service being requested constitutes an existing or impending health and safety concern.
 2. The property is currently developed.
 3. No future expansion of service will be permitted without approval from the LAFCO.
- E. Agreements Consenting to Annex: Whenever the affected property may ultimately be annexed to the service agency, a standard condition for approval of an out-of-boundary service extension is recordation of an agreement by the landowner consenting to annex the territory, which agreement shall inure to future owners of the property.
1. The Commission may waive this requirement on a case-by-case basis upon concurrence of the agency proposing to provide out-of-boundary services.
 2. The Commission has determined, pursuant to Government Code Section 56133(b) that the Beard Industrial Area shall not be subject to the requirement for consent-to-annex agreements, based on the historical land use of the area and its location within the Sphere of Influence of the City of Modesto.
- F. Area-wide Approvals: The Commission has recognized and approved extensions of sewer and/or water services to specific unincorporated areas, including the Bret Harte Neighborhood, Robertson Road Neighborhood, and the Beard Industrial Area. New development in these delineated unincorporated areas is considered infill and does not require further Commission review for the provision of extended sewer and/or water services. The Commission may consider similar approvals for area-wide service extensions on a case-by-case basis when it determines each of the following exists:
1. There is substantial existing development in the area, consistent with adopted land use plans or entitlements.
 2. The area is currently located within the agency's sphere of influence.
 3. The agency is capable of providing extended services to the area without negatively impacting existing users.
 4. The proposal meets one of the situations outlined in Section C of this Policy where extension of services is an appropriate alternative to annexation.
- G. In the case where a city or district has acquired the system of a private or mutual water company prior to January 1, 2001, those agencies shall be authorized to continue such

service and provide additional connections within the certificated service area of the private or mutual water company, as defined by the Public Utilities Commission or other appropriate agency at the time of acquisition, without LAFCO review or approval as outlined in Government Code Section 56133. The continuation of service connections under this policy shall not be constrained by the sphere of influence of that local agency at that time. Proposals to extend service outside this previously defined certificated area would come under the provisions of Government Code Section 56133 for the review and approval by the Commission prior to the signing of a contract/agreement for the provision of the service.

- H. Exemptions: Commission approval is not required for cities or districts to provide new or extended services outside their jurisdictional boundaries if any of the following exemptions apply in accordance with Government Code Section 56133(e). The Commission encourages cities and districts to verify with the Executive Officer to determine whether statutory exemptions apply or whether the proposed extension falls within a prior approval by the Commission.
1. Two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.
 2. The transfer of non-potable or non-treated water;
 3. The provision of surplus water to agricultural lands and facilities, including but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.
 4. An extended service that a city or district was providing on or before January 1, 2001.
 5. A local publicly owned electrical utility, as defined by Section 224.3 of the Public Utilities Code, providing electrical services that do not involve the acquisition, construction, or installation of electrical distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.
 6. A fire protection contract, as defined in Section 56134 and Policy 15a.

This page intentionally left blank.

EXHIBIT D

Stanislaus County Initial Study, Mitigation Monitoring Plan and Notice of Determination

This page intentionally left blank.



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

CEQA INITIAL STUDY

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

1. **Project title:** Rezone Application No. PLN2021-0112 – Top Shelf Mega Storage
SCH No. 2022010243
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Kristin Doud, Deputy Director
(209) 525-6330
4. **Project location:** 4401 West Barnhart Road, on the northeast corner of West Barnhart Road and North Golden State Boulevard, in the Keyes area. (APN: 045-052-031).
5. **Project sponsor's name and address:** Brian Demello, Top Shelf Mega Storage
201 N. Hopper Road, Modesto, CA 95357
6. **General Plan designation:** Planned Development
7. **Zoning:** Planned Development (P-D) (261)
8. **Description of project:**

Request to amend the zoning designation of a 10 acre parcel from Planned Development (P-D) (261) to a new P-D to allow for development of a recreational vehicle (RV) storage facility in two phases. Phase 1 is proposed to include 3 to 3.5 acres and will include a 560 square-foot office with restroom, eight-foot perimeter wrought iron fencing, perimeter landscaping consisting of redwood trees and low growing shrubs, a freestanding sign at the corner of West Barnhart Road and North Golden State Boulevard 40 feet in height, a monument sign at the Golden State Boulevard entrance, four customer parking spaces, and 96 covered RV parking spaces, ranging in size between 12 and 16 feet wide, to be contained within approximately 70,000 square feet of enclosed building area. Phase 1 is proposed to commence within 18 months of project approval and to be completed within three years of project approval. Phase 2 will include the remaining acreage and will include another 225 RV parking spaces contained within approximately 140,000 square feet of building storage area. However, this area may also be utilized during Phase 1 for uncovered RV parking spaces. All storage buildings are proposed to be a maximum of 20 feet in height. No vehicle maintenance or dumping services will occur on-site. Building areas and drive aisles are proposed to be paved and any remaining uncovered parking spaces will be graveled. Hours of operation are proposed to be seven days a week from 7:00 a.m. to 10:00 p.m. with one on-site manager and an additional employee for maintenance of the grounds on-site as needed. However, the site will be open to customers through a secured access gate 24 hours a day, seven days a week. The project anticipates between 5-10 customers will visit the site per day. Lighting will include wall lighting on the storage buildings and LED lighting at ground level around the landscaped perimeter. Main access is proposed to be taken from North Golden State Boulevard, with a secondary access available from West Barnhart Road. The project is proposed to be served with public water by the Keyes Community Services District (CSD) and to have a private on-site septic system. All stormwater will be maintained on-site. P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner. However, the uses approved on the 10 acre project site were limited to agricultural uses only. Accordingly, a rezone is required in order to approve development of the site with non-agricultural uses. In addition to RV storage, the project also proposes to maintain the ability to conduct uses permitted in the A-2 zoning district.

9. Surrounding land uses and setting:

Vacant and agricultural land to the east and north; State Route 99 and light industrial development to the west and south; the Community of Keyes to the northwest.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

San Joaquin Valley Air Pollution Control District
Stanislaus County Department of Public Works
Stanislaus County Department of Environmental Resources

11. Attachments:

1. Air Quality, Health Risk Analysis, and Greenhouse Gas Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022
2. Central California Information Center records search, dated January 5, 2022
3. Mitigation Monitoring and Reporting Program (MMRP) for the Keyes Community Plan, adopted April 18, 2000 (MMRP Keyes)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" 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 checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" 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 Kristin Doud, Deputy Director

Date

May 5, 2022

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

ISSUES

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

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. The project site is currently vacant. Phase 1 is proposed to include 3 to 3.5 acres and will include a 560 square-foot office with restroom, eight-foot perimeter wrought iron fencing, perimeter landscaping consisting of redwood trees and low growing shrubs, a freestanding sign at the corner of West Barnhart Road and North Golden State Boulevard 40 feet in height, a monument sign at the Golden State Boulevard entrance, four paved customer parking spaces, and 96 covered RV parking spaces, ranging in size between 12 and 16 feet wide. Phase 2 will include the remaining acreage and will include another 225 RV covered parking spaces contained within approximately 140,000 square feet of building storage area. However, this area may also be utilized during Phase 1 for uncovered RV parking spaces. All storage buildings are proposed to be a maximum of 20 feet in height. Lighting will include wall lighting on the storage buildings and LED lighting at ground level around the landscaped perimeter. The project site is required to annex into the Golden State Lighting District for street lighting, per a referral response received from the Department of Public Works.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock did not request landscaping, signage, or other development standards to meet City of Turlock standards. A development standard will be applied to the project, requiring a landscape and signage plan be submitted to County Planning for review and approval and that the height, site area, and setbacks be in compliance with Section 21.48.040 of the County Zoning Ordinance.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from State Route 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along State Route 99/Keyes Road Interchange; and the development of "Gateway" treatments and positive, high quality landscaped edges along State Route 99 and major roads.

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

Mitigation:

1. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated May 10, 2022; 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: In addition to RV storage, the project also proposes to maintain the ability to conduct uses permitted in the A-2 zoning district.

The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is made up of Dinuba sandy loam (92.4% DrA and 4.2% DsA), with an Index Rating ranging between 43-77 and a Grade ranging between 2 and 3. The remaining 3.4% of the project site is made up of Tujunga sandy loam (TuA), which has an Index Rating of 76 and a Grade of 2. The California Department of Conservation's Important Farmland Maps identifies the site as grazing land. The majority of the site is made up of soils that qualify as prime soils.

The project site is currently vacant. Agricultural land is adjacent to the parcel to the east and north. State Route 99 and light industrial development are adjacent to the site to the west and south and the Community of Keyes is northwest of the site. The nearest parcel under Williamson Act Contract, which is currently in the non-renewal process, is a 59-acre parcel to the northeast of the project site.

All new or expanding uses approved by discretionary permit in the A-2 zoning district or on a parcel adjoining the A-2 zoning district are required to incorporate a minimum 150-foot-wide agricultural buffer setback, or 300-foot-wide buffer setback for people intensive uses. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses are permitted uses within the buffer setback area. Phase 2 of the proposed project includes buildings at the eastern property line which borders an A-2 zoned property; however, the building will be utilized for RV parking, which is a permitted use within the agricultural setback area.

A referral response received from the Turlock Irrigation District (TID) indicated that the site currently does not receive irrigation water or have irrigation facilities on-site. The response also indicated that if irrigation water service was required in the future an application is required to be submitted to TID.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock was received which requested that ag mitigation per the requirements incorporated into P-D (261) and the Keyes Community Plan be applied to the project.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The EIR for the Keyes Community Plan identified loss of farmland as an impact that could not be mitigated to a level of insignificance and as part of the approval process a Statement of Overriding Considerations with respect to loss of prime farmland was adopted. The Mitigation Monitoring Plan (MMP) called for a mitigation measure to address the conversion of Prime Farmland to non-agricultural use. Although the Initial Study prepared for the P-D (217) zoning district did not include ag mitigation, a requirement for agricultural mitigation was added to the project by the Planning Commission who approved P-D (217) with a caveat that the adjacent 10.19 acre parcel (the current project site) be restricted to agricultural uses only and if it were to convert that agricultural mitigation be provided at a 2:1 rate. Accordingly, agricultural mitigation in the amount of the project site (10 acres) and the adjacent site developed under the P-D (217) zoning district (20.19 acres) is required to be provided prior to issuance of a building or grading permit.

Impacts to agricultural resources are considered to be less than significant with mitigation.

Mitigation:

3. Farmland mitigation shall be provided in the amount of 20.19 acres (an amount equivalent to the project site plus the agricultural preserve applied to Use Permit Application No. 2003-33 - Piranha Produce). The mitigation may be met through a long-term agricultural easement or through the payment of an in-lieu fee to a Land Trust, determined to be acceptable by the County Planning Director, and shall be in compliance with the County's adopted Farmland Mitigation Program Guidelines.

References: Application materials; Referral response received from the City of Turlock, dated February 15, 2022; Referral response from Turlock Irrigation District (TID), dated February 7, 2022; P-D (261), approved by the Board of Supervisors on December 18, 2001, General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; United States Department of Agriculture NRCS Web Soil

Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan and Support Documentation¹.

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

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

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

The project was referred to SJVAPCD, who responded with a request for additional analysis on construction and operational emissions, on health risks, and odor impacts.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock was received which requested that an air study be prepared.

An Air Quality (AQIA), Health Risk Analysis (HRA), and Greenhouse Gas (GhGIA) Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022. The AQIA/HRA/GhGIA Memo analyzed construction and operational emissions. Operational emissions were based on an assumption of 104.3 weekday trips, 123.9 trips for Saturdays, and 105 trips for Sundays for Phase 1; 208.6 weekday trips, 247.8 trips for Saturdays, and 210 trips for Sundays for Phase 2; and 312.9 weekday trips, 371.7 trips for Saturdays, and 315 trips for Sundays at max build out (Phases 1 and 2 combined). The California Air Resources Board's (CARB) San Joaquin Valley Air Quality Plan (AQP)

includes control measures that are required for construction activities and for various operational activities including Rule 2201, Rule 4201, Rule 4309, Rule 4601, Rule 4641, Rule 9510, Regulation VIII. The AQIA/HRA/GhGIA Memo found that emissions of ROG, NOX, CO, SOX, PM10, and PM2.5 associated with the proposed project would not exceed the SJVAPCD's significance thresholds and that the proposed project would not obstruct implementation of CARB's San Joaquin Valley AQP. The AQIA/HRA/GhGIA Memo also found that the project would comply with all applicable rules and regulations from the applicable air quality plans. Assuming adherence to applicable Air District rules and regulations, the analysis found that the project would not be considered inconsistent with CARB's San Joaquin Valley AQP, that the project's regional emissions would not exceed the applicable regional criteria pollutant emissions quantitative thresholds, and would not result in significant cumulative health impacts. In summary, the project would not exceed SJVAPCD localized emission daily screening levels for any criteria pollutant. The project is not a significant source of TAC emissions during construction or operation. The project is not in an area with suitable habitat for Valley fever spores and is not in area known to have naturally occurring asbestos. Therefore, the project would not result in significant impacts to sensitive receptors. Although the project is less than one mile from the nearest sensitive receptor, the project is not expected to be a significant source of odors.

The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The Air Study completed for this project assumed a maximum of 371.7 additional trips per day during full build out. This is below the District's thresholds of significance for emissions.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding air impacts associated with construction and the operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

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, subject to Public Works review and Standards and Specifications. The project will be required to meet all applicable air district standards and to obtain all applicable Air District permits. Both of these requirements will be incorporated into the project as development standards.

Air impacts associated with the project are considered to be less-than significant.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the City of Turlock, dated February 15, 2022; Referral response received from the Department of Public Works, dated May 10, 2022; Referral response received from the San Joaquin Valley Air Pollution Control District, dated February 2, 2022; Air Quality, Health Risk Analysis, and Greenhouse Gas Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan and Support Documentation¹.

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

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

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan does include mitigation measures regarding biological resources; however, the property is currently vacant and disturbed and there are no trees or creeks, ponds, canals, or other bodies of water on-site. Based on the location and lack of suitable habitat on-site, the likelihood for special status species to exist on site are very low. An early consultation referral response was sent to the California Department of Fish and Game (CDFG); however, no response has been received to date. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to biological resources are considered to be less-than significant.

Mitigation: None.

References: Application materials; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; 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: As this project is not a General Plan Amendment it was not referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. A development standard will be added to the project which requires if any cultural or tribal resources are discovered during project-related activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. Cultural Impacts are considered to be less-than significant.

Mitigation: None.

References: Application materials; Central California Information Center Report for the project site, dated January 5, 2022; 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 was referred to SJVAPCD, who responded with a request for additional analysis on construction and operational emissions, on health risks, and odor impacts.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock was received which requested that an air study be prepared.

An Air Quality (AQIA), Health Risk Analysis (HRA), and Greenhouse Gas (GhGIA) Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022. The AQIA/HRA/GhGIA Memo analyzed construction and operational emissions, which included an analysis of energy usage. Operational emissions, including

indirect energy consumption associated with water and wastewater services, for the year 2023 were modeled using CalEEMod. CalEEMod assumes compliance with some, but not all, applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies. Specifically, Pavley I and Pavley II (LEV III) motor vehicle emission standards, CARB Medium and Heavy-Duty Vehicle Regulations, and Title 24 Energy Efficiency Standards. Operational emissions were based on an assumption of 104.3 weekday trips, 123.9 trips for Saturdays, and 105 trips for Sundays for Phase 1; 208.6 weekday trips, 247.8 trips for Saturdays, and 210 trips for Sundays for Phase 2; and 312.9 weekday trips, 371.7 trips for Saturdays, and 315 trips for Sundays at max build out (Phases 1 and 2 combined). The emissions associated with the building electricity and natural gas usage (non-hearth) were estimated based on the land use type and size. Values for a project served by Pacific Gas and Electric (PG&E) were used in the analysis. Phase 1 is proposed to include construction of a 560 square-foot office with restroom and 96 covered RV parking spaces, ranging in size between 12 and 16 feet wide, to be contained within approximately 70,000 square feet of enclosed building area. Phase 2 will include the remaining acreage and will include another 225 RV parking spaces contained within approximately 140,000 square feet of building storage area. However, this area may also be utilized during Phase 1 for uncovered RV parking spaces. The AQIA/HRA/GhGIA Memo found the project's construction and operational emissions, for criteria pollutants and other pollutants such as greenhouse gas emissions, to be below the threshold of significance.

The site is proposed to be served by the Turlock Irrigation District (TID) for electrical services. A referral response received from TID indicated that the District currently has single phase overhead distribution on the south side of W. Barnhart Road. The District has the ability to build new overhead or underground line north along the east side of N. Golden Stat Blvd. to serve the project and that the developer should consult with District Electrical Engineering for an application for new service and a design for the project. Facility changes are performed at developer's expense.

All construction must meet California Green Building Standards Code (CALGreen Code), which 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. 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. A development standard will be added to this project to address compliance with Title 24, Green Building Code, which includes energy efficiency requirements.

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

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding impacts to air quality during construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

The project will be required to meet all applicable Air District standards and to obtain all applicable Air District permits. The proposed project would be consistent with all applicable renewable energy or energy efficiency requirements. Impacts related to Energy are considered to be less-than significant.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response from Turlock Irrigation District (TID), dated February 7, 2022; Referral response received from the City of Turlock, dated February 15, 2022; Referral response received from the Department of Public Works, dated May 10, 2022; Referral response received from the San Joaquin Valley Air Pollution Control District, dated February 2, 2022; Air Quality, Health Risk Analysis, and Greenhouse Gas Technical Memorandum, prepared by Johnson & Miller Air Quality Consulting Services, dated March 30, 2022; 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan and Support Documentation¹.

VII. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion: The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is made up of Dinuba sandy loam (92.4% DrA and 4.2% DsA) and 3.4% Tujunga sandy loam (TuA). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. This will be evaluated with the building permit process which is required as a development standard applied to the project.

The Department of Public Works reviewed the project and responded that a grading and drainage plan shall be submitted for review and approval which includes drainage calculations which verify compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The project proposes to utilize a private on-site septic system, and to maintain storm drainage on-site through a storm drain basin. The storm drainage basin

is also utilized by Fresh Point, a produce warehouse, which is also located within the P-D (261) zoning district (General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner) adjacent to the project site to the northwest. There is an existing easement for shared use of the storm drainage basin which will remain. These requirements will be incorporated into the project as development standards.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the preparation of geotechnical reports and regarding septic systems prior to construction to ensure that they are developed appropriately based on the project site's soil type. The Building Permits Division reviews building permits and determines if geotechnical reports are required with submission of building permits. However, a referral response received from DER indicated that the site would be subject to installing a Measure X septic system that would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. DER's requirements will be applied to the project as a development standard, not a mitigation measure, as the requirements are regulatory.

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

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated May 10, 2022; Referral response received from the Department of Environmental Resources, dated February 2, 2022; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Title 24 California Code of Regulations; Stanislaus County General Plan and Support Documentation¹.

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

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

The project was referred to SJVAPCD, who responded with a request for additional analysis on construction and operational emissions, on health risks, and odor impacts.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock was received which requested that an air study be prepared.

An Air Quality (AQIA), Health Risk Analysis (HRA), and Greenhouse Gas (GhGIA) Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022. The AQIA/HRA/GhGIA Memo analyzed construction and operational emissions, which included an analysis of energy usage. Operational emissions, including indirect energy consumption associated with water and wastewater services, for the year 2023 were modeled using CalEEMod. CalEEMod assumes compliance with some, but not all, applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies. Specifically, Pavley I and Pavley II (LEV III) motor vehicle emission standards, CARB Medium and Heavy-Duty Vehicle Regulations, and Title 24 Energy Efficiency Standards. Operational emissions were based on an assumption of 104.3 weekday trips, 123.9 trips for Saturdays, and 105 trips for Sundays for Phase 1; 208.6 weekday trips, 247.8 trips for Saturdays, and 210 trips for Sundays for Phase 2; and 312.9 weekday trips, 371.7 trips for Saturdays, and 315 trips for Sundays at max build out (Phases 1 and 2 combined). The emissions associated with the building electricity and natural gas usage (non-hearth) were estimated based on the land use type and size. Values for a project served by Pacific Gas and Electric (PG&E) were used in the analysis. Phase 1 is proposed to include construction of a 560 square-foot office with restroom and 96 covered RV parking spaces, ranging in size between 12 and 16 feet wide, to be contained within approximately 70,000 square feet of enclosed building area. Phase 2 will include the remaining acreage and will include another 225 RV parking spaces contained within approximately 140,000 square feet of building storage area. However, this area may also be utilized during Phase 1 for uncovered RV parking spaces. The AQIA/HRA/GhGIA Memo found the project's construction and operational emissions, for criteria pollutants and other pollutants such as greenhouse gas emissions, to be below the threshold of significance.

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

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding air quality impacts from construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

The project will be required to meet all applicable Air District standards and to obtain all applicable Air District permits. Impacts associated with Greenhouse Gas Emissions are expected to have a less-than significant impact.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the city of Turlock, dated February 15, 2022; Referral response received from the Department of Public Works, dated May 10, 2022; Referral response received from the San Joaquin Valley Air Pollution Control District, dated February 2, 2022; Air Quality, Health Risk Analysis, and Greenhouse Gas Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022; 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project was referred to the DER Hazardous Materials (Haz Mat) Division who responded with a requirement that the project is subject to Haz Mat permitting and submittal of hazardous business information into the California Electronic Reporting System (CERS) and preparation and approval of a Risk Management Prevention Program if the project will be handling acutely hazardous materials or will be generating hazardous waste. Per the application, the operation will not include or generate any hazardous wastes associated with the project. No dumping or maintenance will occur on-site. If hazardous materials were to be stored on-site, the project would be required to obtain all applicable permits through Haz Mat. The applicant is required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. These requirements will be applied to the development standards for the project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people. The project was referred to the Stanislaus County Agricultural Commissioner and no comments have been received to date.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The groundwater is not known to be contaminated in this area. The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, however no response was received.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included several mitigation measures that were specific

to hazards and hazardous materials. However, only the non-regulatory mitigation measure to stop work in the event previously unidentified contamination is discovered during construction has been applied to the project as a mitigation measure as the other mitigation measure regarding a Phase 1 or 2 study is based on regulatory requirements.

Project impacts related to Hazards and Hazardous Materials are considered to be less-than significant impact with mitigation.

Mitigation:

4. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the San Joaquin Air Pollution Control District, dated February 2, 2022; Referral response received from the Department of Environmental Resources, dated February 2, 2022; Referral response received from the Department of Environmental Resources – Hazardous Materials Division, dated January 25, 2022; California Department of Toxic Substance Control's EnviroStor database; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project proposes to hook up to the Keyes CSD for water services, to utilize a private on-site septic system, and to maintain storm drainage on-site through a storm drain basin. The storm drainage basin is also utilized by Fresh Point, a produce warehouse, which is also located within the P-D (261) zoning district (General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner) adjacent to the project site to the northwest. There is an existing

easement for shared use of the storm drainage basin which will remain. Keyes CSD provided a will serve letter that states the project site can hook up to the District for water provided they meet all Keyes CSD standards for public water services. The project site is located within the West Turlock Subbasin and is covered by the Turlock Subbasin Groundwater Sustainability Management Agency. The Keyes CSD is required to meet any applicable state or regional Groundwater Sustainability Agency requirements. A referral response received from the Department of Environmental Resources (DER) indicating that the on-site septic system is required to meet Measure X standards for on-site private waste systems. DER reviews and approves septic systems through the building permit process, which takes setbacks, soil type, and water table depth into consideration within the specific design requirements. All of these requirements will be incorporated into the project as development standards.

This project was referred to the Regional Water Quality Control Board (RWQCB) which responded with a list of permitting programs that the project maybe subject to. The Department of Public Works reviewed the project and responded with a request that a grading and drainage plan be submitted for review and approval which includes drainage calculations that verify compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A referral response received from the Turlock Irrigation District (TID) indicated that the site currently does not receive irrigation water or have irrigation facilities on-site. The response also indicated that if irrigation water service was required in the future an application is required to be submitted to TID. These requirements will be applied to the development standards required for project implementation. Additionally, a development standard will be applied to the project that requires the landscaping plans comply with the California State Water Model Ordinance.

Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). Run-off is not considered an issue because of several factors which limit the potential impact. These factors include the relatively flat terrain of the subject site, and relatively low rainfall intensities in the Central Valley. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is located in Zone X (outside the 0.2% floodplain) and, as such, exposure to people or structures to a significant risk of loss/injury/death involving flooding due levee/dam failure and/or alteration of a watercourse, at this location is not an issue with respect to this project. Flood zone requirements are enforced through the building permit process. The Building Permits Division also reviews building permits and determines if geotechnical reports are required with submission of building permits. A requirement to obtain all applicable building permits will be incorporated into the project's development standards.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding hydrology and water quality and to ensure septic systems are developed appropriately based on the project site's soil type; however, the mitigation measures are all covered by regulatory requirements which will be enforced through the review of grading and building permits required to be obtained as development standards required to be met for project implementation.

As a result of the development standards required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less-than significant impact.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated May 10, 2022; Referral response from Turlock Irrigation District (TID), dated February 7, 2022; Referral response received from the Department of Environmental Resources (DER), dated February 2, 2022; Referral response received from the Regional Water Quality Control District, dated January 31, 2022; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: This is a request to Request to amend the zoning designation of a 10 acre parcel from Planned Development (P-D) (261) to a new P-D to allow for development of a recreational vehicle (RV) storage facility in two phases. The project is proposed to be served with public water by the Keyes Community Services District (CSD) and to have a private on-site septic system. All stormwater will be maintained on-site. P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner. However, the uses approved on the 10 acre project site were limited to agricultural uses only. Accordingly, a rezone is required in order to approve development of the site with non- agricultural uses. In addition to RV storage, the project also proposes to maintain the ability to conduct uses permitted in the A-2 zoning district.

The Land Use Element describes the Planned Development designation as a designation intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property. To approve a Rezone, the Planning Commission must find that it is consistent with the General Plan. Pursuant to the General Plan, the Planned Development zoning designation is consistent with the Planned Development General Plan Land Use designation.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock was received which requested that ag mitigation per the requirements incorporated into P-D (261) and the Keyes Community Plan be applied to the project. The City of Turlock response also requested that a community plan amendment be included in the project to incorporate the entire parcel in the Keyes Community Plan and that a traffic and air study be prepared. An air study was prepared, and the agricultural mitigation was incorporated into the project. However, staff deferred to the Stanislaus County Public Works Department to determine whether or not to require a traffic study. County Public Works confirmed that a traffic study was not warranted based on the proposed trips for the project. Additionally, a community plan amendment has not been included in the project as the project already has a general plan designation of planned development which is consistent with the requested development.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included mitigation measures addressing lighting, air quality, hydrology, hazardous materials, noise, biological resources, agricultural resources, traffic, public facilities, fire and school fees, and geology and soils. All of the mitigation measures applicable to the project, that are not already covered by regulatory programs or permitting, which will be required through the application of development standards, have been applied to the project. Those mitigation measures have been incorporated into the Aesthetics, Agricultural Resources, Hazards and Hazardous Materials, and Noise Sections of this initial study.

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

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the City of Turlock, dated February 15, 2022; Stanislaus County General Plan and Support Documentation¹.

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

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

No significant impacts related to Mineral Resources have been identified.

Mitigation: None.

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

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

Discussion: The Stanislaus County General Plan identifies noise levels up to 70 dB Ldn (or CNEL) as the normally acceptable level of noise for industrial, manufacturing, utilities, and agriculture uses. The site itself is impacted by the noise generated from State Route 99. On-site grading resulting from this project may result in a temporary increase in the area's ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. No construction is proposed, but if construction were to occur in the future noise associated with the construction work would be required to meet the noise ordinance and Noise Element standards. Proposed operating hours are 24-hours a day, seven days a week, with a maximum of two employees on-site per shift, and an estimated 10-15 customers per day (2-3 maximum during peak hours). The site is not located within an airport land use plan. Noise impacts are considered to be less-than significant with mitigation included.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included several mitigation measures that were specific to noise. Those mitigation measures applicable to the project which have to do with mitigating potential noise impacts during construction have been applied to the project.

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

Mitigation:

5. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
6. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County Noise Control Ordinance, General Plan, and Support Documentation¹.

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

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

Impacts related to Population and Housing are considered to be less-than significant.

Mitigation: None.

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

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

Discussion: The project site is served by the Keyes Fire District for fire protection services, the Keyes Union and Turlock Unified school districts for school services, the Stanislaus County Sheriff Department for police protection, the Keyes

Community Services District for public water and sewer, Stanislaus County Parks and Recreation Department for parks facilities, and the Turlock Irrigation District (TID) for power. County adopted Public Facilities Fees, as well as fire and school fees are required to be paid based on the development type prior to issuance of a building permit. Payment of the applicable district fees will be required prior to issuance of a building permit.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of applicable fire, parks, and public facility fees. Development standards regarding the payment of public facility and fire fees will be applied to the project. Residential subdivisions are required to pay park in lieu fees or to dedicate parkland based on the policies included in the State of California's Quimby Act and the Stanislaus County's Conservation and Open Space Element. However, as a highway commercial use the proposed development will only be responsible for paying the parks fees identified in the public facility fee schedules adopted by the Board of Supervisors. Development standards also require that the project site annex into the Golden State Lighting District for streetlights and that TID standards be met for the connection to electrical services.

The project proposes to hook up to the Keyes CSD for water services, to utilize a private on-site septic system, and to maintain storm drainage on-site through a storm drain basin. The storm drainage basin is also utilized by Fresh Point, a produce warehouse, which is also located within the P-D (261) zoning district (General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner) adjacent to the project site to the northwest. There is an existing easement for shared use of the storm drainage basin which will remain. Keyes CSD provided a will serve letter that states the project site can hook up to the District for water provided they meet all Keyes CSD standards for public water services. A referral response received from the Department of Environmental Resources (DER) indicating that the on-site septic system is required to meet Measure X standards for on-site private waste systems. DER reviews and approves septic systems through the building permit process, which takes setbacks, soil type, and water table depth into consideration within the specific design requirements. The project site is also required to annex into the Golden State Lighting District for street lighting, per a referral response received from the Department of Public Works. All of these requirements will be incorporated into the project as development standards.

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

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Environmental Resources, dated February 2, 2022; Referral response from Turlock Irrigation District (TID), dated February 7, 2022; Referral response letter received from the Department of Public Works, dated May 10, 2022; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Stanislaus County General Plan and Support Documentation¹.

XVI. RECREATION - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) 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) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Discussion: This project does not include any recreational facilities and is not anticipated to increase demands for recreational facilities, as such impacts typically are associated with residential development.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included a mitigation measure regarding the payment of a fair share towards parks. Non-residential development pays parks fees through the payment of public facilities fees, which are collected during the issuance of a building permit. This requirement will be incorporated into the project as a development standard.

No significant impacts related to Recreation were identified.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County General Plan and Support Documentation¹.

VII. 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: Phase 1 of the project is proposed to include construction of a 560 square-foot office with restroom and 96 covered RV parking spaces, ranging in size between 12 and 16 feet wide, to be contained within approximately 70,000 square feet of enclosed building area. Phase 2 will include the remaining acreage and will include another 225 RV parking spaces contained within approximately 140,000 square feet of building storage area. However, this area may also be utilized during Phase 1 for uncovered RV parking spaces. An Air Quality (AQIA), Health Risk Analysis (HRA), and Greenhouse Gas (GhGIA) Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022. The AQIA/HRA/GhGIA Memo was based on an assumption of 104.3 weekday trips, 123.9 trips for Saturdays, and 105 trips for Sundays for Phase 1; 208.6 weekday trips, 247.8 trips for Saturdays, and 210 trips for Sundays for Phase 2; and 312.9 weekday trips, 371.7 trips for Saturdays, and 315 trips for Sundays at max build out (Phases 1 and 2 combined).

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. A referral response received from the City of Turlock was received which requested that a traffic study be prepared. However, staff deferred to the Stanislaus County Public Works Department to determine whether or not to require a traffic study. County Public Works confirmed that a traffic study was not warranted based on the proposed trips for the project.

A response received from the Department of Public Works indicated that frontage improvements along Golden State Boulevard shall match the improvements to the north, including curb, gutter, and sidewalk. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted that includes drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and Stanislaus County road right-of-way and is in compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The response also included requirements for annexation into the Golden State Boulevard Lighting District, for roadway dedication, encroachment permits, undergrounded utilities, the payment of applicable public facility

regional transportation impact fees, and for installation of signage at the developers cost if requested. All of these requirements will be applied to the project as development standards.

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

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of a traffic mitigation fee for roadway projects identified in the Keyes Community Plan. Payment of this fee has not been incorporated into this project as only a portion of the site is included in the Keyes Community Plan the Department of Public Works did not request that the fee be required. Public Facility Fees, which includes funding for the Regional Transportation Impact Fee (RTIF) that provides funding for identified County roads projects throughout the County, will be required to be paid prior to issuance of a building permit.

Impacts associated with Transportation are expected to have a less-than significant impact.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated May 10, 2022; Air Quality, Health Risk Analysis, and Greenhouse Gas Technical Memorandum, prepared by Johnson Johnson & Miller Air Quality Consulting Services, dated March 30, 2022; Referral response received from the Stanislaus County Environmental Review Committee, dated February 2, 2022; Referral response received from the City of Turlock, dated February 15, 2022; Stanislaus County General Plan and Support Documentation¹.

XVIII. TRIBAL CULTURAL RESOURCES - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	
---	--	--	---	--

Discussion: As this project is a General Plan Amendment it was referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18. No tribes responded with a request for consultation or with any project comments. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. A development standard will be added to the project which requires if any cultural or tribal resources are discovered during project-related activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. Cultural Impacts are considered to be less-than significant.

Mitigation: None.

References: Application materials; Central California Information Center Report for the project site, dated January 5, 2022; 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 hook up to the Keyes CSD for water services, to utilize a private on-site septic system, and to maintain storm drainage on-site through a storm drain basin. The storm drainage basin is also utilized by Fresh Point, a produce warehouse, which is also located within the P-D (261) zoning district (General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner) adjacent to the project site to the northwest. There is an existing easement for shared use of the storm drainage basin which will remain. Keyes CSD provided a will serve letter that states the project site can hook up to the District for water provided they meet all Keyes CSD standards for public water services. A referral response received from the Department of Environmental Resources (DER) indicating that the on-site septic system is required to meet Measure X standards for on-

site private waste systems. DER reviews and approves septic systems through the building permit process, which takes setbacks, soil type, and water table depth into consideration within the specific design requirements. The project site is also required to annex into the Golden State Lighting District for street lighting, per a referral response received from the Department of Public Works. All of these requirements will be incorporated into the project as development standards.

The site is proposed to be served by the Turlock Irrigation District (TID) for electrical services. A referral response received from TID indicated that the District currently has single phase overhead distribution on the south side of W. Barnhart Road. The District has the ability to build new overhead or underground line north along the east side of N. Golden Stat Blvd. to serve the project and that the developer should consult with District Electrical Engineering for an application for new service and a design for the project. Facility changes are performed at developer's expense. Additionally, the response indicated that a 10-foot Public Utility Easement is required to be dedicated along all street frontages for electrical utility service and that the front building setback is to be a minimum of 15-feet from the property line and a minimum of 15-feet from the back-of-sidewalk to enable the safe placement of utilities. Further, the TID response stated that the site currently does not receive irrigation water or have irrigation facilities on-site and that if irrigation water service was required in the future an application is required to be submitted to TID. These requirements will be incorporated into the project's development standards.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding stormwater, water supply and quality, and regarding the preparation of geotechnical reports prior to installation of an on-site septic system. The water supply will be provided by Keyes CSD which makes the mitigation regarding on-site well inapplicable. The remaining mitigation measures are being met through the grading and building permit review process, which will be incorporated into the project as a requirement per the development standards applied to the project.

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

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated May 10, 2022; Referral response from Turlock Irrigation District (TID), dated February 7, 2022; Referral response received from the Department of Environmental Resources (DER), dated February 2, 2022; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Stanislaus County General Plan and Support Documentation¹.

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
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. The site is located in a Local Responsibility Area (LRA) for fire protection, the majority of the site is designated as non-urban and the southwestern portions are designated as urban, and is served by Keyes Fire Protection District. The project was referred to the District, but no response was received. 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. All construction is required to meet fire code, which will be verified through the building permit review process. A grading and drainage plan will be required for the RV parking area and all fire protection, and emergency vehicle access standards met. These requirements will be applied as development standards for the project.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included a mitigation measure regarding the payment of fire district fees. Fire fees are collected prior to the issuance of a building permit. This requirement will be incorporated into the project as a development standard.

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

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The site is currently bordered by West Barnhart Road and North Golden State Boulevard, in the unincorporated community of Keyes, just east of State Route 99. The site has a General Plan designation of Planned Development, a portion of the site has a Keyes Community Plan designation of Highway Commercial, and a zoning designation of Planned Development (P-D) (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner, to allow for the development of various

Highway Commercial uses. However, the uses approved on the 10 acre project site were limited to agricultural uses only. Accordingly, a rezone is required in order to approve development of the site with non- agricultural uses. In addition to RV storage, the project also proposes to maintain the ability to conduct uses permitted in the A-2 zoning district.

The project is proposed to be served with public water by the Keyes Community Services District (CSD) and to have a private on-site septic system. All stormwater will be maintained on-site.

Though the project is located outside the City of Turlock's Sphere of Influence (SOI), it is located within one-mile of the City's SOI and within the City's General Plan area which requires referral to the city in accordance with Policy Twenty-Six of the Land Use Element of the Stanislaus County General Plan. The City of Turlock is located approximately ½ mile south of the project site. A referral response received from the City of Turlock was received which requested that ag mitigation per the requirements incorporated into P-D (261) and the Keyes Community Plan be applied to the project. The City of Turlock response also requested that a community plan amendment be included in the project to incorporate the entire parcel in the Keyes Community Plan and that a traffic and air study be prepared. An air study was prepared, and the agricultural mitigation was incorporated into the project. However, staff deferred to the Stanislaus County Public Works Department to determine whether or not to require a traffic study. County Public Works confirmed that a traffic study was not warranted based on the proposed trips for the project. Additionally, a community plan amendment has not been included in the project as the project already has a general plan designation of planned development which is consistent with the requested development.

Only the southwestern portion of the site is located within the Keyes Community Plan; however, P-D (261), approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner incorporated the mitigation measures from the Keyes Community Plan into the land use approval. The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included mitigation measures addressing lighting, air quality, hydrology, hazardous materials, noise, biological resources, agricultural resources, traffic, public facilities, fire and school fees, and geology and soils. All of the mitigation measures applicable to the project, that are not already covered by regulatory programs or permitting, which will be required through the application of development standards have been applied to the project. Those mitigation measures have been incorporated into the Aesthetics, Agricultural Resources, Hazards and Hazardous Materials, and Noise Sections of this initial study.

Vacant and agricultural land, with a General Plan designation of Agriculture and a zoning designation of General Agriculture (A-2-40), surround the site to the east and north; State Route 99 and light industrial development to the west and south; and the Community of Keyes to the northwest. There are several rezone applications being processed proposing highway commercial development on vacant parcels located north of the project site, within the Keyes Community Plan boundary. Further development of the Keyes area would be subject to an amendment of the Keyes Community Plan, which would require environmental review, including a cumulative impact analysis. Review of this project has not indicated any potential for cumulative impacts which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Application materials; P-D (261) was approved by the Board of Supervisors on December 18, 2001 under General Plan Amendment No. 2001-01 and Rezone No. 2001-01 – Jim Messner; Keyes Community Plan, EIR and MMRP adopted April 2000; 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.

Stanislaus County

Planning and Community Development

1010 10th Street, Suite 3400
Modesto, CA 95354

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

Mitigation Monitoring and Reporting Program

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

May 5, 2022

1. Project title and location: Rezone Application No. PLN2021-0112 – Top Shelf Mega Storage
4401 W Barnhart Road, on the northeast corner of W Barnhart Road and N Golden State Boulevard, in the Keyes area (APN 045-052-031).
2. Project Applicant name and address: Brian Demello, Top Shelf Mega Storage
201 N. Hopper Road, Modesto, CA 95357
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Brian Demello, Top Shelf Mega Storage
4. Contact person at County: Kristin Doud, Deputy Director of Planning
(209) 525-6330

MITIGATION MONITORING AND REPORTING PROGRAM:

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

I. AESTHETICS

- No. 1 Mitigation Measure: New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.

Who Implements the Measure: Applicant/Developer.

When should the measure be implemented: During building design.

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

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

Other Responsible Agencies: None.

- No. 2 Mitigation Measure: New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.

Who Implements the Measure:	Applicant/Developer.
When should the measure be implemented:	During building design.
When should it be completed:	Prior to issuance of the Final Occupancy Permit.
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division.
Other Responsible Agencies:	None.

II. AGRICULTURE AND FOREST RESOURCES

- No. 3 Mitigation Measure: Farmland mitigation shall be provided in the amount of 20.19 acres (an amount equivalent to the project site plus the agricultural preserve applied to Use Permit Application No. 2003-33 - Piranha Produce). The mitigation may be met through a long-term agricultural easement or through the payment of an in-lieu fee to a Land Trust, determined to be acceptable by the County Planning Director, and shall be in compliance with the County's adopted Farmland Mitigation Program Guidelines.

Who Implements the Measure:	Applicant/Developer.
When should the measure be implemented:	Prior to issuance of a grading or building permit.
When should it be completed:	Prior to issuance of a building or grading permit.
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division.
Other Responsible Agencies:	None.

IX. HAZARDS AND HAZARDOUS MATERIALS

- No. 4 Mitigation Measure: Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.

Who Implements the Measure:	Applicant/Developer.
When should the measure be implemented:	Prior to grading and construction activity.
When should it be completed:	When grading and construction activities are completed.
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division.
Other Responsible Agencies:	Stanislaus County Department of Environmental Resources, Hazardous Materials Division.

XIII. NOISE

- No. 5 Mitigation Measure: Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.

Who Implements the Measure: Applicant/Developer.

When should the measure be implemented: During grading and construction activity.

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

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

Other Responsible Agencies: None.

- No. 6 Mitigation Measure: Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.

Who Implements the Measure: Applicant/Developer.

When should the measure be implemented: During grading and construction activity.

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

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

Other Responsible Agencies: None.

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

Signature on File	May 19, 2022
Person Responsible for Implementing MMRP	Date

Donna Linder
Stanislaus County
County Clerk-Recorder
1021 "I" Street
Modesto, CA 95354
(209) 525-5279

Public

Receipt No.: 2022097919

Cashier: 35

Register: CHQX2V2

Date/Time: 07/29/2022 03:03 PM

PLN 2021-0112

Description	Fee
Mitigated Negative Declaration (MND)	
Filing Time:	03:03 PM
Filing Fee:	\$2,548.00
Filing Total:	\$2,548.00
Administration Fee	
Filing Time:	03:03 PM
Filing Fee:	\$57.00
Filing Total:	\$57.00
Total Amount Due:	\$2,605.00
Total Paid	
Check Tendered:	\$2,605.00
#1015	
Amount Due:	\$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE

FILED

July 29, 2022
 DONNA LINDER
 STANISLAUS COUNTY
 CLERK-RECORDER

By: Donna Linder
 Deputy Clerk

STANISLAUS COUNTY
 DEPARTMENT OF PLANNING AND
 COMMUNITY DEVELOPMENT
 1010 10th Street, Suite 3400
 Modesto, California 95354

NOTICE OF DETERMINATION

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Title: Rezone Application No. PLN2021-0112 – Top Shelf Mega Storage

Applicant Information: Brian Demello dba Top Shelf Mega Storage, 201 N. Hopper Road, Modesto, CA 95357; (209) 613-6140.

Project Location: 4401 West Barnhart Road, on the northeast corner of West Barnhart Road and North Golden State Boulevard, in the Keyes area. Stanislaus County (APN: 045-052-031).

Description of Project: Request to amend the zoning designation of a 10-acre parcel from Planned Development (P-D) (364) to a new P-D to allow for development of a recreational vehicle (RV) storage facility in two phases.

Name of Agency Approving Project: Stanislaus County Board of Supervisors

Lead Agency Contact Person: Kristy Doud, Deputy Director

Telephone: (209) 525-6330

This is to advise that the Stanislaus County Board of Supervisors on **July 26, 2022** has approved the above described project and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The **Mitigated Negative Declaration** and record of project approval may be examined at:
Stanislaus County Department of Planning and Community Development
1010 10th Street, Suite 3400
Modesto, California 95354

3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at <http://www.stancounty.com/planning/agenda/agenda-min-2022.shtm>.

Dated

7/28/2022

Kristy Doud
 Deputy Director

[Signature]



State of California - Department of Fish and Wildlife
**2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT**
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print

StartOver

Finalize&Email

RECEIPT NUMBER:

50-07/29/2022-136

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY STANISLAUS COUNTY, DEPT OF PLANNING AND COMMUNITY DEVELOPMENT	LEAD AGENCY EMAIL	DATE 07/29/2022
COUNTY/STATE AGENCY OF FILING STANISLAUS COUNTY	DOCUMENT NUMBER 50-2022-183	
PROJECT TITLE		

REZONE APPLICATION NO. PLN2021-0112 - TOP SHELF MEGA STORAGE

PROJECT APPLICANT NAME BRIAN DEMELLO DBA TOP SHELF MEGA STORAGE	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 613-6140
PROJECT APPLICANT ADDRESS 201 N HOPPER ROAD	CITY MODESTO	STATE CA
	ZIP CODE 95357	

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$ 3,539.25	\$ _____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$ 2,548.00	\$ 2,548.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$ 1,203.25	\$ _____
 <input type="checkbox"/> Exempt from fee		
<input type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
 <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)		
	\$ 850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee	\$ 57.00	\$ 57.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other CHECK #1015 **TOTAL RECEIVED** \$ 2,605.00

SIGNATURE X <i>Jennine Creekmore</i>	AGENCY OF FILING PRINTED NAME AND TITLE Jennine Creekmore Deputy Clerk
--	---



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

This page intentionally left blank.

EXHIBIT E

Draft LAFCO Resolution No. 2025-03

This page intentionally left blank.

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: March 26, 2025

NO. 2025-03

**SUBJECT: OUT-OF-BOUNDARY APPLICATION: TOP SHELF MEGA STORAGE (KEYES
COMMUNITY SERVICES DISTRICT - WATER)**

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following:

Ayes: Commissioners:
Noes: Commissioners:
Ineligible: Commissioners:
Absent: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Keyes Community Services District (CSD) has submitted an out-of-boundary service application requesting to provide water service to a property located at 4401 W. Barnhart Road;

WHEREAS, the site is otherwise identified as Assessor's Parcel Number 045-052-031;

WHEREAS, the property is located outside the current boundary and sphere of influence of the Keyes CSD;

WHEREAS, Government Code Section 56133 states that a District may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the local agency formation commission in the affected county;

WHEREAS, Government Code Section 56133 further states that the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the affected territory;

WHEREAS, the Commission has adopted specific policies (Policy 15) to guide its evaluation of out-of-boundary service applications, consistent with Government Code Section 56133;

WHEREAS, in accordance with adopted Commission Policy 15, the current proposal has been forwarded to the Commission as it is outside of the District's Sphere of Influence;

WHEREAS, the Keyes CSD has indicated that it has the ability to serve the site with water service;

WHEREAS, Stanislaus County, as Lead Agency, adopted a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA) determining that with mitigations, the proposal will not have a significant effect on the environment;

WHEREAS, the Commission, as a Responsible Agency, has considered the County's environmental determination; and,

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, consistency with California Government Code Section 56133 and the Commission's adopted policies, and all testimony and evidence presented at the meeting held on March 26, 2025.

NOW, THEREFORE, BE IT RESOLVED that this Commission:

1. Finds that the proposed extension of water service is consistent with the Commission's adopted policies and California Government Code Section 56133.
2. Certifies, as a Responsible Agency, that it has considered the environmental determination made by Stanislaus County, as Lead Agency pursuant to CEQA.
3. Authorizes the Keyes Community Services District to provide the requested water service, subject to the following terms and conditions:
 - A. This approval allows for the extension of water service to accommodate the property located at 4401 W. Barnhart only.
 - B. Prior to connection to water service, the property owner shall record an agreement consenting to annex the property to the District and a copy of the agreement shall be forwarded to the LAFCO office.
 - C. The District shall not allow additional water service connections outside the District's boundary without first requesting and securing approval from LAFCO.
4. Directs the Executive Officer to forward a copy of this resolution to the Keyes Community Services District.

DRAFT

ATTEST:

Sara Lytle-Pinhey, Executive Officer

1010 TENTH STREET, 3RD FLOOR
MODESTO, CA 95354



PHONE: (209) 525-7660
FAX: (209) 525-7643
www.stanislauslafco.org

MEMORANDUM

DATE: March 26, 2025

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Executive Officer *SLP*

SUBJECT: **California Association of Local Agency Formation Commissions (CALAFCO) Update**

RECOMMENDATION

This update about the California Association of Local Agency Formation Commissions is being provided for the Commission's information only. The Commission may discuss and provide direction to Staff as needed.

DISCUSSION

The California Association of Local Agency Formation Commissions (CALAFCO) was founded in 1971 as a non-profit organization dedicated to supporting LAFCOs and providing statewide coordination of LAFCO activities. CALAFCO is responsible for providing educational and legislative resources to its member LAFCOs throughout the State. A 16-member Board made up of representatives of Commissions from four regions in the State oversees CALAFCO and hires an Executive Director to administer day-to-day activities. Stanislaus LAFCO has been a member of CALAFCO since its inception, including participation in the CALAFCO Legislative Committee, conferences, and collaboration with other LAFCOs throughout the State.

In Fall of 2024, the CALAFCO Board voted to dissolve the CALAFCO Legislative Committee, a longstanding committee established for member LAFCOs to provide technical input, collaboration, and position recommendations regarding proposed legislation. The action taken by the CALAFCO Board was done without notice to the membership or the committee members themselves. The lack of transparency during this process triggered concerns throughout the membership. While the CALAFCO Board reinstated the Legislative Committee, trust and communication issues persisted. Following a contentious CALAFCO Board meeting earlier this year, the Executive Director of CALAFCO resigned.

Members representing 21 LAFCOs submitted a letter to the CALAFCO Board with suggested improvements to realign the association with its core mission. While the Board has expressed an interest in making improvements, CALAFCO is clearly in a period of transition, while losing confidence from member LAFCOs. LAFCOs in Los Angeles County, Orange County, San Diego County, and San Bernardino County have all indicated their desire to leave the association in the upcoming fiscal year. Kern County has already left the association (unrelated to the recent issues). Other counties have identified a "wait and see" approach.

CALAFCO quickly hired the Executive Officer of Sacramento LAFCO to serve as Interim Executive Director. The Interim Executive Director has stated that member dues will remain unaffected by lost member LAFCOs for Fiscal Year 2025-2026; however, it remains to be seen if changes to the association will potentially attract the above-mentioned counties back to the membership and/or how the impact of lost counties will affect the remainder of the membership long-term.

CALAFCO has provided the attached letter dated March 14, 2025, recognizing that the association is in transition and its plan to rebuild trust in the association. The Board hired a former CALAFCO Executive Director and former administrative assistant as consultants to assist during the transition.

Our Commission will be reviewing a proposed budget for Fiscal Year (FY) 2025-2026 at its upcoming April meeting, with a final budget scheduled to be reviewed in May. Stanislaus LAFCO currently contributes \$10,174 to CALAFCO. This membership amount is increasing to \$10,510 for FY 2025-2026 based on a 3.1% Consumer Price Index increase. It is currently the intent to continue to include the CALAFCO membership for the upcoming year and Staff will be including the membership amount in the proposed budget. However, if significant changes occur at CALAFCO that jeopardize the benefits that Stanislaus LAFCO may receive during the upcoming year, it will be recommended that Stanislaus LAFCO discontinue its membership for the following year. Staff will be monitoring the progress of CALAFCO's transition and keep the Commission apprised of any changes.

Attachment: Letter from CALAFCO Board of Directors dated March 14, 2025



March 14, 2025

Stanislaus LAFCO
1010 Tenth Street, 3rd Floor
Modesto, CA 95354

Subject: Addressing Member Concerns & Strengthening CALAFCO's Future

Dear Chair Bublak, Commissioners, and Executive Officer Lytle-Pinhey;

We recognize that the current state of our organization is troubling to our valued members. We must, and will, do better regarding governance, transparency, and the overall direction of CALAFCO. As an organization committed to serving the best interests of LAFCOs across the state, we take your concerns seriously and want to assure you that we are actively taking steps to address them.

A Period of Transition & Rebuilding Trust

Every organization evolves as new paths are taken, and CALAFCO is currently undergoing a phase of transition and internal reorganization. Our goal is to emerge stronger, more transparent, and better positioned to serve our membership.

The Board of Directors and Regional Officers are fully engaged in this process, listening to feedback, and implementing meaningful changes that will reinforce trust and ensure the long-term viability of CALAFCO. We are committed to refocusing our mission, improving communication, and enhancing operational efficiency.

Key Actions Underway

To support this effort, we have assembled a highly qualified transition team:

- **José Henríquez (Interim Executive Director)** Currently the CALAFCO Central Region Officer and Executive Officer of Sacramento LAFCo, José is leading day-to-day operations, managing fiscal and budgetary matters, and facilitating member engagement.
- **Pamela Miller (Governance Consultant & Organizational Development Specialist)** – A former CALAFCO Executive Director, Pamela is conducting a full organizational assessment and comprehensive organizational structural assessment, reviewing policies and Bylaws, and assisting in the recruitment of a permanent Executive Director. She is also leading governance consultation and stakeholder outreach to ensure member voices are heard. Pamela will also be facilitating the March 20th Board retreat.
- **Jeni Tickler (Administrative & Event Planning Specialist)** A former CALAFCO Administrative Assistant, Jeni is handling critical administrative functions, including

financial management, membership support, and coordination of upcoming events such as the staff workshop.

Policy & Bylaws Updates

On February 7, 2025, the Board approved and immediately implemented key policy changes developed in collaboration with member LAFCo staff. An updated policy manual reflecting these changes will be published soon.

Additionally, a series of recommended changes to CALAFCO's Bylaws have been approved for presentation and potential member adoption at the October 2025 Annual Business Meeting. These recommendations will be widely discussed in advance through member outreach efforts to ensure full transparency and active participation.

Engaging Membership & Next Steps

We are committed to listening to you, our membership, and including you throughout this transition. To that end, we are:

- Hosting regional focus groups and visioning sessions to engage members in shaping CALAFCO's future.
- Facilitating a focus group for staff at the upcoming staff workshop.
- Providing ongoing updates and open forums for discussion.

We understand that trust is built through action, and we are dedicated to making the necessary improvements to better serve you. Your voices matter, and we encourage you to reach out with any questions, concerns, or insights.

For more information or to provide feedback, please contact:

- José Henríquez: jhenriquez@calafco.org
- Pamela Miller: pmiller@millermcg.com
- Jeni Tickler: jtickler@calafco.org

We appreciate your patience, engagement, and commitment to the future of CALAFCO. Together, we will strengthen our organization and reaffirm our mission to support LAFCOs statewide.

Sincerely,

CALAFCO Board of Directors