STANISLAUS LAFCO
LOCAL AGENCY FORMATION COMMISSION

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Chair Terry Withrow, County Member
Vice Chair Sue Zwahlen, City Member
Amy Bublak, City Member
Vito Chiesa, County Member
Bill O'Brien, Public Member
Charlie Goeken, Alternate City Member
Mani Grewal, Alternate County Member
Jami Aggers, Alternate Public Member

AGENDA
Wednesday, October 28, 2026
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.

1. Email from Jeani Ferrari received on September 22, 2026.

2. CALAFCO Website Update September 2026.

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 AUGUST 26, 2026, LAFCO MEETING**
(Staff Recommendation: Accept the Minutes.)

B. **MSR NO. 2026-03 & SOI NO. 2026-07: MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES FOR THE COUNTY SERVICE AREAS:** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the County Service Areas. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to sections 15306 and 15061(b)(3). (Staff Recommendation: Approve the update and adopt Resolution No. 2026-16.)

C. **PROPOSED LAFCO MEETING CALENDAR 2027**
(Staff Recommendation: Accept the 2027 Meeting Calendar.)

D. **YEAR-END FINANCIAL REPORT FOR FY 2025-2026**
(Staff Recommendation: Accept and file the report.)

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 fil out a "Speaker Card" and provide it to the Commission Clerk.

A. **OUT-OF-BOUNDARY SERVICE APPLICATION: POWER PLAY (CITY OF MODESTO – SEWER & WATER SERVICE)** The Commission will consider the request for an out-of-boundary service extension to provide sewer and water service to serve a 9.33-acre property. The site is planned for eight (8) commercial/light industrial buildings, including roller hockey arena totaling approximately 93,000 square feet. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2026-15.)

7. OTHER BUSINESS

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 December 2, 2026.

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.

From: Sara Lytle-Pinhey
To: Jennifer Vieira
Subject: Fw: Comments/Riverbank City Council meeting, Sept. 22, 2026.
Date: Thursday, September 24, 2026 8:02:05 AM
Attachments: Thank you for the opportunity to speak.docx

From: Jeani Ferrari <jferraridesign@gmail.com>
Sent: Wednesday, September 23, 2026 5:58:10 PM
To: Sara Lytle-Pinhey <pinheys@stancounty.com>
Subject: Comments/Riverbank City Council meeting, Sept. 22, 2026.

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

Sara —

Please include my comments in the commissioners' mail or meeting packets. If you prefer I forward the comments to commissioners and alternates, I can do that. Please let me know.

Jeani Ferrari, Chairperson
Farmland Working Group

Sent from my iPhone

Thank you for the opportunity to speak. I'm Jeani Ferrari, chairperson of Farmland Working Group.

For 25 years, Farmland Working Group has been pointing to the opportunity for Stanislaus County to house people and produce food.

The need to build housing is important. Where to place the housing is equally important in a county that has superior soils, water for irrigation and is the nation's 8th food producing hub.

The concept is straightforward, direct housing and other urban development away from the productive soils, including important water recharge lands.

For Riverbank, it's obvious — the soils east of town are inferior. The soils west of town are superior and provide a dependable water source for recharging our aquifers.

In order to preserve the productive agricultural lands for the long-term, which should be forever, cities must repurpose blighted areas and, importantly, infill. It makes no sense for you, Riverbank's elected officials, to ignore available open land within the city limits. According to the city's 2026 Housing Element, the city can accommodate 3,591 new residential units within its borders. And, to the east, within its sphere of influence, are over 1,700 acres with inferior soils.

Instead, you are considering paving over land that can grow food. Once this is done, it will never be undone. Period. No one will remove tons of asphalt and concrete to expose the Central Valley's world-famous prime agricultural soils, a process that took millions of years to evolve.

Adding to the absurdity is that the open space separating Riverbank from Modesto will be eliminated with the River Walk annexation. Stanislaus County and Stanislaus LAFCO, each, define the importance of keeping towns separated and distinct from one another.

This proposed land expansion request ignores the land on which houses can and should be built, while paving over productive agricultural land and water recharge soils.

This proposal is absurd. That is, the proposal is unreasonable, illogical, and contrary to common sense.

If every town in Stanislaus County chooses to pave over farms, ranches and the best soils, they will be ignoring the fate of Los Angeles – they will be repeating it.

Who, then, will grow the food to feed our families?

Thank you.

California Association of Local Agency Formation Commissions

CALAFCO

SUPPORTING SUSTAINABLE COMMUNITY GROWTH

WEBSITE UPDATE

SEPTEMBER 2026

One of the practical priorities identified earlier this year was making the CALAFCO website easier to use and developing it into a stronger information hub for members.

Over the past several weeks, we have made substantial progress. This first phase focused largely on organizing the information already available, simplifying navigation, removing outdated or duplicative content, and making commonly used materials easier to find.

HERE'S WHERE THAT STANDS.

A MORE USEFUL MEMBER HUB

The most visible change is the reorganized Member Hub. Members now have one central starting point for legislative information, member resources, the CALAFCO calendar, the Member LAFCO Directory, Board and governance materials, upcoming events, and the latest member updates.

Rather than requiring members to search through several pages and menus, the hub brings the information members use most into one organized location.

A NEW COMMISSIONER TOOLKIT

We have also created a new Commissioner Toolkit for commissioners serving California LAFCOs. It provides a practical introduction to LAFCO, explains the different roles of a local LAFCO and CALAFCO, and brings together key laws, publications, training materials, and other useful resources.

The toolkit includes a dedicated starting point for new commissioners while also serving as a convenient reference for experienced commissioners.

WHAT COMES NEXT

After the Annual Conference, the next major project will be developing a similar Staff Toolkit. We will also begin reviewing older sample forms, documents, and other resources with help from LAFCO staff so the materials available to members are useful and current.

Please log in and take a look around. If you find a broken link, outdated information, or something that is still difficult to locate, please let us know at info@calafco.org.

These improvements are a direct step toward clearer communication, better-organized information, and a website that works as a practical resource for CALAFCO members.

Michelle McIntyre

IN THE NEWS

Newspaper Articles

- Modesto Bee, September 9, 2026, “Turlock rezones 52 sites for housing as city awaits state approval of overdue plan.”
- Patterson Irrigator, September 10, 2026, “Del Puerto Canyon Reservoir project takes another small step forward.”
- Modesto Bee, September 17, 2026, “Impartial analysis? Riverbank city attorney tells voters Measure M is unlawful.”
- Modesto Bee, September 23, 2026, “Riverbank council votes 3-2 for 2,400-plus homes to west. These hurdles remain.”
- Westside Connect, September 23, 2026, “WSCHD to consider Patterson Ambulance zone approval through subcommittee.”
- Oakdale Leader, September 30, 2026, “Riverbank council approves River Walk.”
- Modesto Bee, September 30, 2026, “Newsom vetoes bill to authorize emergency care unit for western Stanislaus County.”
- Westside Connect, October 9, 2026, “Newman faces fire service turmoil as Station 55 settlement heads to council amid volunteer controversy.”
- Modesto Bee, October 20, 2026, “Riverbank development battle heats up with alleged paid protesters, another referendum.”

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IN THE NEWS – Modesto Bee, September 9, 2026

Turlock rezones 52 sites for housing as city awaits state approval of overdue plan

By Dean J Condoleo

Turlock has approved the rezoning of 52 sites totaling approximately 70 acres as the city seeks state approval of its overdue housing plan, a process that led to a lawsuit by California officials.

The City Council unanimously adopted Turlock's 2023-2031 Housing Element and the required rezoning Aug. 25. The city has since submitted the documents to the California Department of Housing and Community Development for final review, according to city officials.

The state has not yet certified the plan as compliant.

The rezoned sites are located along Lander Avenue, Golden State Boulevard, Geer Road and West Main Street, city staff said in written responses to The Bee. The rezoning will take effect 30 days after adoption.

Turlock's Regional Housing Needs Allocation for the planning period is 5,802 homes, including 1,305 very-low-income units, 903 low-income units, 1,096 moderate-income units and 2,498 above-moderate-income units.

The housing element identifies how the city will accommodate those housing needs through 2031. It does not mean all 5,802 homes have been approved or will necessarily be built.

State lawsuit followed missed deadline

Turlock was required to adopt a compliant housing element by Dec. 31, 2023, city staff said.

On July 16, California Attorney General Rob Bonta and the California Department of Housing & Community Development (HCD) announced legal action against Turlock and four other cities over their failure to comply with state housing element law. The state filed a petition in Stanislaus County Superior Court seeking to compel Turlock to meet its housing-planning obligations.

Asked whether the city had faced consequences for its lack of certification, Turlock staff pointed to the lawsuit.

"The city has been sued by the attorney general and HCD for the housing element certification not meeting the deadline," staff said. "However, we cannot provide specifics on the active litigation."

The city said it has not received any builder's remedy applications while its housing element has been out of compliance.

What happens next?

In its most recent review, HCD determined that Turlock's revised housing element addressed the statutory requirements identified by the agency, with adoption and completion of the required rezoning remaining before the city could be found in substantial compliance.

Those actions have now been approved, and the city is awaiting HCD's final determination.

HCD has a 60-day review period for the submitted housing element, according to city staff. The city did not provide a specific date for when it expects certification.

“This is a major step forward for Turlock after a tremendous amount of work to get us here,” Mayor Amy Bublak said in the city’s Sept. 1 news release.

Bublak said the council’s unanimous vote reflected its commitment to achieving compliance and thanked city staff and others who helped reach the milestone.

Planning Manager Katie Quintero said the city had worked closely with HCD through multiple rounds of review. “There has been a significant amount of technical work and coordination to address the state’s requirements and move the housing element forward,” Quintero said.

The city remains focused on completing the process while planning for Turlock’s long-term housing needs, officials said.

IN THE NEWS – Patterson Irrigator, September 10, 2026

Del Puerto Canyon Reservoir project takes another small step forward

By Tim Benefield



There has been an ongoing battle between the proponents and opponents of the Del Puerto Canyon Reservoir project. The project is commonly referred to as the Del Puerto Canyon dam. According to a recent resolution put forth by the Del Puerto Water District, the project "involves the construction and operation of a reservoir on Del Puerto Creek to provide approximately 82,000 acre-feet of new off-stream storage for use by the Del Puerto Water District and the San Joaquin River Exchange Contractors Water Authority."

Advocates for the project list its benefits as water storage, water supply reliability for wildlife, enhanced local management of groundwater and surface water, and the capture of Del Puerto Creek runoff for increased flood protection. Opponents cite concerns about potential flooding in Patterson in a hypothetical dam failure, the loss of sacred grounds, the loss of recreational activities, and the loss of wildlife habitat.

The project has confronted several hurdles over the past several years. The most recent was the certification of the second final environmental impact report (EIR). This was a report designed to "study terrestrial biological impact" on Lower Del Puerto Creek, a region of the creek east of I-5 and toward the San Joaquin River.

Anthea Hansen is the General Manager of the Del Puerto Water District. She told the Irrigator that there was a group of people at the August 19 hearing when the recent EIR was considered. She said that a couple of people spoke in favor of the project and improved water storage capabilities. She also said that perhaps as many as 15 attendees voiced opposition to the project. There was an unknown number of observers online.

Ultimately, the board approved a resolution which certified the second final EIR, adopted the environmental findings and a statement of overriding considerations, and adopted a mitigation monitoring and reporting program under CEQA for the Del Puerto Canyon Reservoir Project. This resolution also

re-approved the Del Puerto Canyon Reservoir Project. The Irrigator reached out to one of the main opponents of the project for a comment, but no comment has yet been received.

IN THE NEWS – Modesto Bee, September 17, 2026

Impartial analysis? Riverbank city attorney tells voters Measure M is unlawful

By Ken Carlson

A city attorney's impartial analysis is telling voters that the growth-control initiative in Riverbank is "likely unconstitutional" and will lead to costly lawsuits if the measure is approved.

Proponents of Measure M asked Riverbank's city clerk to make changes to the analysis before it appeared in the Voter Information Guide for the Nov. 3 election, but no changes were made.

A chief proponent of Measure M said the analysis reads more like an argument against the voter initiative.

"Several of the analysis' legal claims are stated as settled conclusions when they're actually debatable stretches," said Denny Jackman, president of Voters for Farmland. He added that words suggesting the measure is unconstitutional or in conflict with state law run throughout the analysis, making it read more like legal argument.

Under the Election Code, the impartial analysis for a ballot measure is supposed to state the "effect of the measure" on existing law and the operation of the measure, Jackman said.

The analysis written by City Attorney Tom Hallinan has already passed the time period for legal challenges but is getting more attention than other bland analyses for local initiatives in Stanislaus County.

Measure M would require a public vote to approve City Council decisions allowing development on farmland or open space west of the city. It would essentially give Riverbank voters veto power over projects and annexations in that area.

The ballot measure does not mention the controversial 2,400-acre River Walk development plan, but the project is a presumed target of the measure, which was placed on the ballot by a residents petition.

Hallinan wrote in the analysis that the voter approval requirement in Measure M conflicts with four state laws or Government Code sections.

"Serious questions exist concerning the constitutionality and enforceability of Measure M, as voter initiatives cannot go beyond what a city can lawfully enact," Hallinan wrote. The measure, if approved, would subject the city to lawsuits by land developers and the state attorney general, burdening the city with legal costs.

Jackman said the group took issue with a bullet point in the analysis regarding a 1989 court case titled L.I.F.E. Committee v. City of Lodi. Hallinan's analysis never mentioned a Napa County case decided by the California Supreme Court in 1995 involving an initiative that's a closer match for Measure M, Jackman said.

The state's highest court upheld the initiative.

According to Hallinan, the Lodi case involved a "substantially similar" voter approval requirement, and the appellate court ruled the ballot measure conflicted with annexation procedures established by the state.

Hallinan's opinion also cited the State Housing Element Law, Senate Bill 330, which weakens cities' ability to enact restrictions on new housing, and the Housing Accountability Act, which restricts city authority to deny or place conditions on certain housing projects.

Hallinan did not respond to requests for comment for this story.

David Colnic, department chairman of political science and public administration at Stanislaus State University, made an attempt to critique the legal points in the impartial analysis but concluded it would take a good deal of research. He did say the analysis appeared to be overly cautious about legal expenses. Litigation is common with development projects, he said.

Colnic said the analysis seemed to make a compelling argument that the Lodi court decision may jeopardize Measure M. In California, he sees a clash between groups wanting to protect open space and farmland and state efforts to address the housing crisis.

“I question whether the new low-density housing subdivisions are the most effective way to deal with the housing crisis,” he said. The planning map for River Walk is dominated by village-style low-density residential construction, with some areas for medium-density housing and retail businesses.

Another academic said the state is focused on housing production. “Local jurisdictions do not have authority to override the state,” said Gerard Wellman, who teaches public administration and political science at Stanislaus State. “Any initiative that would restrict a city’s ability to build housing is going to run into legal trouble.”

County registrar can’t alter materials

Donna Linder, county registrar of voters, said the city attorney was responsible under the Election Code for writing the impartial analysis. It was made available for public review Aug. 4-13, which was also the time for anyone to seek a court injunction to amend or delete the analysis.

The county conducts the election on behalf of the city, but the city clerk is the election official responsible for ballot materials, Linder said. The voter information guides are in print and will be mailed to voters Sept. 24.

Riverbank Councilman Luis Uribe used the impartial analysis to buttress his opposition to Measure M. He posted the impartial analysis in a Facebook comment Sept. 2 and wrote: “Our own city attorney reviewed (Measure M) and found it likely unconstitutional, conflicting with four state laws.”

In one of numerous comments, Christine Holmer responded that “there would be no need for Measure M if council members would listen to the people that elect them.”

Terry Gardezy wrote: “We have to come up with these measures when the people we elect don’t listen to the public. The council is not hearing that we don’t want urban sprawl and we don’t want to lose our small town feel.”

The Riverbank City Council is scheduled to consider approval of the River Walk project and an environment impact study Sept. 22.

IN THE NEWS – Modesto Bee, September 23, 2026

Riverbank council votes 3-2 for 2,400-plus homes to west. These hurdles remain

By John Holland

Riverbank's proposal for 2,400-plus homes to the west won a narrow City Council vote Tuesday night. The 3-2 decision capped a nearly five-hour meeting pitting River Walk project supporters against farmland advocates.

The plan still needs approval in a multi-month process by the Stanislaus Local Agency Formation Commission, or LAFCO. And it could be hampered by a Nov. 3 ballot measure that would give Riverbank voters veto power over this and later westward annexations.

Councilmembers Stacy Call, John Pimentel and Luis Uribe supported the project. Mayor Rachel Hernandez and Councilmember Cindy Fosi were opposed.

River Walk would take up about two-thirds of a 1,522-acre annexation bounded by McHenry Avenue, Patterson Road and the Stanislaus River. The rest would be deferred for future development decisions. The land is owned by several farmers.

Backers said River Walk would provide a range of housing choices, from young families to seniors. About two-thirds would be low-density houses and the rest more closely spaced, including apartments mixed with businesses.

Opponents said Riverbank has enough vacant land within its current boundaries to meet the demand for homes. They also said the River Walk soil is especially good at recharging groundwater via farm irrigation.

Project engineer David Romano estimated that River Walk would net $1.78 million for the city budget annually at full build-out. He also noted the extensive walking and bicycling paths and wildlife protections on the bluff overlooking the river.

River Walk was announced in 2021 but went slowly through the required study of impacts on city services and the environment.

What exactly is Stanislaus LAFCO?

LAFCO is a state-mandated body in each county that rules on annexations. It must assess whether the city can provide water, streets, fire protection and other services. The law also aims to preserve prime farmland by directing growth to vacant lots within the current boundaries.

The five-member commission includes two county supervisors, currently Vito Chiesa and Terry Withrow. The two mayor seats are held by Sue Zwahlen of Modesto and Amy Bublak of Turlock. The other member represents the public at large: Bill O'Brien, a former county supervisor and Riverbank mayor.

LAFCO meets monthly but has a three-month lead time for proposed annexations. The Sept. 3 deadline for the Dec. 2 meeting has passed. River Walk could go before the commission no sooner than Jan. 27.

The half-decade of debate over River Walk includes a May 2024 letter to the city from LAFCO Executive Director Sara Lytle-Pinhey. She questioned whether the area should be annexed.

"LAFCO's policies encourage compact and efficient growth, with a preference for infill development on those areas already within the city limits, followed by areas within the sphere of influence," she wrote.

In May, Lytle-Pinhey raised similar concerns about Modesto's proposed Tivoli North annexation. It would stretch the city limit to the first phase of the North County Corridor, under construction just south of Claribel Road.

Modesto could grow even more in multiple directions under its proposed general plan update. Its council could take it up next summer following detailed study of the impacts.

Just what is planned in River Walk?

The Riverbank council action came seven weeks after the city Planning Commission recommended denial in a 4-1 vote.

The River Walk plan calls for:

- 1,550 low-density homes, up to eight per acre, on a total of 467 acres
- 702 medium-density homes, up to 16 per acre, on 79 acres
- 180 high-density homes, averaging 18 per acre, on 10 acres
- 72 acres of mixed use, where homes are close to retail and other uses
- 69 acres of open space near the river
- 177 acres of parkland and other open space.

How might Nov. 3 ballot measure affect River Walk?

A local group, Voters for Farmland, led the signature drive that put Measure M on the ballot. It would not stop River Walk directly. Instead, voters would give themselves veto power over this and other westward annexations.

The current boundary is about halfway between Oakdale and Coffee roads. It takes in Crossroads West, where most of Riverbank's growth is happening.

The measure would apply to any council actions that carry out LAFCO-approved annexations to the west. This includes specific plans within the Riverbank general plan, and rezoning from agricultural to residential.

In his analysis included in the voter information pamphlet, City Attorney Tom Hallinan warns that Measure M could be illegal. He said it would conflict with a state law promoting housing at all income levels.

The text of the measure says it would not apply to homes for farmworkers, or to projects that help meet Riverbank's mandate for low-income housing generally.

IN THE NEWS – Westside Connect, September 23, 2026

WSCHD to consider Patterson Ambulance zone approval through subcommittee

By Navtej Hundal

Patterson District Ambulance may soon work in the area where the West Side Community Ambulance operates.

In response, the West Side Community Healthcare Board of Directors voted to form a subcommittee to discuss more about the matter on Aug. 24.

This came after WSCHD received a letter from Stanislaus County Emergency Medical Services Agency (SCEMSA) in August that the Patterson District, operated by Del Puerto Healthcare District, was approved to handle authorized 911 emergency ambulances within Zone A. Zone A is a non-exclusive operating area, meaning that any local emergency service agencies are authorized to operate within its perimeters.

The letter also mentioned the approval does not "alter, diminish or revoke West Side Community Ambulance's current authorization in Zone A."

Del Puerto CEO Karin Freese told the board that providing additional coverage in the zone is about providing mutual aid for patient access and ambulance availability. She added the shortage of paramedics and emergency medical technicians within the West Side has affected ambulance crews, wear and tear to ambulances, an increase to operating cost and a reduction in resources.

Freese said SCEMSA initiated a countywide assessment, conducted by an independent consultant, last year that found a regionalized approach can lead to a sustainable EMS system for the area.

"When someone calls 911, they expect a timely response," Freese said. "In an emergency, [a] resident should not have to worry about district boundaries or think about the name on the side of the ambulance."

Nic Cadella, an attorney at Fresno-based Wagner Jones Helsley PC, said WSCHD staff should look into how it could impact ambulance operations and report back on it at the next meeting.

Cadella asked Chad Braner, an EMS director at SCEMSA, if there will be a provision for two agencies working in the same area.

Braner, in response, said that it will be decided by SCEMSA. "I'm not going to just dictate … how it's going to go without any input," he said.

Braner added that he's already spoken with both parties on forming more discussions and finding a system status plan.

The topic is expected to be discussed more at a future meeting.

IN THE NEWS – Oakdale Leader, September 30, 2026

Riverbank council approves River Walk

By Kristi Mayfield

City residents filled the Riverbank Community Center on Sept. 22 to share their views on the River Walk Project, roughly two miles west of downtown Riverbank. The project would cover some 1500 acres, bordered by Patterson Road, McHenry Avenue and the Stanislaus River, and could see construction of up to 2,500 homes, including some that would be age restricted.

Supporters of the project have highlighted various aspects including additional housing designed for active adults as well as electric vehicle routes throughout the development to lessen the carbon footprint within the River Walk Community. Developers have also included parks as well as a walking trail along the Stanislaus River designed to encourage residents to explore the natural beauty of their surroundings.

Though there were definitely some that expressed their support at the Sept. 22 specific plan public hearing, there were many more residents that expressed their disdain for the project. Most cited concerns over water accessibility, wastewater treatment, loss of fertile farmland, expenses associated with the development as well as the lack of proper infrastructure to support this development.

During the five-hour marathon meeting, the City Council heard from multiple residents as well as the Planning Commission in addition to the De Novo Planning Group, which shared pertinent information from the Environmental Impact Report. As the information sharing came to a close, the council members also outlined their thoughts regarding whether or not the project should move forward. Council members Luis Uribe, Stacy Call and John Pimentel voted in favor of moving forward with the project while Cindy Fosi and Rachel Hernandez voted against it. Uribe, Call and Pimentel shared that the development could bring additional revenue to the city while also providing additional housing as the population continues to grow within the City of Action. Fosi shared that she did not believe that the housing would be affordable for many of the residents that it is being marketed to, namely, older active adults. Hernandez shared concerns regarding whether or not the project would be sustainable as well as concerns over using the land that is now being farmed to create another housing development.

Approval by the council is just one step in the lengthy process; it still must go in front of LAFCO, the Stanislaus Local Agency Formation Commission, for review.

Also, with Measure M on the November ballot for Riverbank residents, that could also serve as a deterrent. Measure M was added to the ballot in response to the River Walk Project Proposal. Measure M would require voter approval for any City Council decision that allowed development on agricultural land west of the city limits. With the Planning Commission voting against the River Walk Project and the City Council voting in favor of it, Measure M could ultimately become one of the deciding factors in what has become a source of tension and controversy for the city.

IN THE NEWS – Modesto Bee, September 30, 2026

Newsom vetoes bill to authorize emergency care unit for western Stanislaus County

By Ken Carlson



Gov. Gavin Newsom vetoed a bill that would have authorized a stabilization unit for emergency care in Patterson.

Assemblyman Juan Alanis, R-Modesto, was the author of Assembly Bill 2282. He called the governor's veto tragic.

"He had a choice between a carefully regulated local option and a status quo that has failed the West Side for nearly three decades. He chose the status quo," Alanis said in a news release Tuesday.

The Del Puerto Health Care District has proposed the emergency stabilization unit at its medical campus in Patterson. Plans call for a 24/7 facility with physician and nursing coverage, pharmacy, lab services, radiology, emergency screening and stabilization.

In his veto message, the governor raised concern that patients with an emergency condition would assume the facility is a regular hospital emergency department with full services, which could delay medical care while the patient is transferred.

His veto message reads, in part, "Freestanding emergency departments have never legally operated in California. State law has long required that any emergency department be physically located within the hospital to ensure immediate access to necessary care."

Alanis said that concern was addressed during the legislative process for AB 2282. The bill would have required signs, patient notices, public education and triage instructions for local emergency medical services.

Patterson has been a growing city but has gone without a local hospital since 1998. There is no local emergency room for the city of more than 25,000 residents. It’s a 30-minute ambulance trip to the nearest hospital.

Alanis said he will introduce another proposal next year to address the lack of emergency care.

IN THE NEWS – Modesto Bee, October 9, 2026

Newman faces fire service turmoil as Station 55 settlement heads to council amid volunteer controversy

By Sabra Stafford

NEWMAN — A long-simmering dispute between the City of Newman and the West Stanislaus County Fire Protection District is coming to a head this week, just as frustration over the city's treatment of several longtime volunteer firefighters spills into the public.

The Newman City Council is scheduled to meet Oct. 6 to consider a prelitigation settlement that would formally dissolve the 1988 joint powers agreement governing Fire Station 55 and end decades of shared ownership between the two agencies. According to the city staff report, the proposed agreement would unwind the partnership through a series of payments, transfers and releases of liability, giving Newman sole ownership of the station at Kern and N streets.

The move follows a year of escalating conflict over cost-sharing, reimbursements and access to jointly owned equipment and data. The city contends the district failed to pay its share of personnel and operational costs, leaving more than $95,000 in unreimbursed expenses. The district disputes those claims and argues the city restricted its access to Station 55 and jointly acquired equipment, while also alleging the city owes more than $94,000 in state emergency-services reimbursements.

To avoid litigation, the two sides entered mediation earlier this year and jointly hired an appraiser who valued the property at $1.4 million. Under the proposed settlement, Newman would pay the district $550,000 for its half interest in the station, plus additional payments for reimbursements and jointly owned vehicles. After credits and offsets, the net payment from the city to the district would total $625,943.69.

The agreement also requires the district to vacate Station 55 and remove its equipment by the effective date. Any continued use would trigger liquidated damages based on fair-market rental value. The city would assume full responsibility for the station going forward.

City staff say the settlement avoids the cost and uncertainty of litigation — including a threatened partition action — and provides a clear path for Newman to take sole control of its fire station.

But the administrative dispute has collided with a separate controversy that erupted on local social media in September.

A widely shared Facebook post by Don Cabral Jr. — son of Battalion Chief Don Cabral — accused the city of removing four volunteer firefighters from service: Battalion Chief Cabral, Battalion Chief and paramedic Bob Vargas, Captain Tony Anderson and Engineer Jazmyn Anderson. The post claims the action stemmed from the volunteers' willingness to respond to emergencies with West Stanislaus Fire District, a neighboring volunteer agency.

"These four individuals have dedicated their time, training, and energy to protecting our communities as volunteer firefighters," Cabral wrote. "From our perspective, the action taken against them stems from their willingness to respond to emergencies and support our neighboring volunteer agency."

Cabral argued that cooperation between volunteer departments is essential for public safety and questioned how losing experienced volunteers benefits Newman residents. "Volunteer firefighters should never have to choose between helping someone in need and protecting their position," he wrote, adding that the community "deserves transparency about what happened."

The post, which appeared on multiple Newman community pages, sparked dozens of comments from residents expressing concern about volunteer staffing, interagency cooperation and the city's handling of the dispute.

The controversy adds a new layer of tension as the council prepares to weigh the Station 55 settlement — a decision that could reshape fire-service operations in Newman and its relationship with West Stanislaus Fire District for years to come.

The special meeting is scheduled for Oct. 6, where council members are expected to discuss and potentially vote on the agreement.

IN THE NEWS – Modesto Bee, October 20, 2026

Riverbank development battle heats up with alleged paid protesters, another referendum

By Ken Carlson

The battle over the 2,400-home River Walk development has been taken to the streets.

Opponents of the Riverbank project said they have gathered enough signatures for a referendum to reverse the City Council's decision approving River Walk.

Voters for Farmland said signature gatherers overcame what they called harassment from pro-River Walk protesters. The Modesto Bee learned the "protesters" were hired for up to $100 per day by a Modesto consulting firm.

Barney Aggers, who opposes the project, said the protesters recently went to three signature-collection sites in Riverbank, outside the Save Mart on Oakdale Road, at the former O'Brien's supermarket, and the Cost Less store.

The hired protesters urged people not to sign the petition and passed out information sheets "full of untruths," Aggers said. "There were five of them in front of one collection table, telling people don't sign the petition and waving this sheet of paper."

Aggers said the Fresno firm hired by Voters for Farmland to collect signatures cites a state law that permits their presence in shopping centers. Some protesters were outside City Hall when Voters For Farmland delivered the petition and signatures to the city on Thursday, the group said.

Somehow the protesters were tipped off to the appointment, which was made the previous day, Aggers said.

He said the protesters were traced to DnD Consultants of Modesto. A representative confirmed Monday that the firm recruited people to oppose Measure M and support city expansion in Riverbank.

"We did not harass them," said Tiffiny Warner of DnD Consultants. "They called the police several times and they found we were being peaceful."

Warner added that the advocates sent to Riverbank "were just asking people to say no on Measure M. We are in favor of the building in Riverbank to support the local businesses."

Warner did not mention the protest activity at signature sites for the new referendum, which is separate from Measure M.

An Oct. 7 Facebook post by DnD said it needed 10 people to work in Riverbank opposing Measure M. It was described as a piecework job for three weeks, paying $75 to $100 per day.

A Sept. 27 post said DnD was looking for people to place fliers on windshields and doors.

Warner said the firm supports people in politics or political causes. She said most questions would have to be referred to the owner of the business, who was not identified.

A lead consultant for the River Walk project was out of the office Monday.

The new referendum is separate from Measure M, which is on the Nov. 3 ballot and, if approved, would give city voters veto power over developments west of the city.

Denny Jackman, president of Voters for Farmland, said the new referendum, specifically referring to River Walk, was conceived because of confusion over Measure M and whether it would apply to River Walk because of the timing of the council approval. Jackman explained that the city did not wait for voters to decide Measure M before the 3-2 council decision last month.

If voters approve Measure M next month, the city government will be responsible for defending Measure M against claims it doesn't apply to River Walk, Jackman said. The new referendum simply seeks to rescind the council resolution approving River Walk.

The referendum will now go through a signature validation process by the city and Stanislaus County registrar of voters. If the signatures are validated, the City Council is expected to either reverse the River Walk decision or put the referendum before voters, most likely next year or at the next general election.

Voters for Farmland said roughly 1,760 signatures were gathered for the referendum, more than the requirement of 10% of registered voters within the city. The group said many of the people who helped collect signatures over a 13-day period were volunteers.

Jackman said he doubted Voters for Farmland will file formal complaints over the protesters' alleged attempt to disrupt signature gathering, because the petition drive exceeded its goal.

Opponents of River Walk said it will create more traffic in an already congested area, contribute to air pollution, destroy highly productive farm land and reduce groundwater recharge.

Measure M results in heavy spending

In the meantime, major dollars are being spent in the battle over Measure M. According to a Fair Political Practices Commission disclosure, the California Association of Realtors contributed $50,000 to the "No on Measure M" effort. A $25,000 donation came from K Darpinian & Sons of Modesto.

Voters for Farmland has reported $36,000 in contributions, including $20,000 from retiree Garry Parsens of Riverbank, $10,000 from Jackman and $3,000 from retiree John Ferrari.

One theme of opposition to Measure M suggests the initiative supports the Modesto General Plan preferred option to push city growth to the north, allowing it to control land adjacent to Riverbank. A political flier saying "Stop Modesto. Protect Riverbank" does not identify any political group that paid for the ad.

Jackman claimed that posters and the fliers distributed by anti-Measure M protesters at signature-collection sites did not identify a group.

"We are just waiting and hoping people get out and vote," Jackman said.

DRAFT

STANISLAUS LOCAL AGENCY FORMATION COMMISSION
MINUTES
August 26, 2026

1. CALL TO ORDER

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

A. Pledge of Allegiance to Flag. Chair Withrow led in the pledge of allegiance to the flag.

B. Introduction of Commissioners and Staff. Chair Withrow led in the introduction of the Commissioners and Staff.

Commissioners Present:	Terry Withrow, Chair, County Member Sue Zwahlen, Vice Chair, City Member Vito Chiesa, County Member Amy Bublak, Chair, City Member Bill O'Brien, Public Member Charlie Goeken, Alternate City Member Jami Aggers, Alternate Public Member
Commissioners Absent:	Mani Grewal, Alternate County Member
Staff Present:	Sara Lytle-Pinhey, Executive Officer Jennifer Vieira, Commission Clerk Javier Camarena, Assistant Executive Officer Robert J. Taro, Alternate LAFCO Counsel

2. PUBLIC COMMENT

Milt Trieweiler spoke regarding the importance of farmland protection. Katherine Borges, Lori Wolf and Jake Wenger, County residents, spoke regarding Modesto 2050 General Plan.

3. CORRESPONDENCE

A. Specific Correspondence.

1. Letter from the City of Ceres, regarding Agenda Item 6-A

B. Informational Correspondence.

1. Response Letter to the City of Modesto's Draft Environmental Impact Report for Scannell Industrial Project, dated July 24, 2026.

2. Response Letter to the City of Modesto's Notice of Preparation of an Environmental Impact Report – Modesto 2050 General Plan, dated July 27, 2026.

3. 2026 CALAFCO Board of Directors Election Packet

4. 2026 CALAFCO Achievement Award Nominations Packet

5. 2026 CALAFCO Save the Date Flyer.

C. In the News

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

5. CONSENT ITEMS

A. **MINUTES OF THE JUNE 24, 2026, LAFCO MEETING**
(Staff Recommendation: Accept the Minutes.)

B. **MUNICIPAL SERVICE REVIEW NO. 2026-02 AND SPHERE OF INFLUENCE UPDATE NO. 2026-06 – EASTIN, EL SOLYO, DEL PUERTO AND OAK FLAT WATER DISTRICTS AND PATTERSON AND WEST STANISLAUS IRRIGATION DISTRICTS:** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Eastin, El Solyo, Del Puerto and Oak Flat Water Districts and Patterson and West Stanislaus Irrigation Districts. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to sections 15306 and 15061(b)(3). (Staff Recommendation: Approve the update and adopt Resolution No. 2026-14.)

Motion by Commissioner Bublak, seconded by Commissioner O'Brien, and carried with a 5-0 vote to approve the consent items, by the following vote:

Ayes:	*Commissioners: Bublak, Chiesa, O'Brien, Withrow and Zwahlen*
Noes:	*Commissioners: None*
Ineligible:	*Commissioners: Aggers and Goeken*
Absent:	*Commissioners: Grewal*
Abstention:	*Commissioners: None*

6. PUBLIC HEARING

A. **CONTINUED FROM JUNE 24, 2026 - LAFCO APPLICATION NO. 2026-04 – CERES FIRE PROTECTION DISTRICT REORGANIZATION TO THE STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT:** Request to annex the Ceres Fire Protection District territory, comprised of approximately 2,444 acres, to the Stanislaus Consolidated Fire Protection District and simultaneously dissolve the Ceres Fire Protection District. The reorganization will also include a Sphere of Influence amendment for the Stanislaus Consolidated Fire Protection District. The Ceres Fire Protection District area is generally located south of the City of Ceres between the Union Pacific Railroad and Faith Home Road. The proposal is considered exempt for purposes of the California Environmental Quality Act (CEQA)

pursuant to §15320 and §15061(b)(3). Section 15320 categorically exempts changes of organization or reorganization of local governmental agencies where the proposal does not change the geographical area in which previously existing powers are exercised. Section 15061(b)(3) exempts the project though the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It has been determined with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2026-13.)

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

Chair WIthrow opened the Public Hearing at 6:19 p.m.

Milt Trieweiler, resident, Steve Williams, Ceres Interim City Manager and Chief Clint Bray, Stanislaus Consolidated Fire Protection District all spoke in support of the proposal.

Chair Withrow closed the Public Hearing at 6:23 p.m.

Motion by Commissioner Bublak, seconded by Commissioner Zwahlen, and carried with a 5-0 vote to approve the proposal with the material change and adopt Resolution No. 2026-13, by the following vote:

Ayes:	*Commissioners: Bublak, Chiesa, O'Brien, Withrow and Zwahlen*
Noes:	*Commissioners: None*
Ineligible:	*Commissioners: Aggers and Goeken*
Absent:	*Commissioners: Grewal*
Abstention:	*Commissioners: None*

7. OTHER BUSINESS

None.

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 recommends canceling the September meeting. The next meeting will be held on October 28, 2026.
- Staff will be working on the Protest Hearing for the Ceres Fire Protection District Reorganization.

11. ADJOURNMENT

A. Chair Withrow adjourned the meeting at 6:29 p.m.

DRAFT

Sara Lytle-Pinhey, Executive Officer

EXECUTIVE OFFICER'S AGENDA REPORT
OCTOBER 28, 2026

TO: **LAFCO Commissioners**

FROM: **Javier Camarena, Assistant Executive Officer**

SUBJECT: **MSR NO. 2026-03 & SOI NO. 2026-07: MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES FOR THE COUNTY SERVICE AREAS**

INTRODUCTION

This proposal was initiated by the Local Agency Formation Commission in response to State mandates, which require the Commission to conduct Municipal Service Reviews and Sphere of Influence Updates for all cities and special districts at least once every five years, as necessary. The current review covers the County Service Areas (CSAs) which are located in various areas throughout Stanislaus County. The previous update for the CSAs was adopted on September 22, 2021.

County Service Areas (CSAs) are dependent special districts and were organized under §25210 et seq. of the Government Code. There are currently 21 CSAs in Stanislaus County. The CSAs are legally authorized to provide any one or more of a variety of extended services within a particular area, and as special districts, they are required to have an adopted and updated SOI. The extended services provided by a CSA are only for the benefit of the facilities and property within the CSA. Typical services include storm drainage control, maintenance of parks and landscaping.

Annual assessments are levied upon taxable properties within a CSA's boundaries, and are based on estimated costs to provide the extended services. To maintain a steady level of services, annual assessments may increase from year to year, depending on the amount of funds needed for maintenance and/or operational costs. The CSAs are governed by the County Board of Supervisors.

DISCUSSION

LAFCO Staff sent requests for information to Stanislaus County Public Works staff and met with Public Works Staff. LAFCO Staff also reviewed the engineer's reports for each CSA. During this process, staff also updated CSA map boundaries on the County's Geographical Information Systems (GIS).

The proposed Municipal Service Review and Sphere of Influence document is attached to this report as Exhibit 1. The relevant factors and determinations as put forth by the Cortese-Knox-Hertzberg Act (CKH Act) are discussed within the subject document. No changes are being proposed for the CSAs' Spheres of Influence.

ENVIRONMENTAL REVIEW RECOMMENDATIONS

The California Environmental Quality Act requires that an environmental review be undertaken and completed for the Sphere of Influence study. The Municipal Service Review and Sphere of Influence Updates qualify for a General Exemption from further CEQA review based upon CEQA Regulation §15061(b)(3), which states:

> *The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*

Since there are no land use changes or environmental impacts, as no suggested boundary changes are associated with this document, a Notice of Exemption is the appropriate environmental document.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider choosing one of the following options:

Option 1: APPROVE the Municipal Service Review and Sphere of Influence Updates for the County Service Areas.

Option 2: DENY the update.

Option 3: If the Commission needs more information, it should CONTINUE this matter to a future meeting (maximum 70 days).

RECOMMENDED ACTION

Approve Option 1. Based on the information presented, Staff recommends approval of the Municipal Service Review and Sphere of Influence Updates for the County Service Areas. Therefore, Staff recommends that the Commission adopt Resolution No. 2026-16, which:

1. Determines that the Municipal Service Review and Sphere of Influence Updates for the County Service Areas qualify for a General Exemption from further California Environmental Quality Act (CEQA) review based on CEQA Regulation §15061(b)(3);

2. Makes determinations related to the Municipal Service Review as required by Government Code §56430; and,

3. Determines that the Spheres of Influence for the County Service Areas should be affirmed as they currently exist.

Attachments:

Exhibit 1 - Municipal Service Review and Sphere of Influence Updates for the County Service Areas
Exhibit 2 - Resolution No. 2026-16

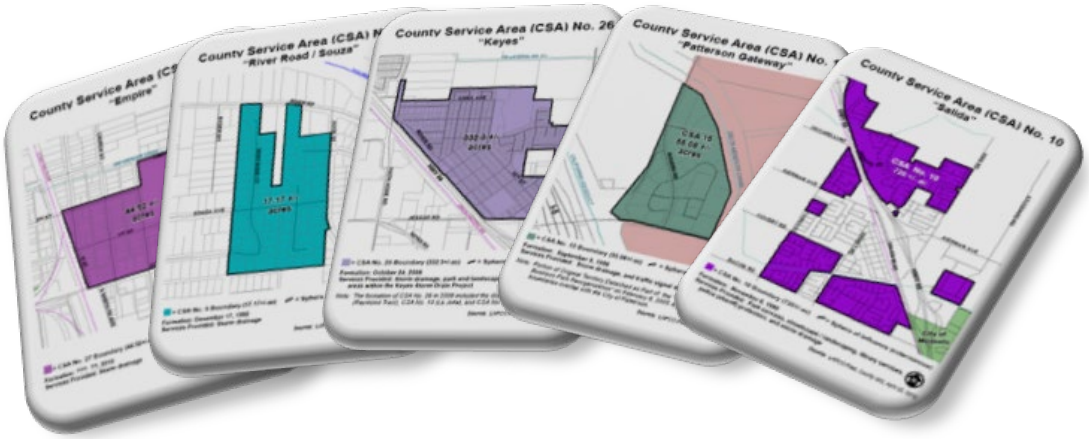
EXHIBIT 1

Municipal Service Review & Sphere of Influence Update for the County Service Areas

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Stanislaus
LAFCO
LOCAL AGENCY FORMATION COMMISSION

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE:



COUNTY SERVICE AREAS
WITHIN STANISLAUS COUNTY

Prepared By:

Stanislaus Local Agency Formation Commission
1010 Tenth Street, Third Floor
Modesto, CA 95354
Phone: (209) 525-7660

Adopted: _____

STANISLAUS
LOCAL AGENCY FORMATION COMMISSION

COMMISSIONERS

Amy Bublak, City Member
Sue Zwahlen, City Member
Vito Chiesa, County Member
Terry Withrow, County Member
Bill O'Brien, Public Member
Charlie Goeken, Alternate City Member
Mani Grewal, Alternate County Member
Jami Aggers, Alternate Public Member

STAFF

Sara Lytle-Pinhey, Executive Officer
Javier Camarena, Assistant Executive Officer
Jennifer Vieira, Commission Clerk
Mobin Bhatti, Legal Counsel

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Municipal Service Review and Sphere of Influence Updates For the County Service Areas within Stanislaus County

Introduction

The Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (CKH Act) requires the Local Agency Formation Commission (LAFCO) to update the Spheres of Influence (SOI) for all applicable jurisdictions in the County. A Sphere of Influence is defined by Government Code 56076 as "...a plan for the probable physical boundary and service area of a local agency, as determined by the commission." The Act further requires that a Municipal Service Review (MSR) be conducted prior to or, in conjunction with, the update of a Sphere of Influence (SOI).

The legislative authority for conducting Service Reviews is provided in Government Code Section 56430 of the CKH Act. The Act states that "in order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area..." A Service Review must have written determinations that address the following factors:

Service Review Factors to be Addressed

1. Growth and population projections for the affected area

2. The location and characteristics of any disadvantaged, unincorporated communities within or contiguous to the sphere of influence

3. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.

4. Financial ability of agencies to provide services

5. Status of, and opportunities for, shared facilities

6. Accountability for community service needs, including governmental structure and operational efficiencies

7. Any other matter related to effective or efficient service delivery, as required by commission policy

State Guidelines and Commission policies encourage cooperation among a variety of stakeholders involved in the preparation of a Service Review. This Service Review will analyze the existing and future services for the County Service Areas (CSAs). The CSAs are located in various unincorporated areas within Stanislaus County. The Service Review will also provide a basis to evaluate, and make changes to the Spheres of Influence, if appropriate.

Sphere of Influence Update Process

A special district is a government agency that is required to have an adopted and updated Sphere of Influence. Section 56425(g) of the CKH Act calls for Spheres of Influence to be reviewed and updated every five years, as necessary. Stanislaus LAFCO processes the Service Review and Sphere of Influence Updates concurrently to ensure efficient use of resources. For rural special districts, which do not have the typical municipal level services to review, this Service Review will be used to determine what type of services each district is expected to provide and the extent to which they are actually able to do so. The Sphere of Influence will delineate the service capability and expansion capacity of the agency, if applicable.

Service Review – County Service Areas

Authority

County Service Areas (CSAs) are dependent special districts, organized under Section 25210 et seq. of the Government Code, and may be established to provide a variety of extended services within a particular area.

Background

Special districts are local governments that are separate from cities and counties, yet provide public services such as fire protection, sewers, water, and street lighting. California has over 3,300 special districts, which provide over 30 different types of services. There are about 50 major types of special districts ranging from airports to fire protection to mosquito abatement to water conservation. Today, there are over 890 County Service Areas (CSAs) in California, and of that total, 21 CSAs are located within Stanislaus County.

Purpose

CSAs may be formed to provide governmental services and facilities within a specific area that the county is authorized to perform, and which the county does not also perform to the same extent on a countywide basis. These services and facilities may include, but are not limited to any of the following: extended police protection; fire protection; local park, recreation, or parkway facilities and services; water service; the collection, treatment, or disposal of sewage, wastewater, recycled water, and storm water; animal control; street and highway lighting; solid waste collection; ambulance service; funding for land use planning for part of the county; soil conservation and drainage control; services provided by a municipal advisory council; transportation services; geological hazard abatement; and road maintenance and improvement.

Governing Body

The governing body, which is established by law to administer the operation of a County Service Area (CSA), is the County Board of Supervisors. The original intent of the county service area law was to give an alternative method for providing governmental services by counties within unincorporated areas, many of which have had large population growth as well as commercial and industrial development since 1940.

Formation

At the time a County Service Area is established, the Board of Supervisors specifies the type or types of services to be provided within the area. An application for formation of a CSA is then forwarded to LAFCO for consideration. Only those residents who benefit from services provided by the CSA pay for the services received. The funds collected for the CSAs are maintained in the County Treasury. In Stanislaus County, the CSAs typically provide drainage control and park maintenance by providing the following:

a. The control of storm and other drainage waters, including waters which arise outside the district and which flow or drain into or through the district;

b. The protection from damage by storm or drainage waters of private property and of public highways and other public property within the district;

c. The conservation of storm and drainage water;

d. Continual maintenance of parks, park/basin public use areas, landscaping and equipment.

Location and Size

Currently, there are 21 CSAs in multiple areas throughout various unincorporated areas of the County, each serving a different community and varying in population.

Characteristics

Section 79505.5 of the California State Water Code defines a disadvantaged community as a community with an annual median household income (AMI) that is less than 80 percent of the statewide AMI. Of the 21 CSAs, six (6) are within a disadvantaged unincorporated community. They include: CSA No. 1 (Fairview Park), CSA No. 5 (Starlite Place), CSA No. 8 (Honey Bee Estates), CSA No. 9 (River Road / Souza), CSA No. 26 (Keyes) and CSA No. 27 (Empire).

Boundaries and Sphere of Influence

With regards to the boundaries of a county service area, the following territory may be included:

1. Contiguous or noncontiguous territory; and

2. Unincorporated or incorporated territory (incorporated territory may be included only if the city legislative body consents by resolution).

When formed, the Sphere of Influence of a CSA is generally coterminous with its boundaries, as the boundaries of a CSA reflect the relationship to the planned land uses in the area and the need for the services to be provided.

The previous Service Review and Sphere of Influence Update (MSR/SOI) was adopted on September 22, 2021. Subsequently, the following applications have been approved providing a variety of services including maintenance of storm drain infrastructure, masonry walls, sidewalks, landscaping, parks and streetscape:

- California Truck Center Change of Organization to CSA 26 (Keyes) – Annexation to CSA 26 for the maintenance of curb, gutter, sidewalk, and storm drain for a commercial property.

- Monte Vista Collection Change of Organization to CSA 24 (Hideaway Terrace) – Annexation to CSA 24 to provide storm drainage, landscaping, and related services to a residential subdivision.

- Elmwood Estates Change of Organization to CSA 19 (Tuolumne-Gratton) – Annexation to CSA 19 for storm drainage and landscaping of a residential subdivision.

- Hoffman Ranch Change of Organization to CSA 21 (Riopel) – Annexation to CSA 21 for storm drainage and landscaping of a residential subdivision.

Services

County Service Areas (CSAs) are dependent special districts and are legally authorized to provide any variety of extended services within each respective CSA's territory. The extended services provided by a CSA are only for the benefit of the facilities and property within the CSA. Typical services in Stanislaus County CSAs include storm drainage control, maintenance of parks and landscaping, streetscape, masonry walls and administration to operate the services.

Funding Sources

County Service Areas receive revenue from property taxes and/or assessments as needed. With the passage of Proposition 13 in 1978, the amount of property taxes received by Special Districts was restricted. If the CSA was levying a tax rate and receiving ad valorem taxes prior to the passage of Proposition 13, they now receive a portion of the 1% levy determined by AB 8 tax allocation factors. For example, CSA No. 1 (Fairview Park) was formed prior to the passage of Proposition 13, and therefore is eligible to receive a portion of ad valorem property taxes. CSAs formed after Proposition 13 do not receive a portion of the 1% levy.

Alternatively, CSAs may be funded by direct assessments. Historically, direct assessments were authorized by the Board of Supervisors. However, in November 1996, California voters approved Proposition 218, which specifies that an increase or new assessment can only become effective through a ballot procedure approved by a simple majority.

The annual budget process for CSAs within Stanislaus County begins with the Public Works and Parks and Recreation Departments, which determine the estimated expenditures for a CSA based upon projected maintenance for the District(s).

The Auditor's-Controller's Office determines each CSA's estimated revenue based on projected revenue, which includes direct assessments and property taxes.

Inactive CSAs

Revenue for CSAs is derived from property taxes and/or assessments as needed. Presently, there is one CSA that is not receiving revenues and is not providing services. CSA No. 14 (United Pallet) was approved in 1993 to provide storm drainage service. The CSA has remained inactive since its formation with a $0 assessment for all parcels within the CSA. The Stanislaus County Department of Public Works currently owns the property where the drainage basin is located. The Department is currently holding discussions to determine if the CSA should be dissolved or activated.

Summary of CSAs

The table on pages 7 and 8 summarizes each of the County Service Areas (CSAs) and includes the following information: CSA name and area, types of services provided, acreage, and date of formation.

COUNTY SERVICE AREA (CSA) SUMMARY TABLE

CSA No.	Name (Area)	**Authorized Powers** *(Services Provided)*	Acres	Date Formed	Status
1	Fairview Park (Modesto)	Local park, recreation or parkway facilities and services	87	1970	active
4	Salida Storm Drain (Salida)	Storm drainage	1,522	10/23/1989	active
5	Starlite Place (Keyes)	Storm drainage	39	3/14/1990	active
7	Modesto Auto Center (Modesto)	Storm drainage	11	7/12/1990	active
8	Honey Bee Estates (Empire)	Storm drainage	5	10/12/1990	active
9	River Road/Souza (Ceres)	Storm drainage	17	12/17/1990	active
10	Salida (Salida)	Park services; streetscape & landscaping	687	11/08/1990	active
11	Gilbert Road (Oakdale)	Storm drainage	37	4/3/1991	active
12	Peach Blossom Estates (Riverbank)	Storm drainage	40	11/8/1991	active
14	United Pallet (Modesto)	Storm drainage	53	1/12/1993	inactive
16	Olive Ranch (Oakdale)	Storm drainage	17	10/30/2000	active
18	Atlas Park (Oakdale)	Storm drainage and park maintenance	18	12/10/2002	active
19	Tuolumne-Gratton (Denair)	Storm drainage and park maintenance	107	1/6/2003	active
20	Summit Corporate Center (Modesto)	Storm drainage	60	1/29/2003	active
21	Riopel (Denair)	Storm drainage and landscape maintenance	17	12/23/2005	active
22	Old School North (Denair)	Storm drainage and park maintenance	3	12/1/2004	active
23	Hillsborough/Schutz (Oakdale)	Storm drain system maintenance, including maintenance of a river outfall facility	52	11/30/2006	active
24	Hideaway Terrace (Denair)	Storm drainage and landscape maintenance	5	9/26/2006	active
25	Suncrest II (Denair)	Storm drainage and landscape maintenance	4	11/30/2006	active

26	Keyes*	Storm drain, park and landscape maintenance for areas w/in the Keyes Storm Drain Project	369	10/24/2008	active
27	Empire (Phase 1)	Storm drain maintenance w/in Phase 1 of the Empire Storm Drain Project	44	4/27/2010	active

NOTES:

* CSA No. 6 – Raymond Tract, CSA No. 13 – La Jolla, and CSA No. 17 - Sunray Estates were dissolved upon the formation of CSA No. 26 – Keyes.

Service Review Determinations:

The following provides an analysis of the seven categories or components required by Section 56430 for a Service Review for all County Service Areas (CSAs) reviewed:

1. **Growth and Population Projections for the Affected Area**

   Each CSA was created to support a specific community. There have been amendments made to the spheres of influence for several CSAs increasing their service areas. Most changes that have occurred since the previous MSR/SOI have been infill development in existing communities. Although there has been some growth, future population growth and population projections for the areas served by CSAs will likely be small.

2. **The Location and Characteristics of Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence.**

   Of the 21 CSAs, six (6) are within a disadvantaged unincorporated community based on annual median household income. They include: CSA No. 1 (Fairview Park), within the City of Modesto Sphere of Influence (SOI); CSA No. 5 (Starlite Place) and CSA No. 26 (Keyes) in the Keyes area; CSA No. 8 (Honey Bee Estates) and CSA No. 27 (Empire) in the Empire area, and CSA No. 9 (River Road / Souza) within the City of Ceres SOI.

3. **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies Including needs or Deficiencies Related to Sewers, Municipal and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence.**

   Each active CSA is reviewed annually through an Engineer's Report conducted by the Stanislaus County Department of Public Works. The most recent report did not identify any unmet infrastructure needs or deficiencies. At the present time, each of the active CSAs has the ability and the capacity to serve the existing service areas.

   As development occurs throughout the County, the Department of Public Works continues to identify potential future needs and improve efficiency. The projects planned by the Department of Public Works include, but are not limited to, the following:

   - CSA No. 20 (Summit Corporate Center): Storm drain services for Power Play, which includes development of a 9.33± acre parcel that will include an indoor roller hockey facility and divide the parcel into eight parcels with seven additional commercial buildings totaling 62,900 square feet.

   - CSA No. 8 (Honey Bee Estates) annexation to CSA 27 (Empire): Potential annexation in order to provide more efficient storm drain services and present a uniform fee schedule for all areas benefiting from local CSAs.

   - Denair Community Consolidation: The Department of Public Works is looking into completing a reorganization in the Denair Community to include services including storm drain, parks, landscaping and maintenance services. The Department of Public Works hopes to provide more efficient services and have all areas benefiting from the local CSA services contribute to the ongoing maintenance costs. This would be similar to the

Salida Storm Drain Reorganization that was approved in 2021. Public Works will continue identifying additional areas throughout the County where such reorganizations can be implemented.

- American Rescue Plan Act (ARPA): The Stanislaus County Board of Supervisors has identified various strategic priorities for use of its ARPA funds within unincorporated islands throughout the County. The Department of Public Works will continue planning, developing, and annexing these various areas into CSAs for public services accordingly.

Stanislaus County CSAs do not provide sewer, municipal water, and fire protection services. These services are provided through other special districts throughout the County or by way of private systems.

4. Financial Ability of Agencies to Provide Services

The active CSAs receive funding from special benefit assessments and/or a share of the ad valorem property tax. The rates established are based upon the costs to provide the extended services and maintenance and are reviewed annually through the Engineer's Report.

Proposition 218 was approved in 1996 which requires an assessment ballot procedure before a new or increased assessment may be carried out. After Proposition 218 was approved, many CSAs adopted an assessment formula that allows either increases or decreases to manage the assessment efficiently. CSAs formed prior to Proposition 218 were formed under the original assessment methodology of a fixed amount, per parcel basis. The restrictions on assessments of the older CSAs have created obstacles for the County in receiving adequate revenue for these CSAs.

5. Status of, and Opportunities for, Shared Facilities

No opportunities for shared facilities have been identified. There is no known overlapping or duplication of services within the CSAs' boundaries.

6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

The County Service Areas are governed by the Board of Supervisors. Adoption of Annual Engineer's Reports is carried out during a public hearing, allowing opportunity for public input.

7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

Currently, the County is not collecting assessments for or providing services to CSA No. 14 (United Pallet). A private organization currently provides storm drain maintenance for the CSA area. The County should reevaluate the function of CSA No. 14 and, if inactive, consider potentially dissolving the district.

Sphere of Influence Update for the County Service Areas

In determining the Sphere of Influence (SOI) of each local agency, the Commission shall consider and prepare determinations with respect to each of the following factors pursuant to Government Code Section 56425:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides, or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines they are relevant.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

This document proposes no changes to the CSA's existing Spheres of Influence; rather, it serves to reaffirm the existing SOI boundaries. As part of this process, Staff researched the history of the establishment of the Districts' SOIs. The sphere and boundary maps have since been converted to electronic format and are attached to this document. The following determinations for the County Service Areas within Stanislaus County SOI update and are made in conformance with Government Code §56425 and Commission policy.

Determinations:

1. The present and planned land uses in the area, including agricultural and open-space lands

The CSAs generally serve areas that are unincorporated and residential. A number are located within the SOI of Modesto and in areas in and around Salida, Keyes, Denair, Oakdale and Ceres. CSAs that serve commercial and industrial uses are located north of Modesto.

The County retains the responsibilities for land use decisions within each of the CSA boundaries.

2. The present and probable need for public facilities and services in the area

When development is approved in an unincorporated area within the County, the County requires the formation of a CSA to provide extended services necessary to serve the land uses within the development boundaries. Only those residents who benefit from services provided by the CSA pay for them, which are funded through an assessment levied on all parcels within the CSA boundaries. The present and probable need for services within the current County Service Areas is not expected to change.

3. **The present capacity of public facilities and adequacy of public services that the agency provides, or is authorized to provide.**

   The CSAs were formed to provide a specific level of service within their boundaries. There is also no expected change to the present capacity or adequacy of the public services currently provided by the CSAs.

4. **The existence of any social or economic communities of interest in the area if the Commission determines they are relevant.**

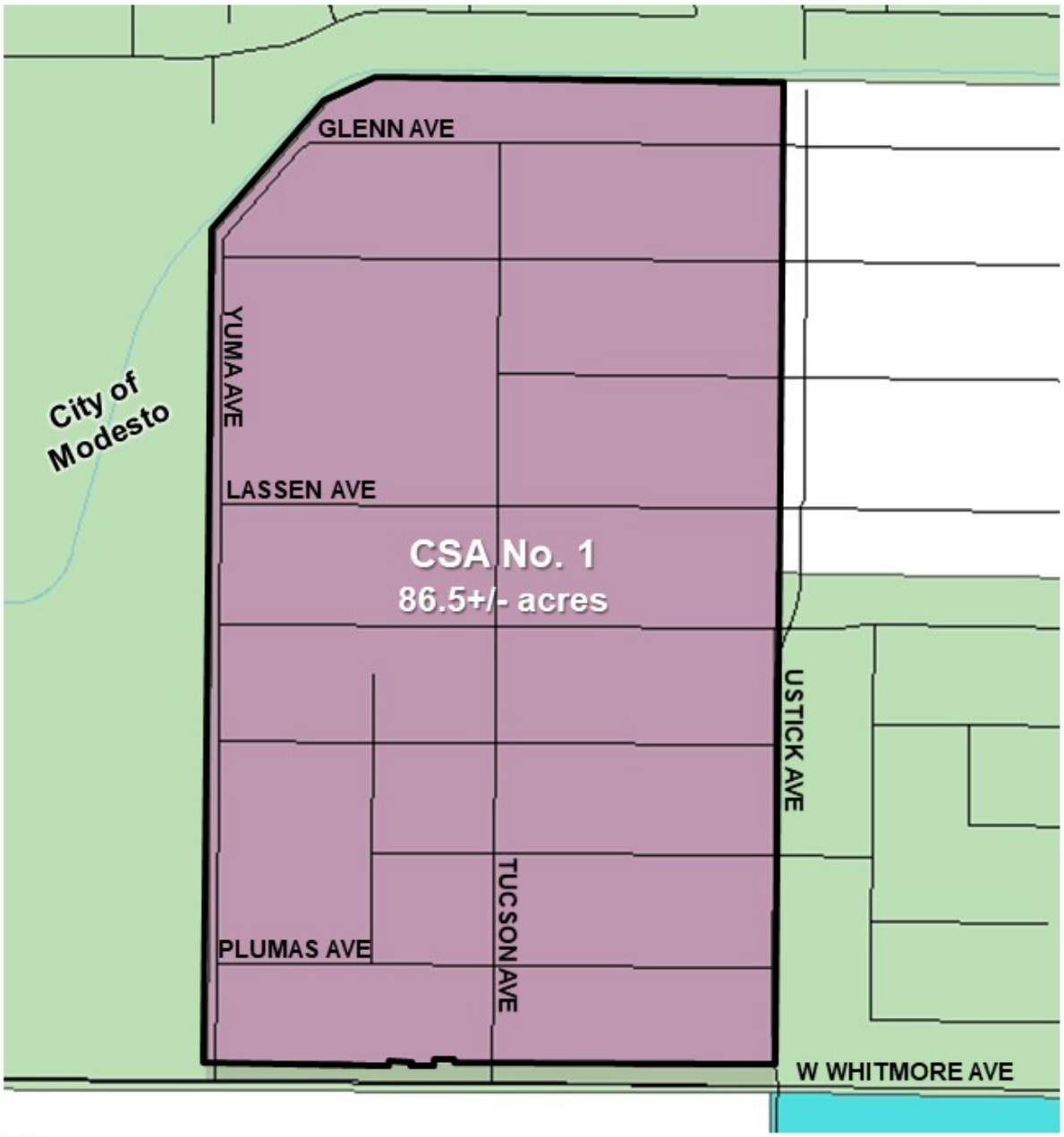
   Seven CSAs are located within a city Sphere of Influence (SOI). CSAs located within the City of Modesto SOI include: CSA No. 1 (Fairview Park), CSA No. 7 (Modesto Auto Center), CSA No. 8 (Honey Bee Estates), CSA No. 20 (Summit Corporate Center), and CSA No. 27 (Empire). CSA No. 11 (Gilbert Road) is located within the City of Oakdale SOI and CSA No. 9 (River Road/Souza) is located within the City of Ceres SOI. These CSAs provide storm water drainage services and maintenance for area parks. There is an opportunity for these CSAs to eventually be annexed into their respective cities due to their location within the City SOIs.

5. **For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

   Of the 21 CSAs, six (6) are within a disadvantaged unincorporated community based on annual median household income. They include: CSA No. 1 (Fairview Park), within the City of Modesto Sphere of Influence (SOI); CSA No. 5 (Starlite Place) and CSA No. 26 (Keyes) in the Keyes area; CSA No. 8 (Honey Bee Estates) and CSA No. 27 (Empire) in the Empire area, and CSA No. 9 (River Road / Souza) within the City of Ceres SOI.

   County CSAs do not provide sewer, municipal water, and fire protection services. These services are provided through other special districts throughout the County or by way of private systems.

County Service Area (CSA) No. 1
"Fairview Park"

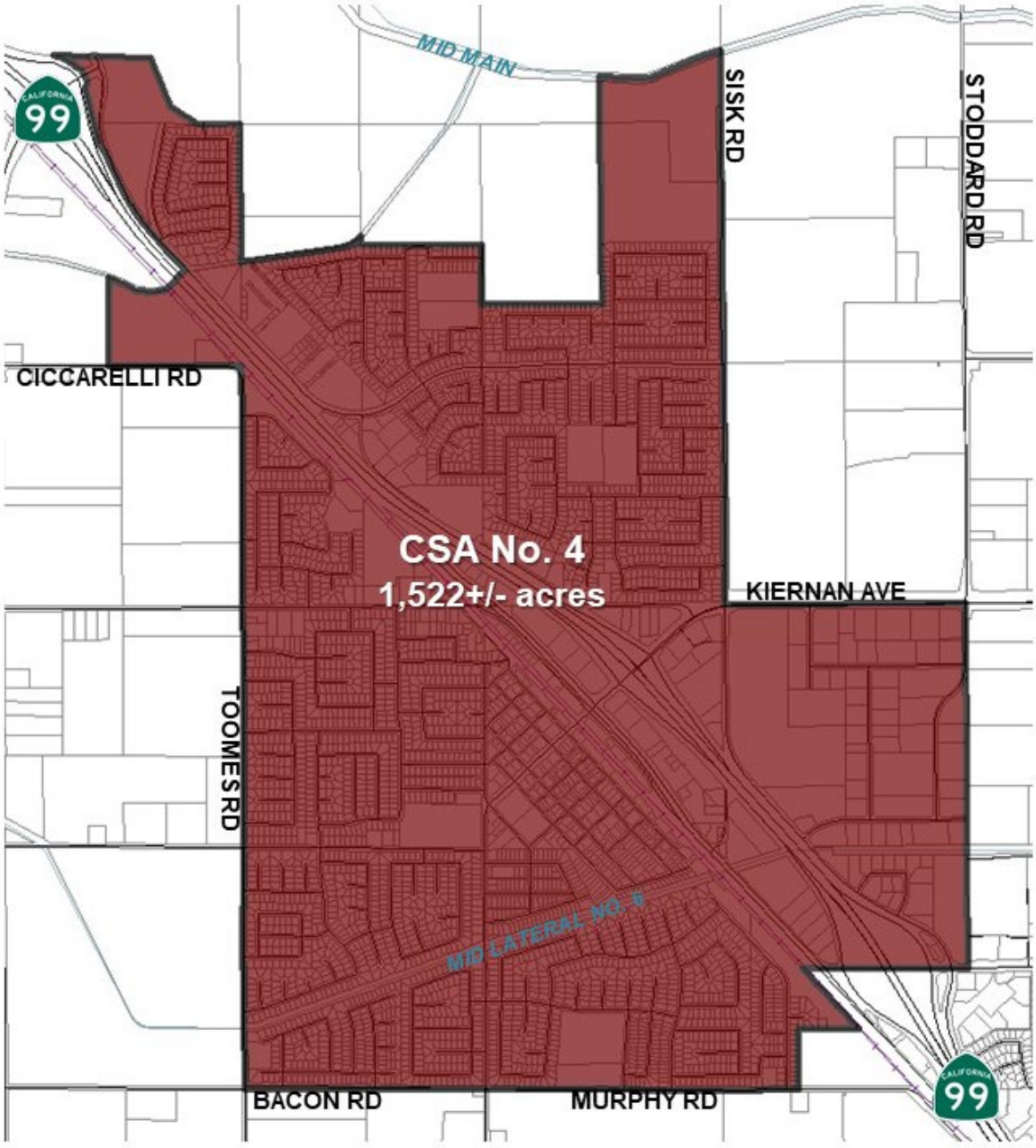


= CSA No. 1 Boundary (86.5+/- acres) = Sphere of Influence (coterminous)

Formation: 1970
Services Provided: Local park, recreation, or parkway facilities and services

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 4
"Salida Storm Drain"



■ = CSA No. 4 Boundary (1,522+/-ac) ▬ = Sphere of Influence (coterminous)

Formation: October 23, 1989
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 5
"Starlite Place"

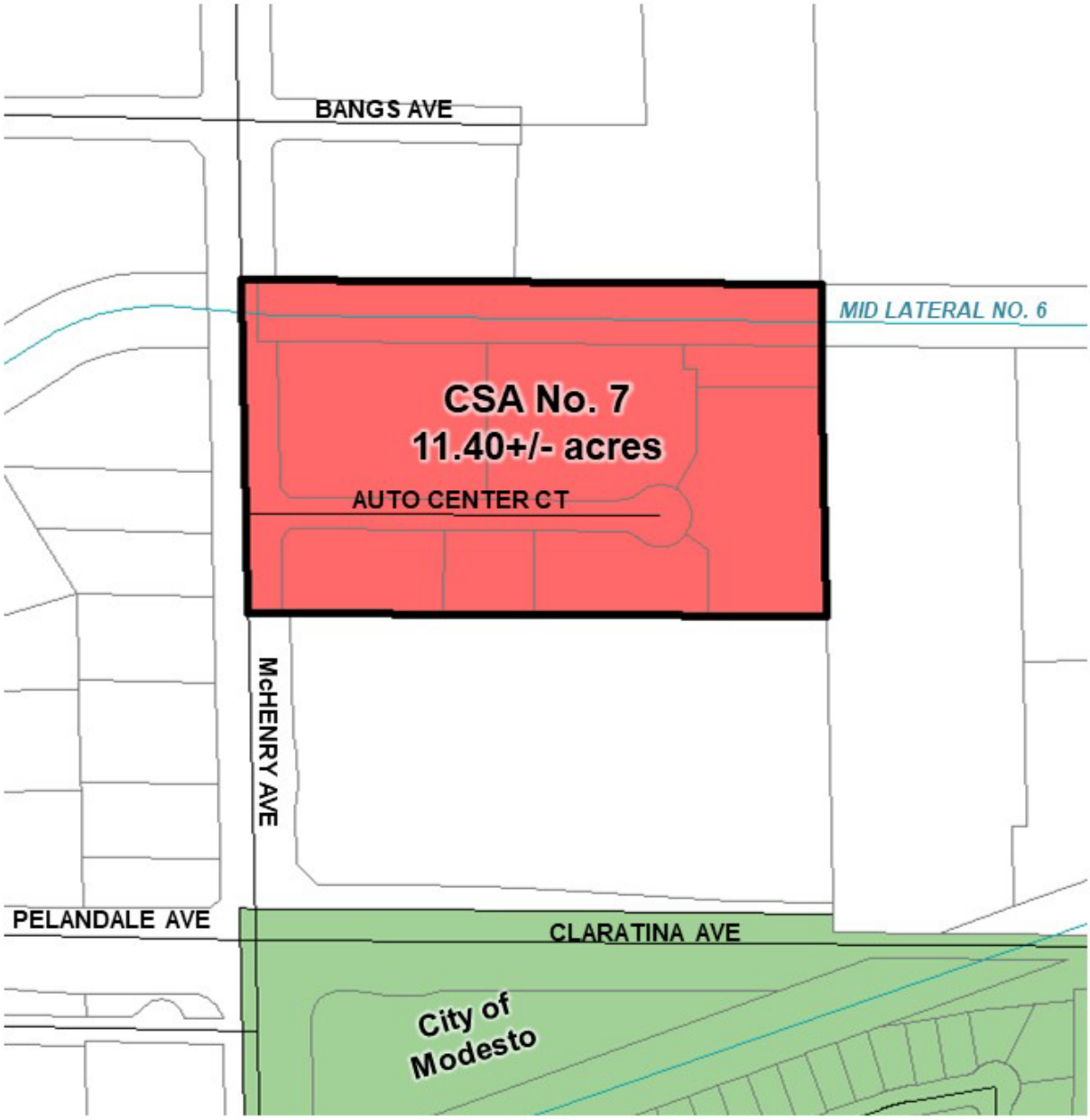


= CSA No. 5 Boundary (41.67+/- acres) = Sphere of Influence (coterminous)

Formation: March 14, 1990
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, October 2026*

County Service Area (CSA) No. 7
"Modesto Auto Center"

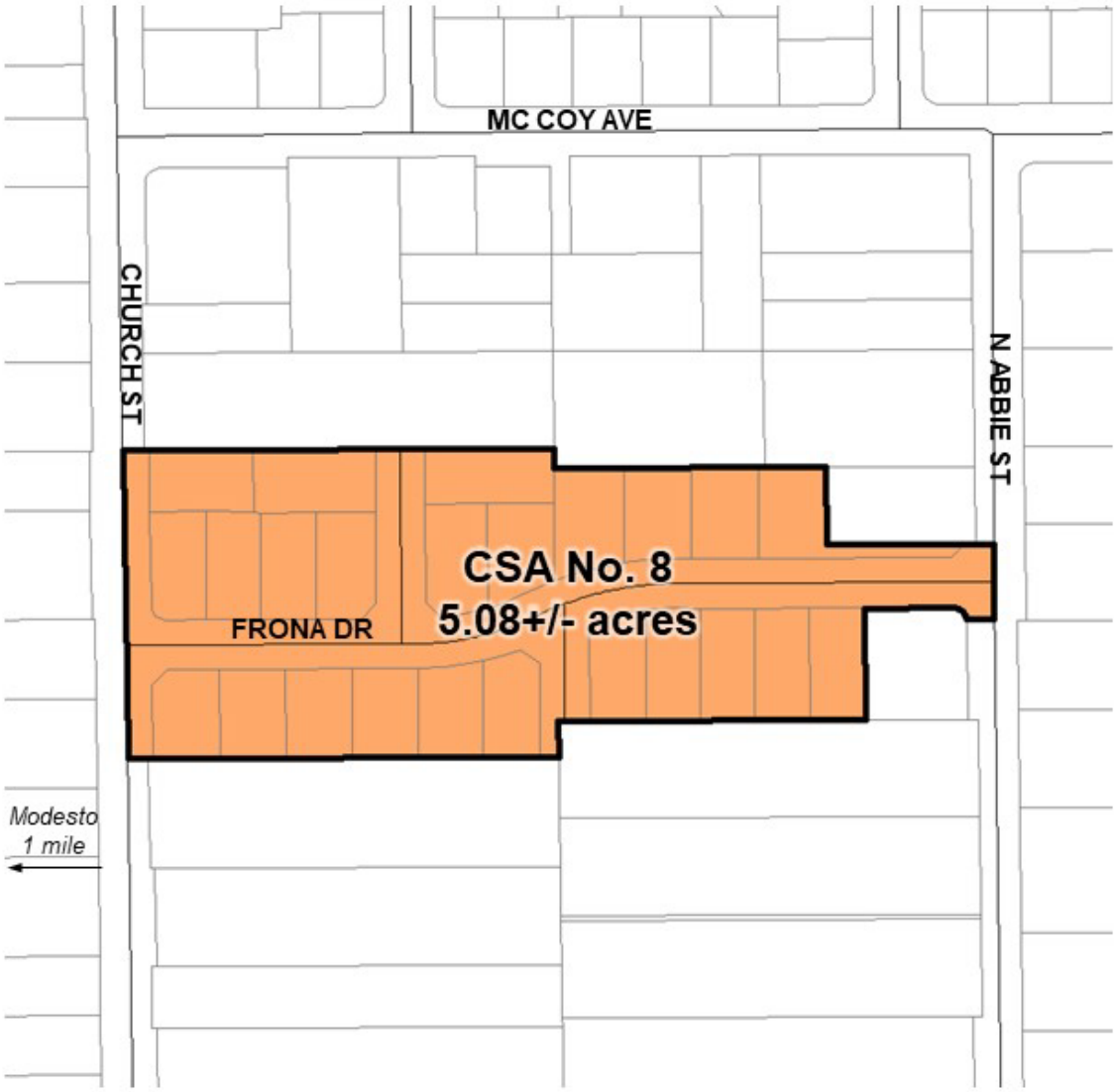


= CSA No. 7 Boundary (11.40+/-ac) = Sphere of Influence (coterminous)

Formation: July 12, 1990
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 8
"Honey Bee Estates"

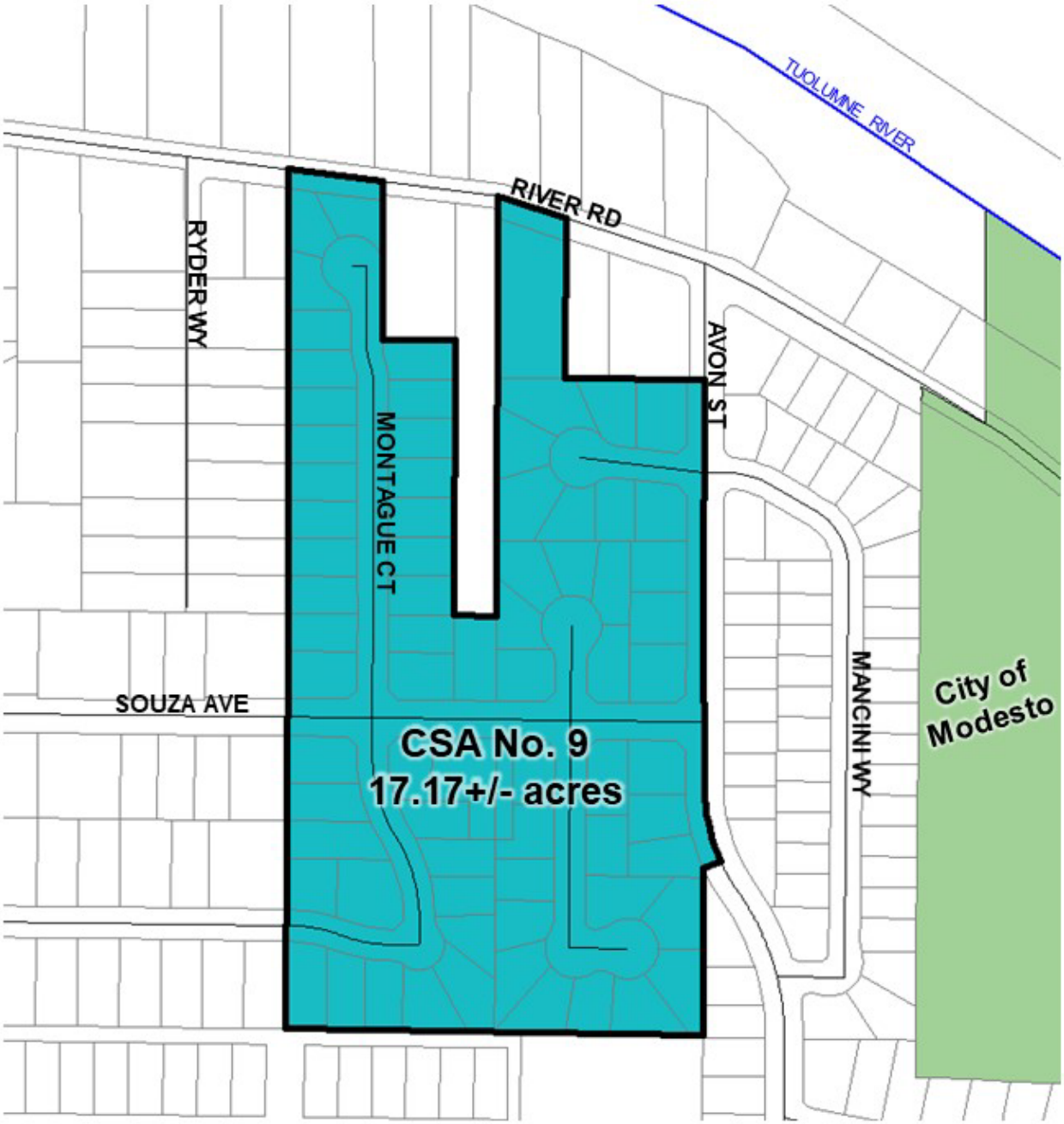


= CSA No. 8 Boundary (5.08+/-ac) = Sphere of Influence (coterminous)

Formation: October 12, 1990
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 9
"River Road / Souza"

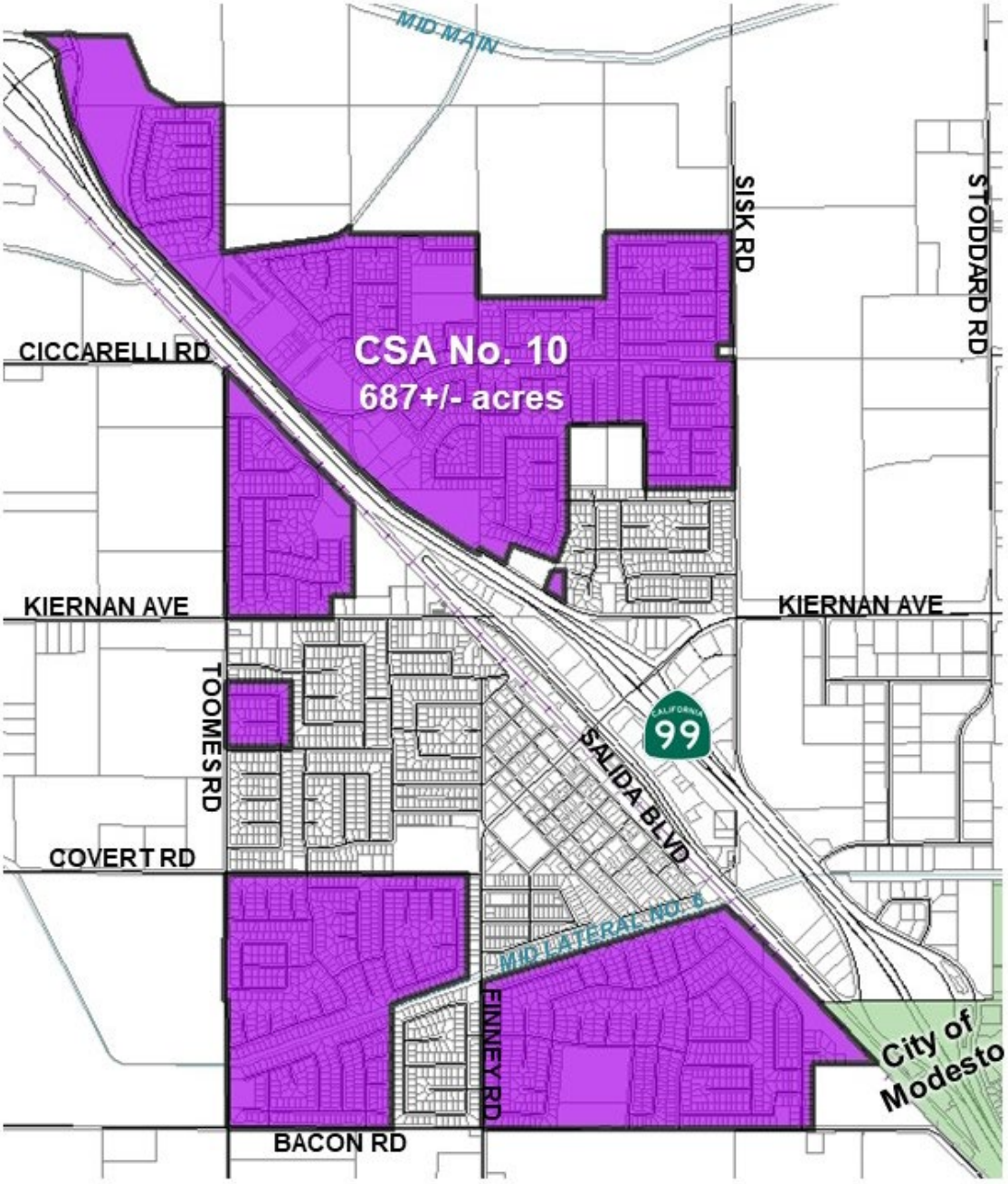


= CSA No. 9 Boundary (17.17+/-ac) = Sphere of Influence (coterminous)

Formation: December 17, 1990
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 10
"Salida"



■ = CSA No. 10 Boundary (687+/-ac) ▬ = Sphere of Influence (coterminous)

Formation: November 8, 1990
Services Provided: Park services, streetscape and landscaping

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 11
"Gilbert Road"

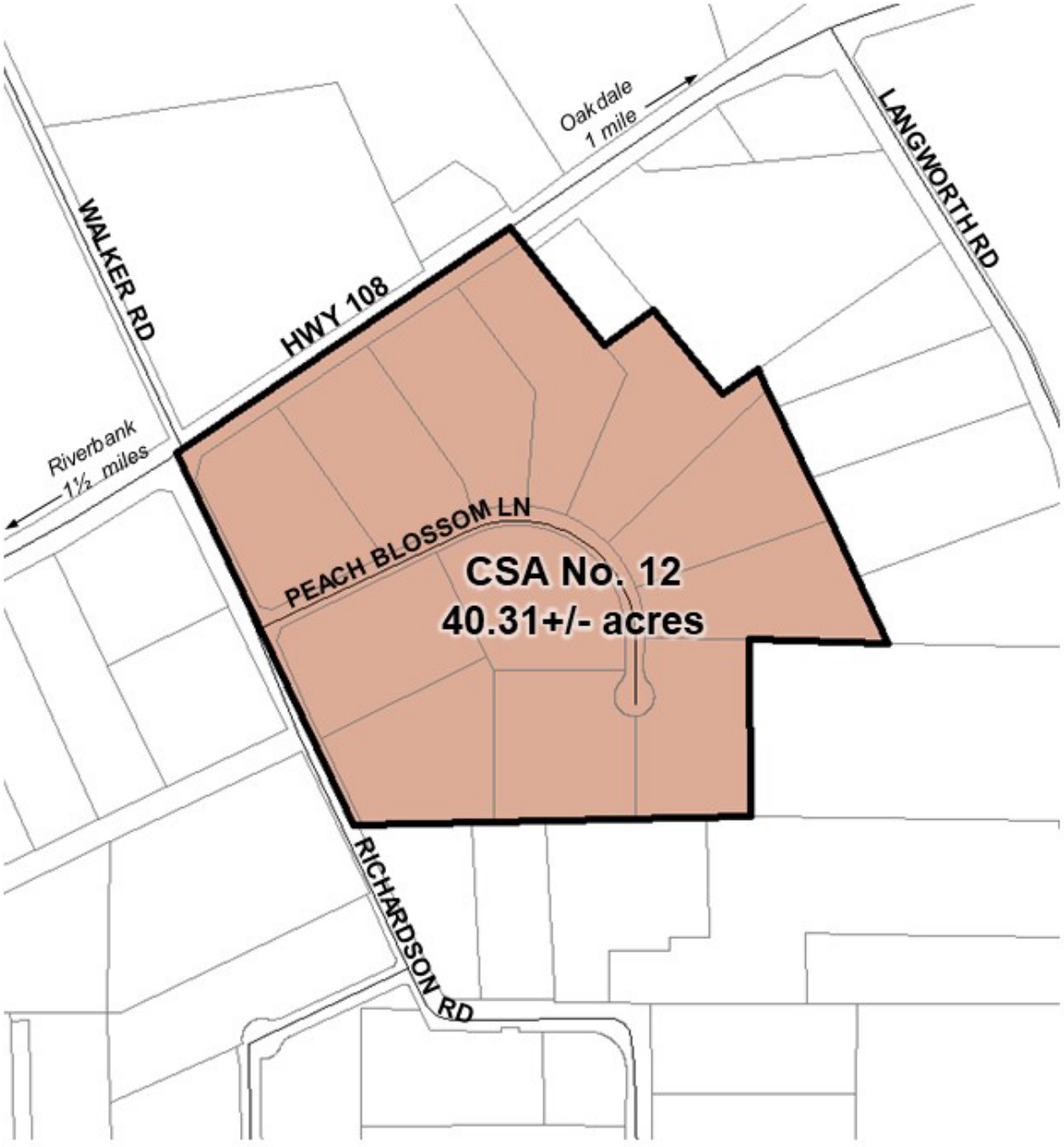


= CSA No. 11 Boundary (36.86+/-ac) = Sphere of Influence (coterminous)

Formation: April 3, 1991
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 12
"Peach Blossom Estates"

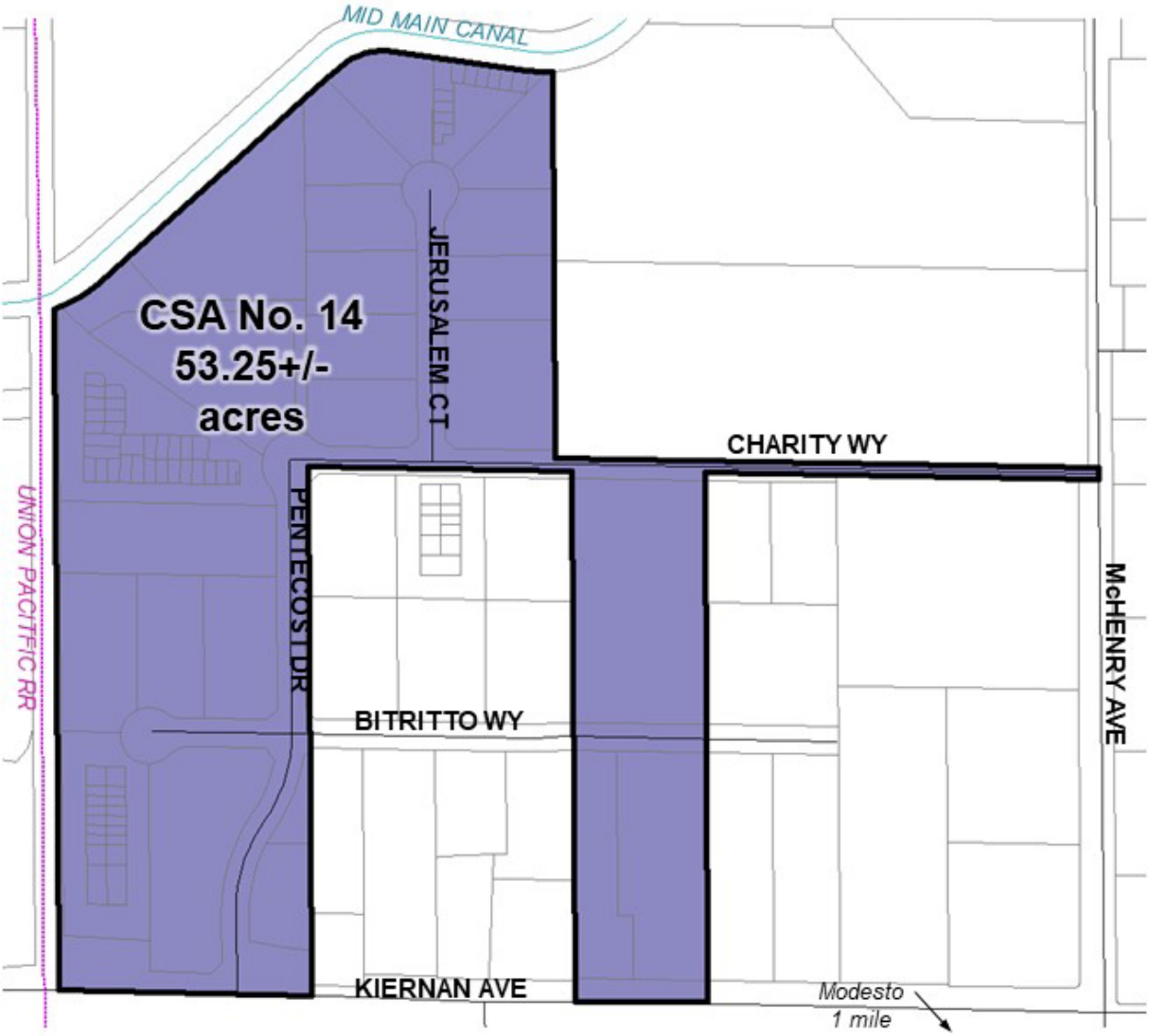


= CSA No. 12 Boundary (40.31+/-ac) = Sphere of Influence (coterminous)

Formation: November 8, 1991
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 14
"United Pallet"



= CSA No. 14 Boundary (53.25+/-ac) = Sphere of Influence (coterminous)

Formation: January 12, 1993 *(Currently inactive)*
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 16
"Olive Ranch"

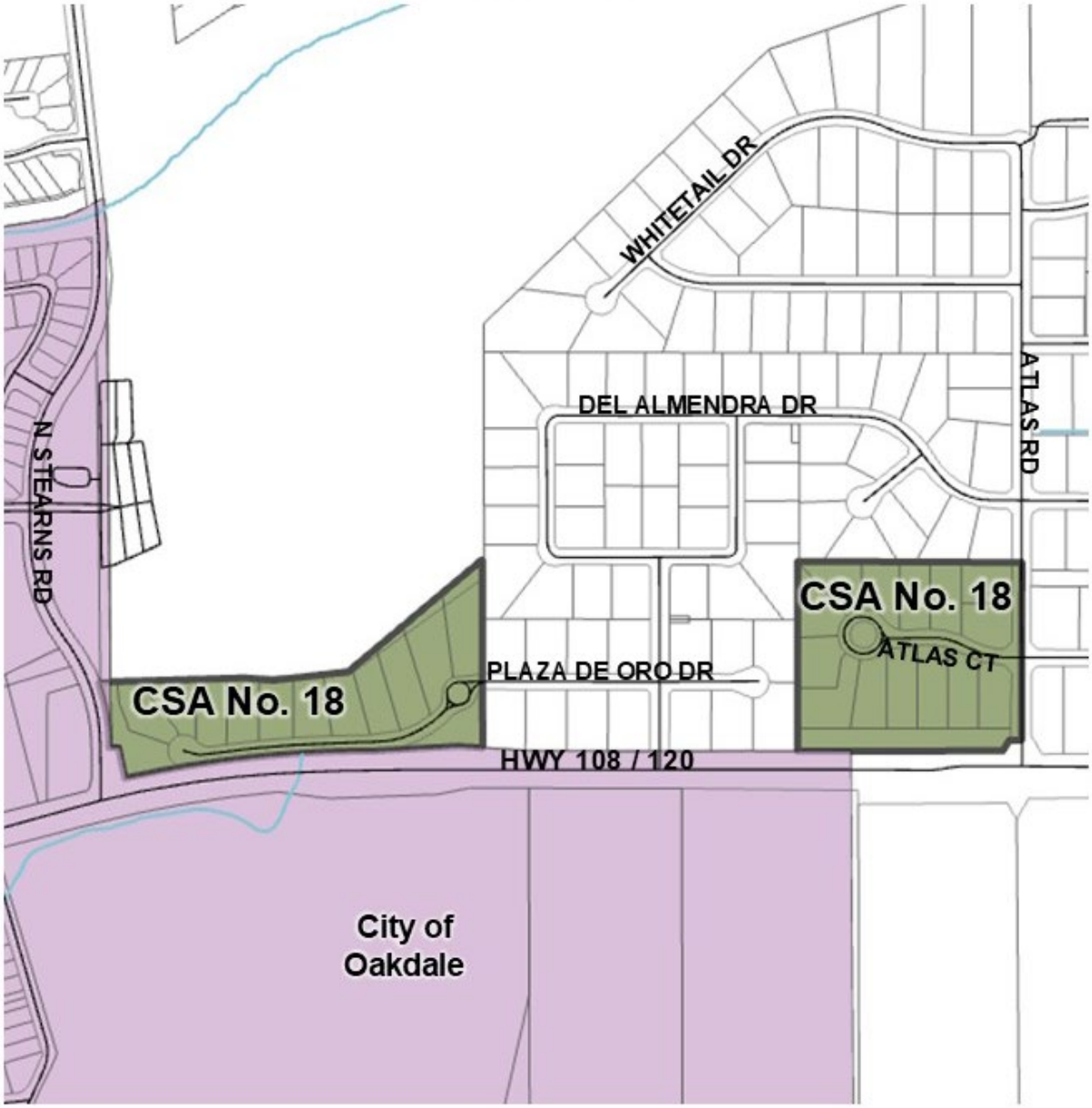


= CSA No. 16 Boundary (17.07+/-ac) = Sphere of Influence (coterminous)

Formation: October 30, 2000
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 18
"Atlas Park"

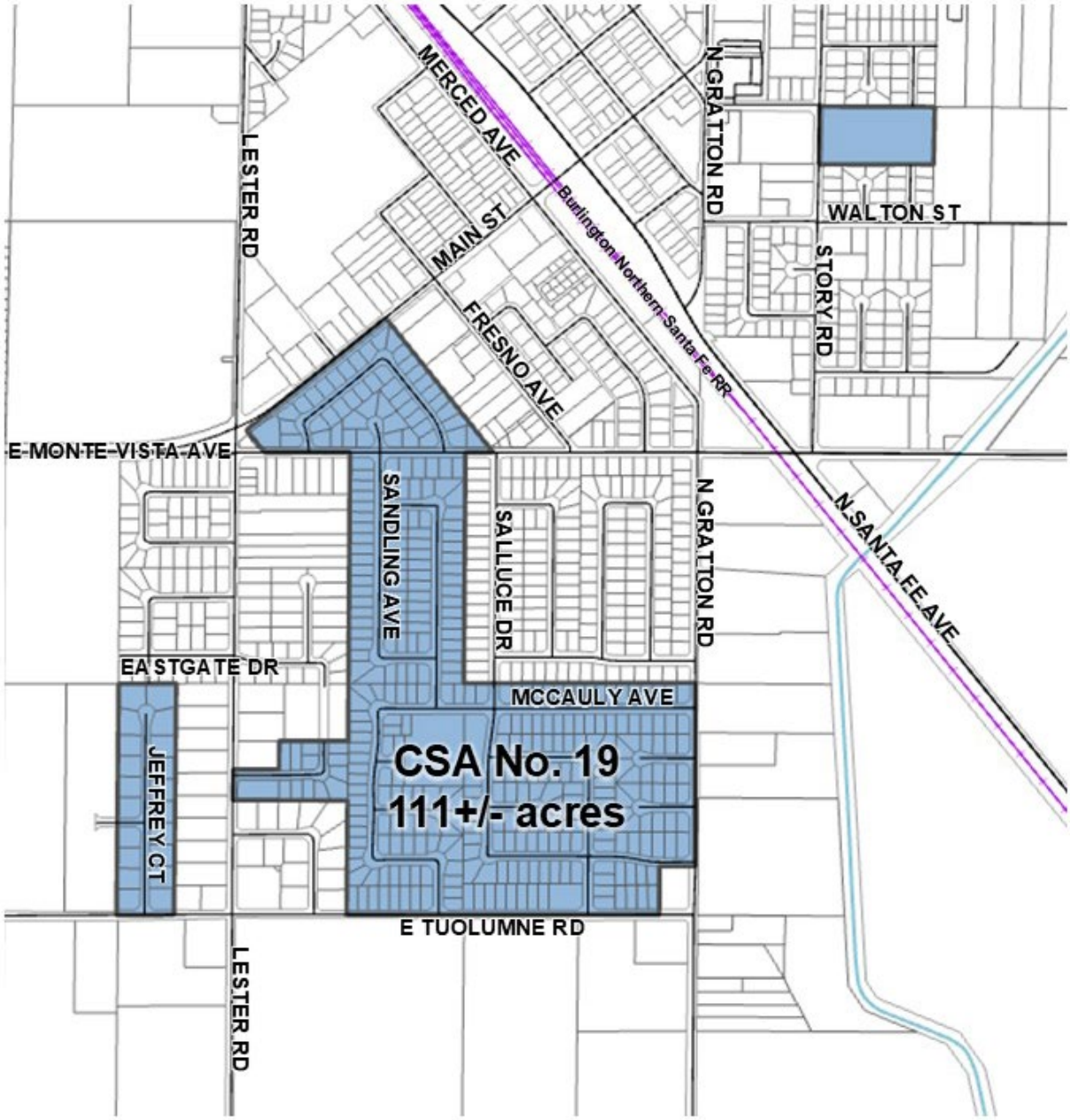


= CSA No. 18 Boundary (18+/-ac) Sphere of Influence (coterminous)

Formation: December 10, 2002
Services Provided: Storm drainage and park maintenance

Source: *LAFCO Files, County GIS, October 2026*

County Service Area (CSA) No. 19
"Tuolumne-Gratton"

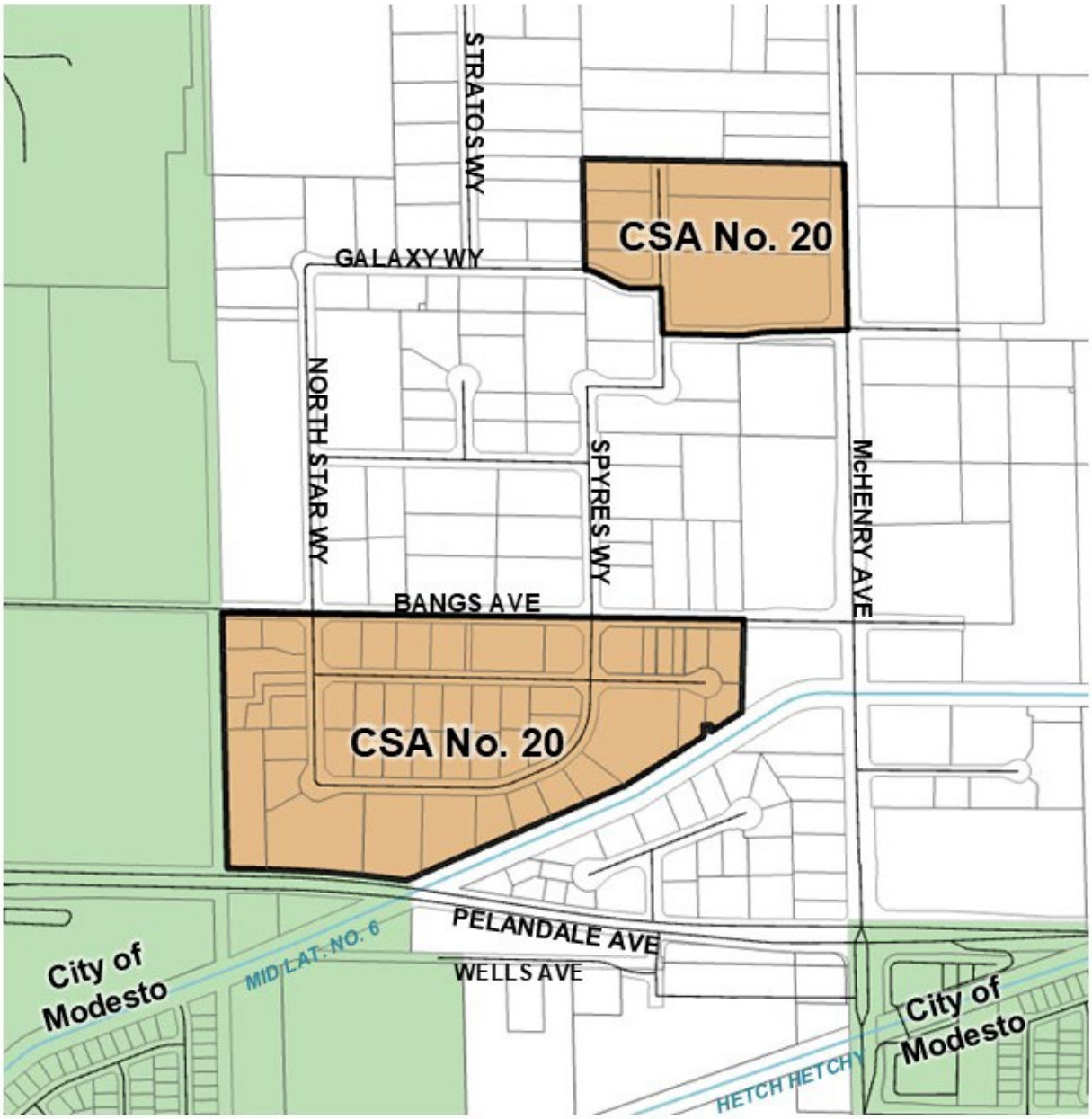


= CSA No. 19 Boundary (111+/-ac) Sphere of Influence (coterminous)

Formation: January 6, 2003
Services Provided: Storm drainage and park maintenance

Source: *LAFCO Files, County GIS, May 2026*

County Service Area (CSA) No. 20
"Summit Corporate Center"



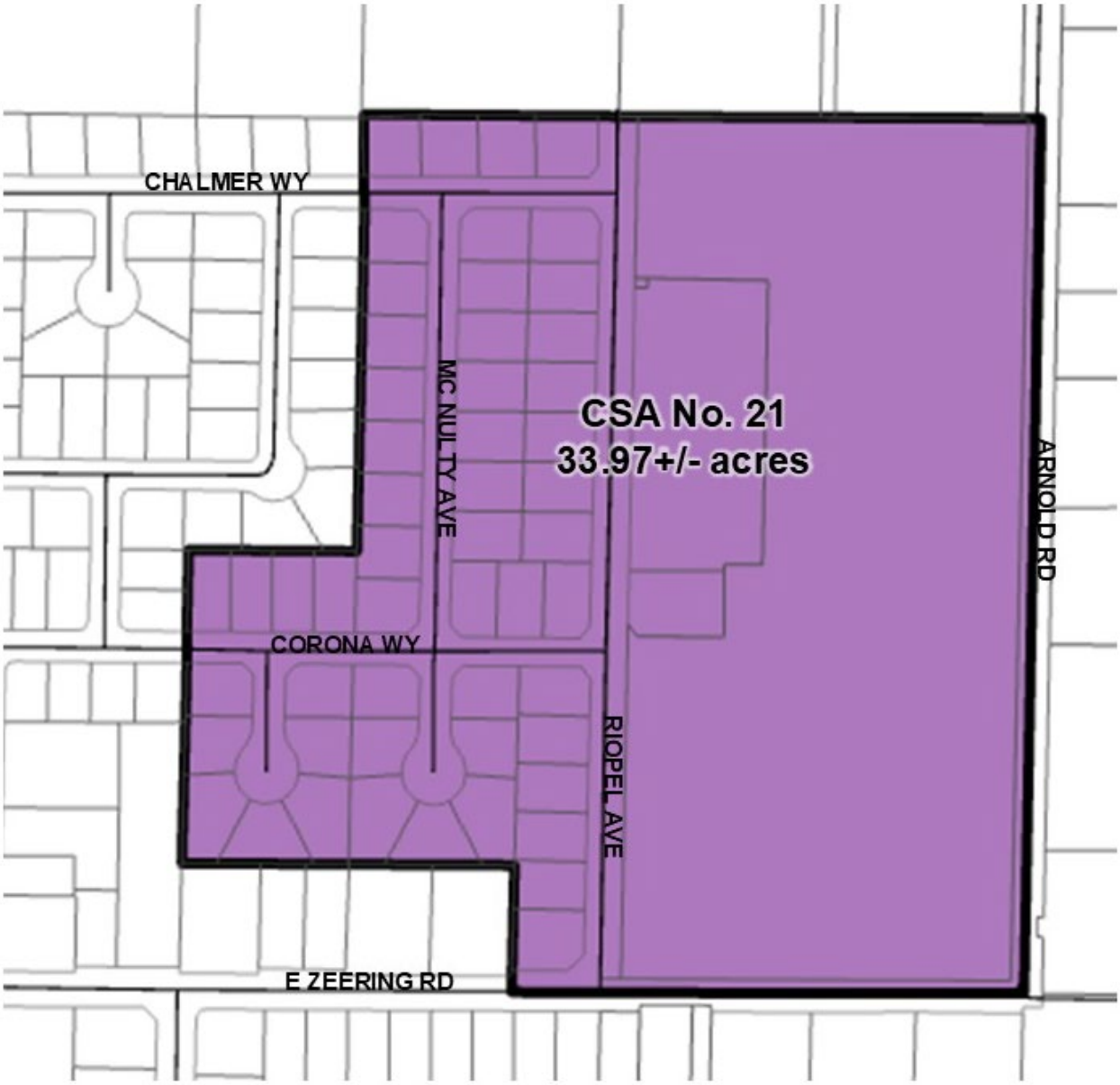
= CSA No. 20 Boundary (60+/-ac)

Sphere of Influence (coterminous)

Formation: January 29, 2003
Services Provided: Storm drainage

Source: *LAFCO Files, County GIS, November 2019*

County Service Area (CSA) No. 21
"Riopel"

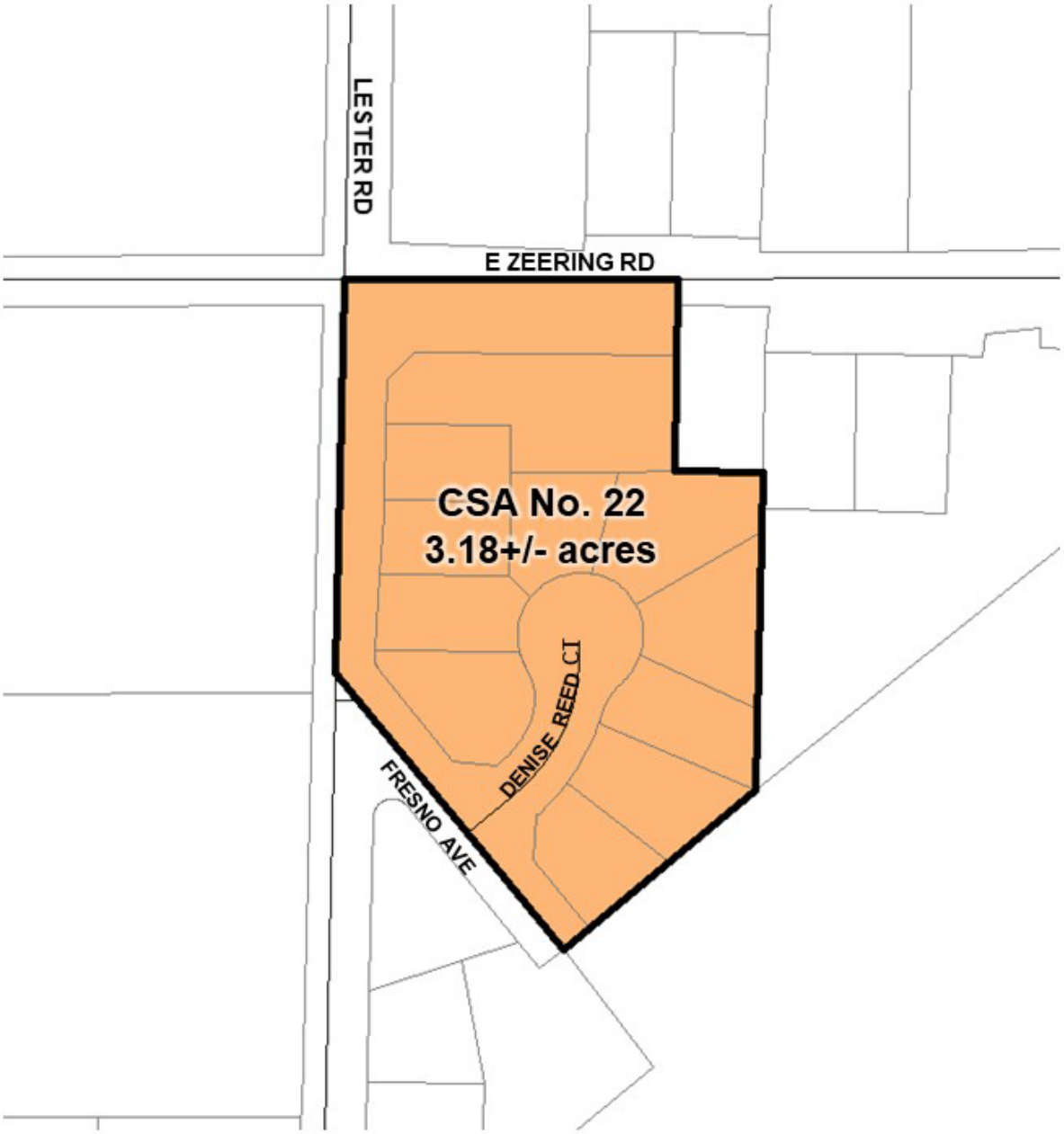


= CSA No. 21 Boundary (33.97+/-ac) = Sphere of Influence (coterminous)

Formation: December 23, 2005
Services Provided: Storm drainage and landscape maintenance

Source: *LAFCO Files, County GIS, June 2026*

County Service Area (CSA) No. 22
"Old School North"

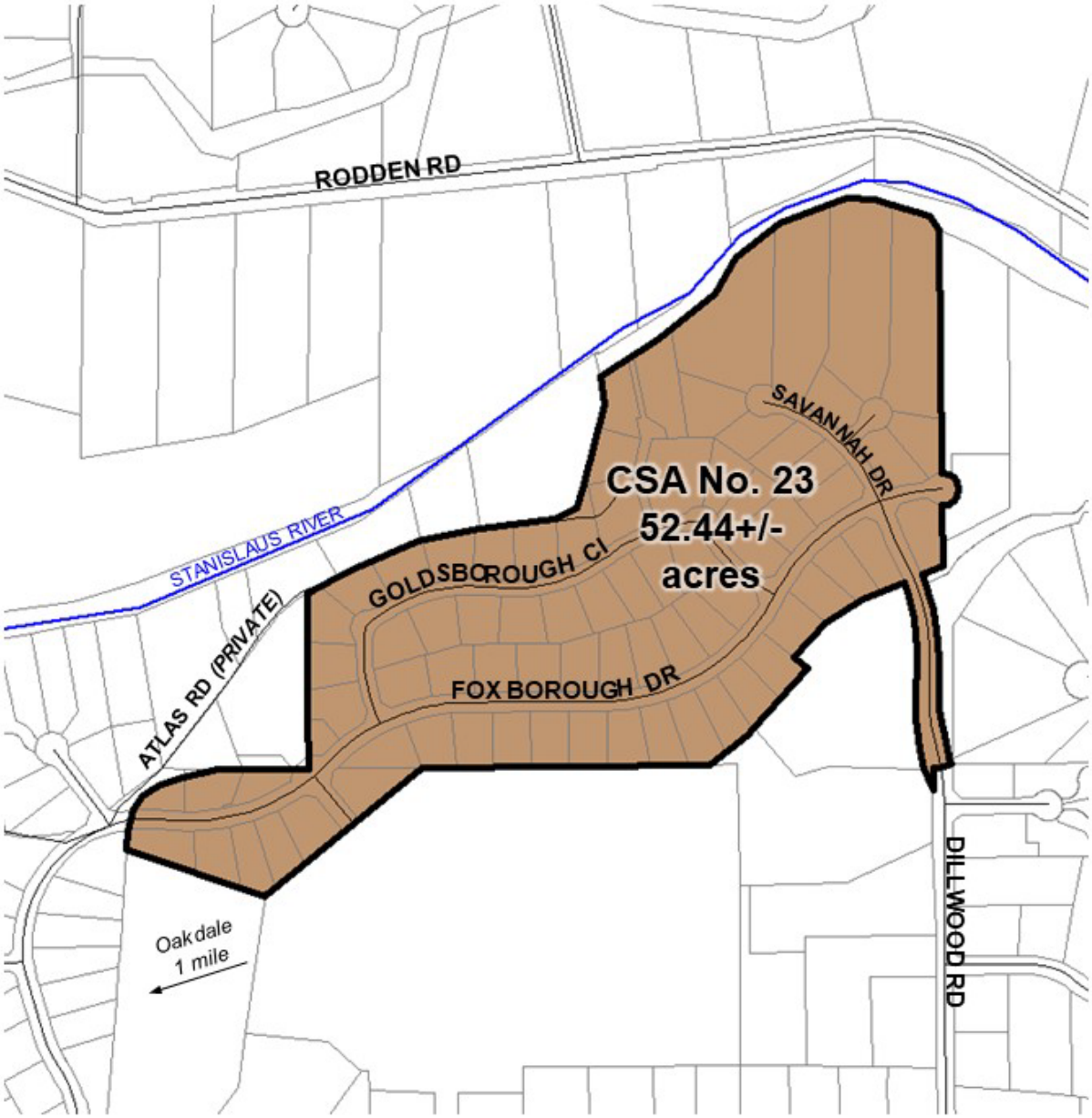


= CSA No. 22 Boundary (3.18+/-ac) = Sphere of Influence (coterminous)

Formation: January 11, 2005
Services Provided: Storm drainage and park maintenance

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 23
"Hillsborough / Schutz"

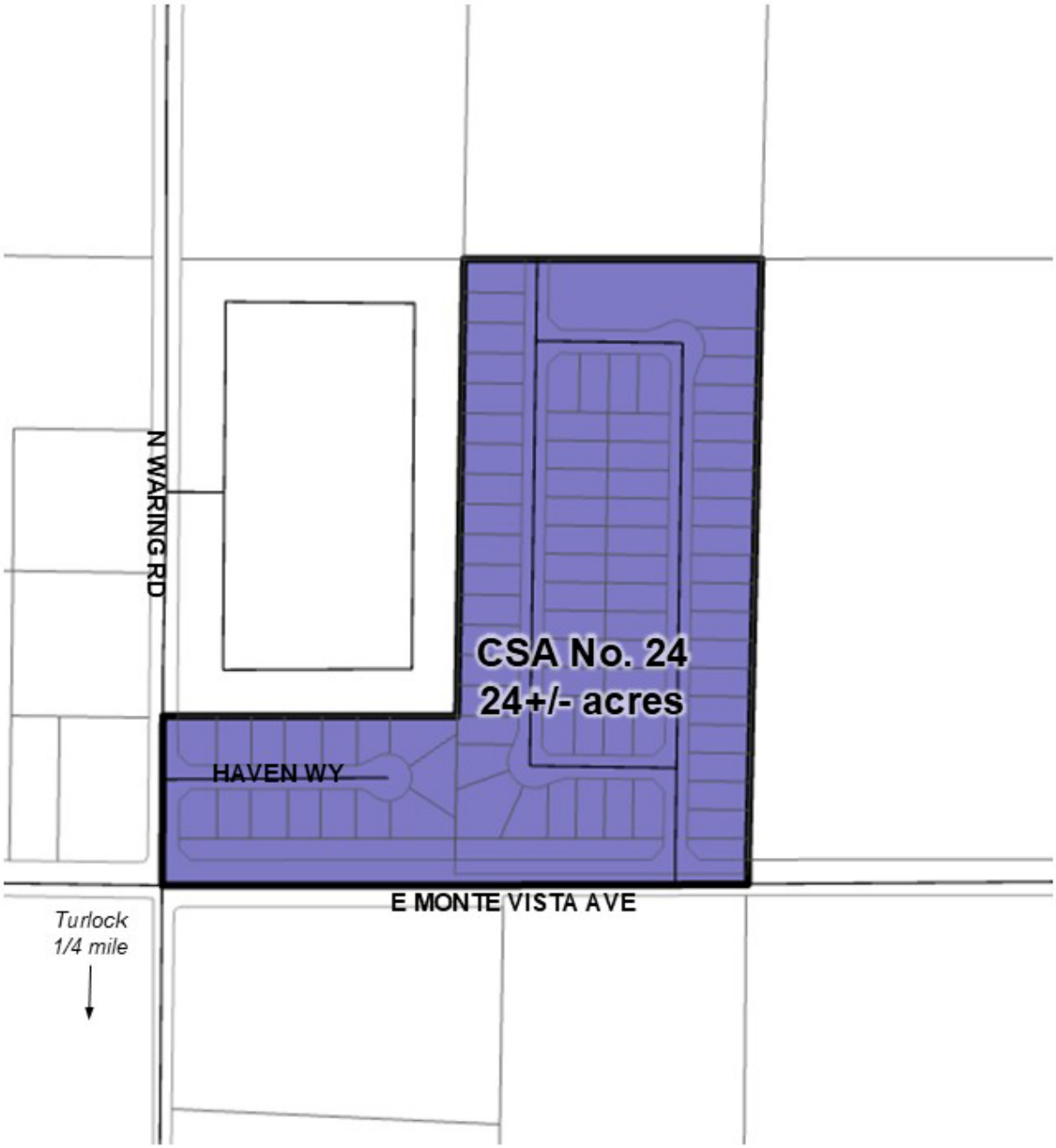


= CSA No. 23 Boundary (52.44+/-ac) = Sphere of Influence (coterminous)

Formation: November 30, 2006
Services Provided: Storm drain system maintenance, including maintenance of river outfall facility

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 24
"Hideaway Terrace"

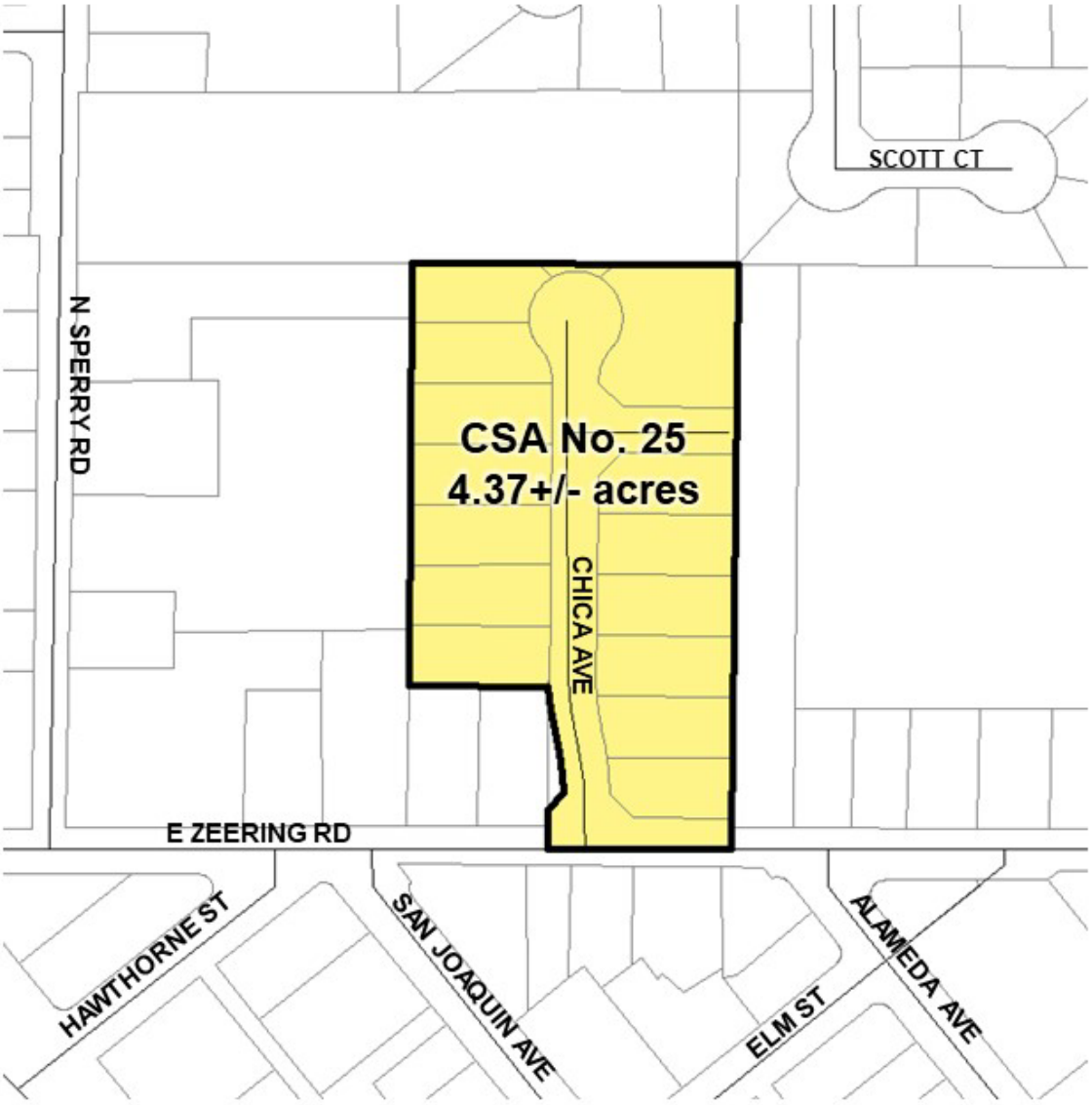


= CSA No. 24 Boundary (24+/-ac) Sphere of Influence (coterminous)

Formation: September 26, 2006
Services Provided: Storm drainage and landscape maintenance

Source: *LAFCO Files, County GIS, July, 2025*

County Service Area (CSA) No. 25
"Suncrest II"

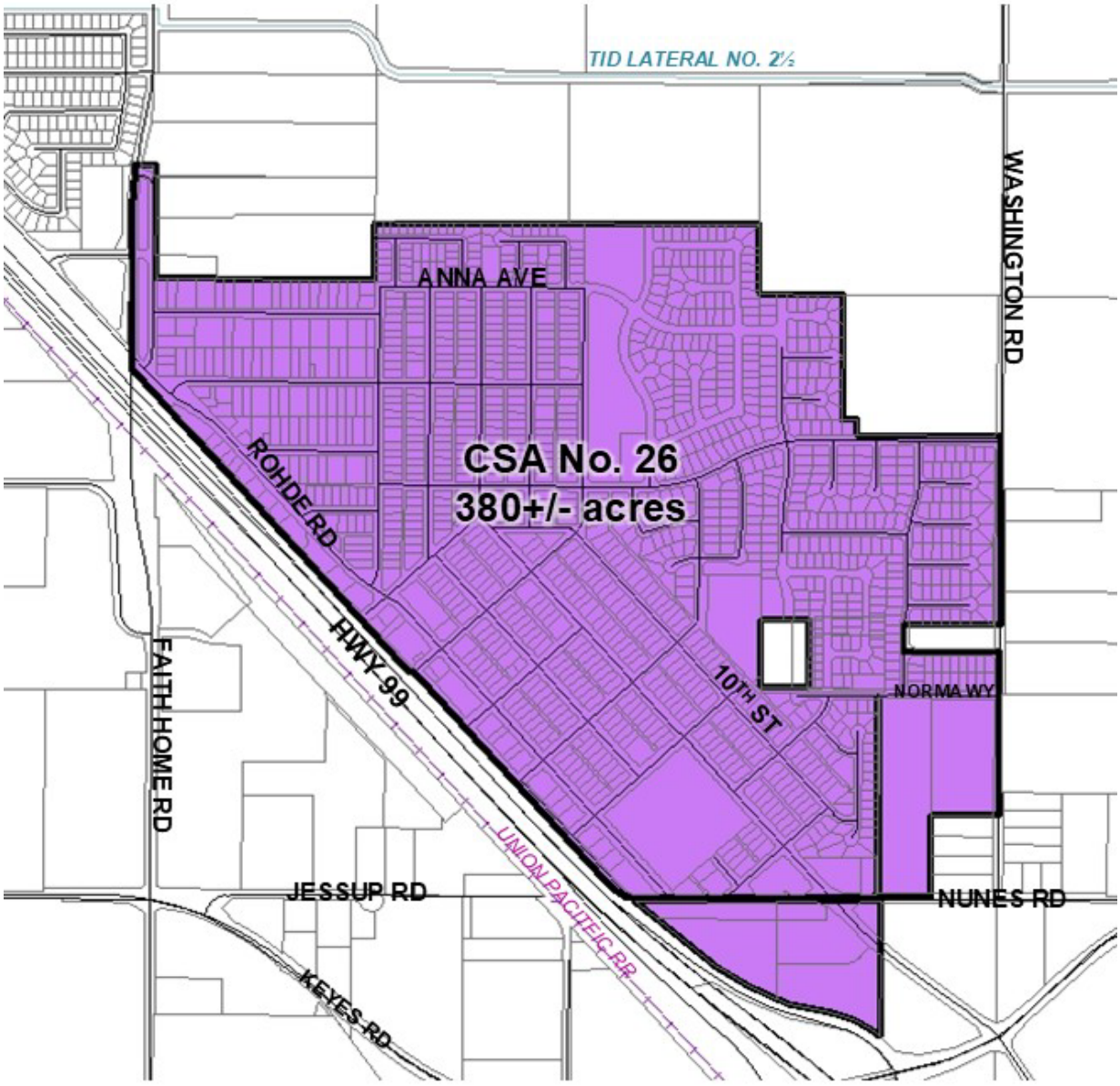


= CSA No. 25 Boundary (4.37+/-ac) = Sphere of Influence (coterminous)

Formation: November 30, 2006
Services Provided: Storm drainage and landscape maintenance

Source: *LAFCO Files, County GIS, July, 2021*

County Service Area (CSA) No. 26
"Keyes"



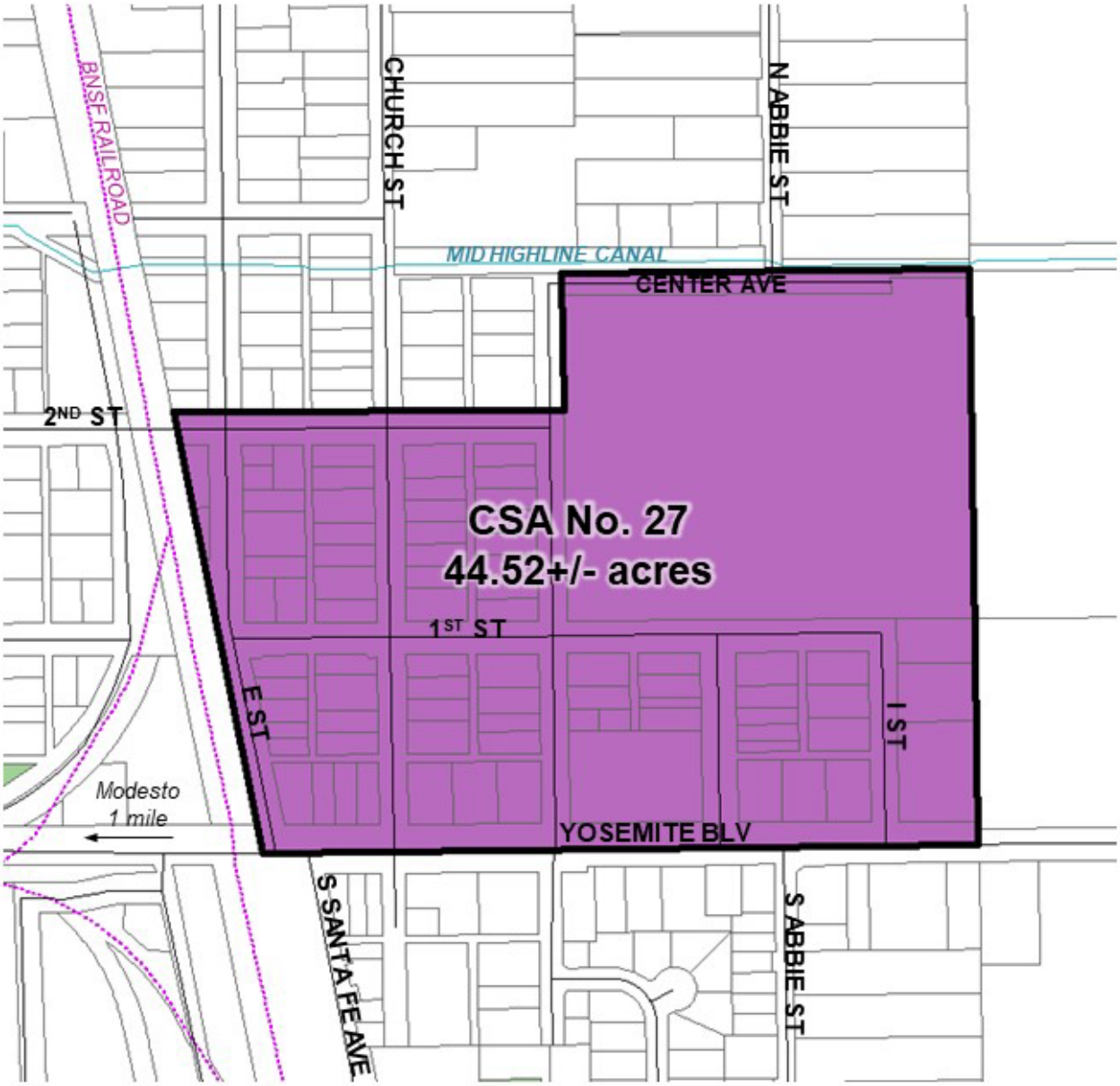
= CSA No. 26 Boundary (380+/-ac) Sphere of Influence (coterminous)

Formation: October 24, 2008
Services Provided: Storm drainage, park and landscape maintenance for areas within the Keyes Storm Drain Project

Note: The formation of CSA No. 26 in 2008 included the dissolution of CSAs No. 6 (Raymond Tract), CSA No. 13 (La Jolla), and CSA No. 17 (Sunray Estates).

Source: *LAFCO Files, County GIS, November 2023*

County Service Area (CSA) No. 27
"Empire"



= CSA No. 27 Boundary (44.52+/-ac) = Sphere of Influence (coterminous)

Formation: April 27, 2010
Services Provided: Storm drainage maintenance, street sweeping

Source: *LAFCO Files, County GIS, July, 2021*

APPENDIX "B"

REFERENCES

1. California Government Code. *Sections 25210.1 to 25211.33 – County Service Areas*. (https://leginfo.legislature.ca.gov/faces/home.xhtml).
2. California State Controller's Office, *Special Districts Annual Report*, November, 2013.
3. California State Controller's Office, Local Government Financial Data, https://bythenumbers.sco.ca.gov/.
4. Senate Local Government Committee, *Special District Fact Sheet*, September 2016.
5. Senate Local Government Committee, *What's So Special about Special Districts? (Fourth Edition)*, October 2010.
6. Stanislaus County Department of Public Works. *Fiscal Year 2026-2027 Assessments for Various County Service Areas.* Approved August 4, 2026.
7. Stanislaus LAFCO. *Municipal Service Review and Sphere of Influence Update*, Adopted September 22, 2021.
8. United States Census Bureau website. (www.census.gov)

INDIVIDUALS AND AGENCIES CONTACTED

1. Arcelia Garcia, Stanislaus County Public Works Department.
2. Janelle Kostlivy, Stanislaus County Public Works Department.
3. Tracie Madison, Stanislaus County Public Works Department.
4. Andrew Malizia, Stanislaus County Public Works Department.

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EXHIBIT 2

Resolution No. 2026-16

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DRAFT

STANISLAUS COUNTY LOCAL AGENCY FORMATION COMMISSION

RESOLUTION

DATE: October 28, 2026 **NO.** 2026-16

SUBJECT: MSR NO. 2026-03 & SOI NO. 2026-07 – MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES FOR THE COUNTY SERVICE AREAS

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

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

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, a Service Review mandated by California Government Code Section 56430 and Sphere of Influence Updates mandated by California Government Code Section 56425, has been conducted for the County Service Areas, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

WHEREAS, at the time and in the form and manner provided by law, the Executive Officer has given notice of the October 28, 2026 public hearing by this Commission on this matter;

WHEREAS, the subject document is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines;

WHEREAS, Staff has reviewed all existing and available information for the County Service Areas and has prepared a report including recommendations therein, and related information as presented to and considered by this Commission;

WHEREAS, the Commission has duly considered the draft Municipal Service Review and Sphere of Influence Update on the County Service Areas and the determinations contained therein;

WHEREAS, at the hearing, all persons present were given an opportunity to hear and be heard in respect to any matter in relation to the review, in evidence presented at the hearing;

WHEREAS, pursuant to Government Code Section 56425(i), the range of services provided by the County Service Areas are limited to those as identified in the municipal service review and such range of services shall not be changed unless approved by this Commission;

WHEREAS, the County Service Areas provide extended services such as: storm drainage control, maintenance of parks and landscaping;

WHEREAS, pursuant to Government Code Section 56425(h), the range of services provided by the County Service Areas shall not be changed unless approved by this Commission; and

WHEREAS, no changes to the Districts' Spheres of Influence are proposed or contemplated through this review.

NOW, THEREFORE, BE IT RESOLVED by the Commission:

1. Certifies that the project is statutorily exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

2. Approves the Service Review prepared in compliance with State law for the review and update of the County Service Areas' Spheres of Influence, and written determinations prepared by the Staff and contained herein.

3. Determines that except as otherwise stated, no new or different function or class of services shall be provided by the District, unless approved by the Commission.

4. Determines, based on presently existing evidence, facts, and circumstances filed and considered by the Commission, that the Sphere of Influence for the County Service Areas should be affirmed as they currently exist, as more specifically described on the maps contained within the Service Review document.

5. Directs the Executive Officer to circulate this resolution and adopted Service Review to Stanislaus County.

ATTEST: _____
Sara Lytle-Pinhey, Executive Officer

Stanislaus LAFCO
LOCAL AGENCY FORMATION COMMISSION

1010 TENTH STREET, 3RD FLOOR
MODESTO, CA 95354

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

MEMORANDUM

DATE: October 28, 2026

TO: LAFCO Commissioners

FROM: Jennifer Vieira, Commission Clerk

SUBJECT: Proposed LAFCO Meeting Calendar for 2027

RECOMMENDATION

Staff recommends that the Commission accept the proposed 2027 LAFCO Meeting Calendar

BACKGROUND

Each year, the Commission considers the following year's regular meeting calendar. The Commission's regular meetings occur on the fourth Wednesday of each month, with the exception of the November and December meetings that are combined due to the holidays and held on the first Wednesday in December. The calendar includes holidays and CALAFCO educational opportunities (staff workshop and annual conference) for the Commission's information.

Attachment: Proposed LAFCO 2027 Meeting Calendar

Stanislaus
LAFCO
LOCAL AGENCY FORMATION COMMISSION

1010 TENTH STREET, 3RD FLOOR
MODESTO, CA 95354

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

LAFCO CALENDAR FOR 2027

REGULAR MEETING TIME: 6:00 P.M.

JANUARY						
Su	M	Tu	W	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
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28						

MARCH						
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30	31					

JUNE						
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31						

NOVEMBER						
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28	29	30				

DECEMBER						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

LAFCO MEETINGS – REGULAR TIME: 6:00 P.M.
(4TH WEDNESDAY OF EVERY MONTH, WITH THE EXCEPTION OF NOVEMBER & DECEMBER, WHICH ARE COMBINED AND HELD ON THE 1st WEDNESDAY IN DECEMBER)

HOLIDAYS

CALAFCO STAFF WORKSHOP – VENTURA (May 5-7, 2027)
CALAFCO ANNUAL CONFERENCE – PASADENA (September 8-10, 2027)

DRAFT

EXECUTIVE OFFICER'S AGENDA REPORT
OCTOBER 28, 2026

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Executive Officer SLP

SUBJECT: Year-End Financial Report for Fiscal Year 2025-2026

RECOMMENDATION

Staff recommends that the Commission accept this informational report comparing budgeted and actual revenue and expenditures for Fiscal Year 2025-2026.

DISCUSSION

At the close of Fiscal Year 2025-2026, the Commission's revenues exceeded expenditures by $88,156 and a drawdown of fund balance was not needed. Overall, the Commission expended 94% of the amount budgeted for the year. A summary of the expenditures and revenue is shown in Table 1, below.

Table 1: **Fiscal Year 2025-2026 Summary**
(Totals have been rounded)

Expenditures	**Adopted Budget FY 25-26**	**Actuals Year-End**	**Difference**	**% of Budget**
Salaries & Benefits	638,180	631,337	6,843	99%
Services & Supplies	111,620	74,352	37,268	67%
Other Charges	1,200	918	282	76%
Total Expenditures	**751,000**	**706,607**	**44,393**	**94%**
Revenues				
Agency Contributions	711,000	711,000	0	100%
Applications	20,000	50,412	(30,412)	252%
Interest Earnings	-	33,296	(33,296)	-
Misc. Reimbursements		56	(56)	
Total Revenue	**731,000**	**794,763**	**(63,763)**	**109%**
Anticipated Use of Fund Balance	*20,000*			
Revenue Less Expenditures		**88,156**		

Expenditures

The Commission uses three expense categories: Salaries and Benefits, Services and Supplies, and Other Charges. Overall, expenses trended lower than budgeted. Details of the individual accounts are attached to this report. The following are highlights within each of these categories:

Salaries and Benefits
At the end of the fiscal year, the Salaries and Benefits category had expenditures of $631,337 representing 99% of the amount budgeted in this category. Of note, health insurance expenses trended lower than those estimated during budget preparation and help to offset an unanticipated 4% increase in salaries approved for employees in the County's benefit system, including LAFCO Staff.

Services and Supplies
Expenditures in the Services and Supplies category accounted for 67% of the amount budgeted. The Commission had savings in the Commission Expense and Legal Services accounts due to the reduced number of meetings during the year. Savings were also seen in the Education and Training account increased as Staff participated in free training opportunities offered by the California Association of Local Agency Formation Commissions (CALAFCO) and the California Special Districts Association (CSDA). A training reimbursement was also provided by the Special Districts Risk Management Association (SDRMA) resulting in a credit in this account.

Other Charges
The Other Charges category consists of one account: "Planning Department Services" for shared use of a copier. Staff continues to strive to use reduced paper copies where possible.

Revenue

Overall, the Commission received $794,763 in revenue, or $88,156 above what was anticipated. The majority of this was due to unanticipated interest revenues and application revenues that exceeded original estimates.

CONCLUSION

At the close of Fiscal Year 2025-2026, use of fund balance was not needed to offset expenditures as originally estimated. A fund balance analysis including assignment of reserves and use of undesignated fund balance will be considered during preparation of the next year's budget.

Attachment: Fiscal Year 2025-2026 Expenditures and Revenues Detail

Stanislaus LAFCO

Fiscal Year 2025-2026 Expenditures and Revenues

(Totals have been rounded)

EXPENDITURES

Account		FY 25-26 ADOPTED BUDGET	ACTUALS (YEAR-END)	DIFFERENCE	% EXPENDED
Salaries and Benefits					
50000+	Salaries and wages	391,000	394,426	(3,426)	101%
52000	Retirement	123,000	123,710	(710)	101%
52010	FICA	30,500	30,382	118	100%
53000	Group health insurance	76,000	65,873	10,127	87%
53020	Unemployment insurance	500	195	305	39%
53081	Long term disability	480	407	73	85%
54000	Workers compensation insurance	3,200	2,603	597	81%
55000	Auto allowance	4,800	4,819	(19)	100%
55080	Professional development	2,500	2,500	-	100%
55130	Deferred comp mgmt/conf	6,200	6,422	(222)	104%
Total	**Salaries and Benefits**	**638,180**	**631,337**	**6,843**	**99%**
Services and Supplies					
60400	Communications (ITC - Telecom)	1,200	1,179	21	98%
61000	Insurance (SDRMA)	6,250	6,398	(148)	102%
61030	Fiduciary liability insurance	15	15	-	100%
61070	Crime & fidelity insurance	40	33	7	83%
62200	Memberships (CSDA, CALAFCO)	12,320	12,382	(62)	101%
62400	Miscellaneous expense	500	405	95	81%
62600	Office supplies	1,500	833	667	56%
62730	Postage	1,200	970	230	81%
63000	Prof & special serv (office, utilities, IT, HR, etc)	38,995	30,761	8,234	79%
63090	Auditing & accounting (incl Biennial audit)	14,600	14,857	(257)	102%
63400	Engineering services	2,000	-	2,000	0%
63640	Legal services	16,000	2,746	13,254	17%
65000	Publications & legal notices	1,200	1,199	1	100%
65660	Special dept exp (comissioners)	8,500	2,702	5,798	32%
65780+	Education & training	6,500	(272)	6,772	-4%
67040	Other travel exp (local mileage)	600	-	600	0%
67201	Salvage disposal	200	141	59	71%
Total	**Services and Supplies**	**111,620**	**74,352**	**37,268**	**67%**
Other Charges					
73024	Planning dept services	1,200	918	282	76%
Total	**Other Charges**	**1,200**	**918**	**282**	**76%**
TOTAL EXPENDITURES		**751,000**	**706,607**	**44,393**	**94%**

REVENUES

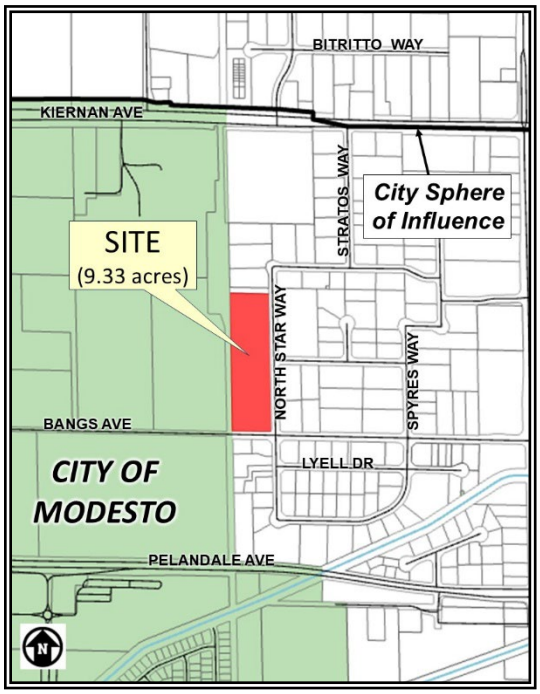
Account		FY 25-26 ADOPTED BUDGET	ACTUALS (YEAR-END)	DIFFERENCE	% REALIZED
40680+	Agency Contributions	711,000	711,000	-	100%
36414	Application & Other Revenues	20,000	50,412	(30,412)	252%
17000+	Interest Earnings	-	33,296	(33,296)	-
40860	Misc. Reimbursements	-	56	(56)	-
TOTAL REVENUE		**731,000**	**794,763**	**(63,763)**	**109%**
Anticipated Drawdown of Fund Balance		*20,000*			
	Revenues Less Expenditures		**88,156**		

EXECUTIVE OFFICER'S AGENDA REPORT
OCTOBER 28, 2026

STANISLAUS LOCAL AGENCY FORMATION COMMISSION
OUT-OF-BOUNDARY SERVICE APPLICATION:
POWER PLAY (CITY OF MODESTO – SEWER & WATER SERVICE)

APPLICANT: City of Modesto

LOCATION: The site is located at 4555 Northstar Way, at the northwest corner of the Bangs Avenue and Northstar Way intersection (APN: 046-011-002). The is located within the City of Modesto Sphere of Influence. (See Map, Exhibit A.)



REQUEST: The City of Modesto is requesting an out-of-boundary service extension to provide sewer and water service to serve a 9.33-acre property. The site is planned for eight (8) commercial/light industrial buildings, including roller hockey arena totaling approximately 93,000 square feet. (See City of Modesto's Out-of-Boundary Application, Exhibit B.)

BACKGROUND

Government Code Section 56133 (attached in full as Exhibit C) specifies that a city or special district must 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.

(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 its own policy to assist in the Commission's review of out-of-boundary service requests, known as Policy 15 (see Exhibit D). Policy 15 reiterates the requirements of Government Code Section 56133 and also allows the Executive Officer, on behalf of the Commission, to approve service extensions in limited circumstances to respond to health and safety concerns for existing development. As the current request would serve new development, it is being forwarded to the Commission for review.

DISCUSSION

State law and Commission policies generally prefer annexation to accommodate the extension of City services. However, the Commission has recognized that there are situations when out-of-boundary service extensions maybe an appropriate alternative, consistent with Government

Code Section 56133 and Commission Policy 15.

Consistency with Commission Policy 15

The Commission's Policy 15(C) describes a variety of situations where the Commission may favorably consider service extensions. 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 determine that subsection #2 provides a relevant basis for considering the proposed service extension. The subject property is located within the City's adopted Sphere of Influence and is immediately adjacent to the City limits. Although the property is adjacent to the City, the subject parcel is part of a larger business park / light industrial area extending east toward McHenry Avenue. The area includes multiple parcels that are currently developed or planned for industrial uses but do not yet fully meet City development standards. In particular, the project site and portions of the area lack complete storm drainage infrastructure, streetlighting, sidewalks, and other improvements typically associated with development within the City. As a result, the City has indicated that it anticipates annexing the subject property and surrounding area at a later time, when the area is more suitable for annexation and the necessary infrastructure and development conditions are in place.

The proposed extension of water and sewer services would provide necessary services to the property until the site and surrounding area are ready to be annexed. In evaluating the request under subsection #2, the Commission may also consider the property's location within the City's Sphere of Influence and the adopted land use designation of "business park" for the area. These factors indicate that the property is anticipated for eventual urban development and future inclusion within the City.

The request does not appear to involve an emergency or health-related condition that would independently support an immediate service extension under subsection #4. However, the availability of City-provided potable water and public sewer may represent a preferable and more reliable means of serving the property than continued reliance on individual on-site water and wastewater facilities. The provision of public water and sewer could also facilitate the orderly development and eventual annexation of the property consistent with the City's long-term plans for the surrounding business park area.

Consistency with Applicable State Law

The Commission must also consider Government Code Section 56133, the applicable state law, which states "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 [emphasis added]."

The timeframe for "anticipation of a later change of organization" is not specifically defined. Some LAFCOs interpret this phrase as being synonymous with the property being located within a sphere of influence. Others request a more definitive timeframe for annexation by the service provider. Although the timeframe for future annexation is currently unknown, the property has been within the Sphere of Influence of the City of Modesto since 1984 and the surrounding area is foreseen for business park uses on the City's General Plan. The City was consulted during the County's land use approval process to ensure consistency with City standards based on policies of both agencies in anticipation of the ultimate annexation of the site.

Environmental Review

Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA), prepared an initial study and adopted a Negative Declaration, finding that the proposed project will not have a significant effect on the environment (Exhibit E). LAFCO, as a Responsible Agency, must consider this documentation and make a similar finding should it approve the proposal.

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 City's proposal to provide sewer and water service to the future commercial/light industrial buildings 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 by the City.
- 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 City of Modesto and adopt Resolution No. 2026-15, which finds the request to be consistent with Government Code Section 56133 and Commission Policy 15 and includes the following conditions:

A. This approval allows for the extension of sewer and water service as requested by the City for the property located at 4555 Northstar Way only.

B. The City shall not allow additional sewer and water service connections outside the City limits and beyond the current request without first requesting and securing approval from LAFCO.

Respectfully submitted,

Javier Camarena

Javier Camarena
Assistant Executive Officer

Attachments: Exhibit A - Map
Exhibit B - City's Out-of-Boundary Application
Exhibit C - Government Code Section 56133
Exhibit D - LAFCO Policy 15
Exhibit E - Stanislaus County Initial Study and Notice of Determination
Exhibit F – Draft LAFCO Resolution No. 2026-15

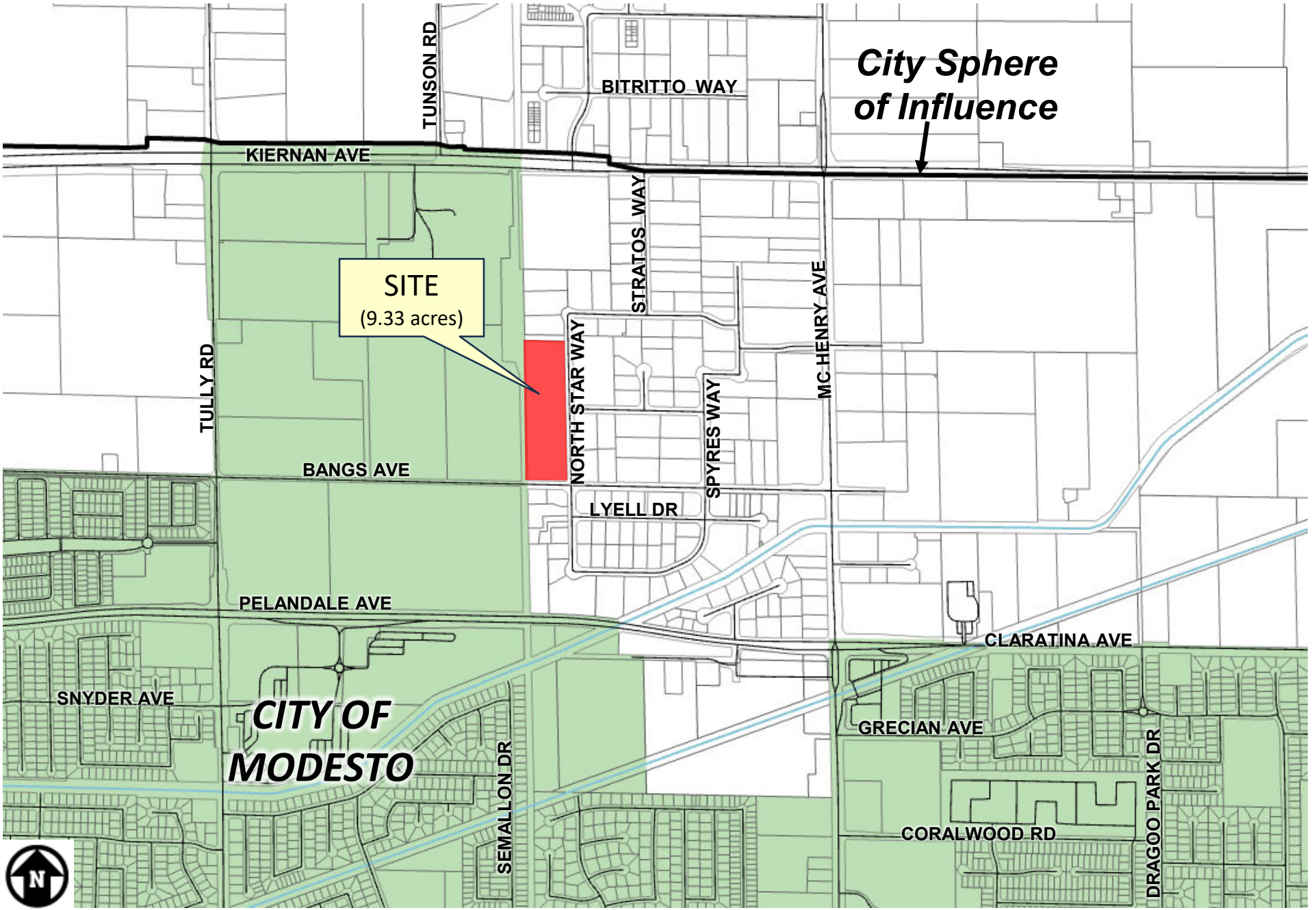
EXHIBIT A

Map

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Out of Boundary Service Application

Power Play – Sewer & Water Service



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EXHIBIT B

City's Out-of-Boundary Application

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RECEIVED
JUL 27 2026
BY:

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: City of Modesto

CONTACT PERSON: Alfredo Aguilera

MAILING ADDRESS: 1010 10th Street, Modesto, CA 95354

PHONE: (209) 571-5180 E-MAIL: alaguilera@modestogov.com

PROPERTY OWNER (PARTY RECEIVING SERVICE):

PROPERTY OWNER NAME: Costa Limited Partners, L.P.

SITE ADDRESS: 4555 Northstar Way, Modesto, CA 95356

PHONE: _____ E-MAIL: [redacted]

ASSESSOR PARCEL NUMBER(S): 046-011-002

ACREAGE: 9.33 (*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:

   Water and Sewer services will be extended approximately 1,235 feet starting from the intersection of Bang Avenue and Northstar Way to service the proposed development.

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.

   Service extensions will be for new development. Proposed development will include site improvem
   8 commercial/light industrial buildings, including a roller hockey arena.
   Total approximate 93,000 s.f. for buildings

3. Is this request to address a health and safety situation? ■ Yes ❑ No

   If yes, please explain below.

   Public utility service would provide reliable municipal water/sewer services to the development, and would meet public health and safety standards, avoiding reliance on non-municipal OWTS/well

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.

   Out-of-boundary is preferred. Annexation is anticipated in the future as develpment of the surroundin area occurs and when conditions are appropriate. Utilities are needed now to facilitate development.

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: Alfredo Aguilera

AGENCY: City of Modesto

DATE: 8-27-26

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

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

MODESTO CITY COUNCIL
RESOLUTION NO. 2026-246

RESOLUTION APPROVING A WILL SERVE LETTER AND OUTSIDE SERVICE AGREEMENT WITH COSTA LIMITED PARTNERS, LP, TO CONNECT TO THE CITY OF MODESTO'S EXISTING WATER & SEWER SYSTEMS FOR THE PROPERTY LOCATED AT 4555 NORTH STAR WAY (APN: 046-011-002) AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN THE WILL SERVE LETTERS AND EXECUTE THE OUTSIDE SERVICE AGREEMENTS

WHEREAS, Costa Limited Partners, LP own a commercial property located at 4555 North Star Way which is located outside of Modesto City Limits and within the City's Sphere of Influence; and

WHEREAS the owners are proposing to connect to City's water system and sewer system; and

WHEREAS, on May 22, 2012, the City Council approved Resolution No. 2012-202 that amended City Council Policy 5.001; and

WHEREAS, on June 5, 2012, the City Council approved final adoption of Ordinance No. 3566-C.S. amending City of Modesto Municipal Code Section 11-1.05; and

WHEREAS, on November 25, 2014, the City Council approved Resolution No. 2014-472 that amended City Council Policy 5.001; and

WHEREAS, on December 9, 2014, the City Council approved adoption of Ordinance No. 3611-C.S. amending City of Modesto Municipal Code Section 11-1.05; and

WHEREAS, all of these amendments included language allowing the City Manager upon the recommendation of the Director responsible for utility system planning, to approve standard agreements of service for extension of water and

sewer services into certain unincorporated areas that are located within the former Del Este Water Service Area without City Council approval; and

WHEREAS the property located at 4555 North Star Way is not located within the former Del Este Water Service area and therefore requires City Council approval prior to allowing the new water service connection; and

WHEREAS, it has been determined that a sufficient quantity of potable water is available for normal usage by the proposed development; and

WHEREAS, the water connection fees will be paid and associated permits be obtained prior to beginning any on site construction; and

WHEREAS, the property located at 4555 North Star Way is not located within one of those designated areas and therefore requires City Council approval prior to allowing the sewer connection; and

WHEREAS, City staff has completed an analysis and determined that it is reasonable for the City of Modesto to provide sewer service to this property; and

WHEREAS, pursuant to Government Code Section 56133, a city may provide extended services outside its jurisdictional boundaries only if it first requests and receives written approval from the Stanislaus Local Agency Formation Commission (LAFCO); and

WHEREAS, the sewer connection fees shall be paid and associated permits will be obtained prior to connecting to the City sewer system; and

WHEREAS, the property owner signed an Outside Service Agreements for sewer and water service with the City as required to receive sewer and water service outside the City limits.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the Will Serve Letters and Outside Service Agreements with Costa Limited Partners, LP to connect to the City of Modesto's existing water and sewer system for the property located at 4555 North Star Way (APN:046-011-002).

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to sign the Will Serve Letters and execute the Outside Service Agreements, in a form approved by the City Attorney.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 2026, by Councilmember Escutia-Braaton, who moved its adoption, which motion being duly seconded by Councilmember Alvarez, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Alvarez, Bavaro, Escutia-Braaton, Ricci, Williams, Wright, Mayor Zwahlen
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
DIANE NAYARES-PEREZ, CMC,
City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: _____
JOSE M. SANCHEZ, City Attorney

CITY OF MODESTO
CALIFORNIA

Engineering Services Dept.
Land Development Engineering

June 24th, 2026

Costa Limited Partners, L.P.
3400 Spyres Way
Manteca, CA 95336

Subject: Sewer Will Serve Letter for a commercial property located at 4555 NorthStar Way, Modesto CA (APN: 046-011-002)

To Whom It May Concern:
As requested in your application dated May 07, 2026, the proposed commercial development consisting of 8 commercial/industrial buildings including a roller hockey arena, totaling approximately 93,000 square footages of buildings located at 4555 NorthStar Way, Modesto CA (APN 046-011-002), will be allowed to make a sewer service connection to the City's sewer system to accommodate normal usage as described below.

Sewer Service:

Pursuant to Modesto City Council Resolution No. 91-434 that establishes various conditions for the extension of sewer services into unincorporated areas, it has been determined that a connection to the City's sewer system will be allowed to accommodate normal usage by the proposed development.

In general, Resolution No. 91-434 provides that sewer service extensions may be approved by the City Manager, on a case-by-case basis, to properties located outside the Modesto Municipal Sewer District No. 1, but within the Ultimate Sewer Service Area, when all the following conditions are met:

1. The sewer system in which the service connection will be made has sufficient capacity to receive the amount and type of discharge expected from the proposed facility.

2. An appropriately sized sewer line or manhole exists relatively close to the subject property to serve as the connection point.

3. That all applicable water and sewer connection fees are paid, and associated permits be obtained prior to beginning any on-site construction. The property owner agrees to pay all associated monthly water and sewer service charges.

4. The property owner must execute an outside service agreement with the City of Modesto.

In addition to the above requirements, the following items are specific conditions on the proposed project:

5. That the project's proposed sewer demands will not change significantly from the above reference letter.

6. The property owner shall connect to the sanitary sewer manhole at the intersection of Bangs Avenue and Northstar Way and extend the sanitary sewer main to be able to service the property. Design of the connecting sewer main shall be per City Standards and by a registered engineer authorized to perform such work. The proposed design shall be approved by the City and all costs associated with its design, installation, and permits shall be borne by the property owner.

7. That the property owner enters into a standard outside sewer service agreement with the City, as required for sewer service outside the City limits. For Starting the agreement process, you can contact Deborah Long at (209) 342- 4712 for more information.

On May 22, 2012, the City Council approved Resolution No. 2012-203 that amended City Council Policy 5.002 relating to sewer connection into unincorporated areas. On June 5, 2012, the City Council approved final adoption of Ordinance No. 3567-C.S. amending City of Modesto Municipal Code Section 11-1.05. Both amendments included language which required that the City Manager, upon the recommendation of the Director responsible for utility system planning, request City Council approval for all extensions of sewer services into unincorporated areas.

Construction of the sewer service connection identified to serve the above referenced property shall be completed prior to twelve (12) months from the City Council date of this letter, and if after such time the service connections have not been made, the City's approval of said connections will be revoked.

If you have any questions, please contact Alfredo Aguilera at (209) 571-5180.

Recommended By: _____
Jaspreet Mangat, Senior Civil Engineer

Sincerely,

Joseph P. Lopez
City Manager

cc: William S. Wong - Director of Utilities
Stanislaus County Building Dept.

CITY OF MODESTO CALIFORNIA

Engineering Services Dept.
Land Development Engineering

June 24th, 2026

Costa Limited Partners, L.P.
3400 Spyres Way
Manteca, CA 95336

Subject: Water Will Serve Letter for a commercial property located at 4555 Northstar Way, Modesto CA (APN: 046-011-002)

To Whom It May Concern:

As requested in your application dated May 07,2026, the proposed commercial development consisting of 8 commercial/industrial buildings including a roller hockey arena, totaling approximately 93,000 square footages of buildings located at 4555 Northstar Way, Modesto CA (APN: 046-011-002) will be allowed to make the necessary water service connections to the City's existing water system as described below.

Water Service:
Pursuant to Modesto City Council Resolution No. 98-306 and City Council Policy No. 5.001, both addressing the extension of water service into unincorporated areas, it has been determined that a sufficient quantity of potable water is available for normal usage by the proposed development.

In general, Council Policy No. 5.001 provides that water service extensions may be approved by the City Manager on a case-by-case basis to properties outside the Modesto City Limits, outside of the Modesto Municipal Sewer District Number 1 and outside of the City's Sphere of Influence when all of the following conditions are met:

1. The development has been authorized by the appropriate land use agency.

2. The property is inside, contiguous to, or near the former service area of the Del Este Water Company.

3. City staff has completed an analysis and determined that it is reasonable for the City of Modesto to extend water service based on a plan to pay for the service extension costs, the quantity of water used, the type of water use and the overall impact on the water system.

In addition to the above requirements, the following items are specific conditions on the proposed project:

4. That the water demand requirements for the proposed structure will not change significantly from the information contained in the above referenced application.

5. That the proposed development meets all of the applicable Fire District's fire code requirements, and current edition of the California Fire Code, California Building Code and California Residential Code for water fire flow pressure and volume.

6. That the water service connections for the proposed development are made from the existing 12-inch water main in Bangs Avenue and extend through Northstar Way and make a looped connection with existing water main in Glass Lane. The water service connection shall be designed per City /Standards and by a registered engineer authorized to perform such work. Improvement plans shall be submitted to the City for review and approval. All costs associated with its design, installation, and permits shall be borne by the property owner.

7. That the water service lines, and associated meter sizes needed to serve the proposed project be installed.

8. This parcel is inside the sphere of influence but outside the city limits, so the water related charges will be charged 25% higher than the regular rate as per the city ordinance No. 3776 C.S.

9. That all applicable water connection fees are paid, and associated permits be obtained prior to beginning any on-site construction.

10. That the property owner enters into a standard water service agreement with the City, as required for water service outside the City limits, by contacting Land Development Engineering, Deborah Vilmur at (209) 577- 5281 for more information.

Construction of the water connection identified to serve the above referenced project shall be completed prior to twelve (12) months from the date of this letter, and if after such time the service connections have not been made, the City's approval of said connections will be revoked.

If you have any questions, please contact Alfredo Aguilera at (209) 571-5180.

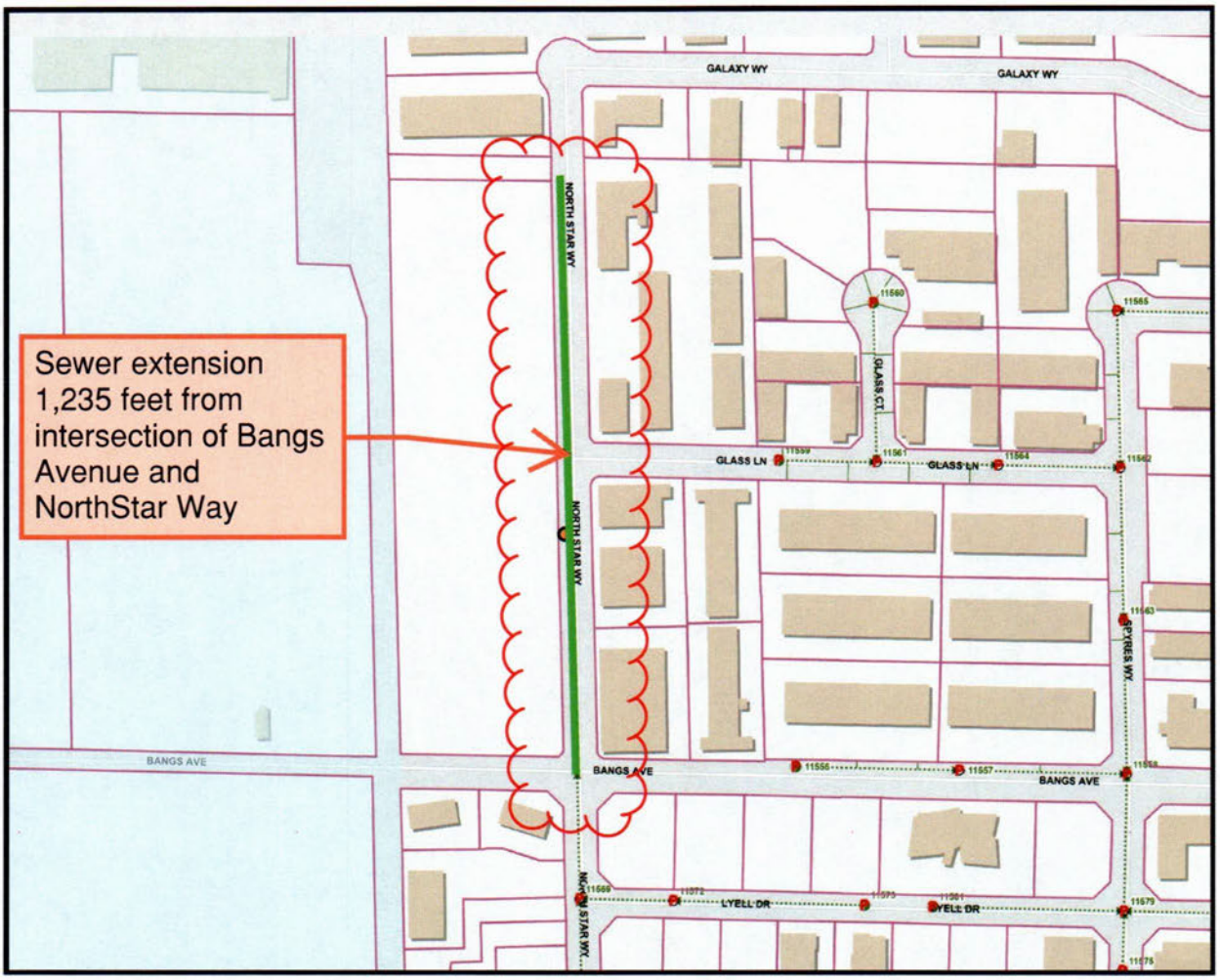
Recommended By: _____
Jaspreet Mangat, Senior Civil Engineer

Sincerely,

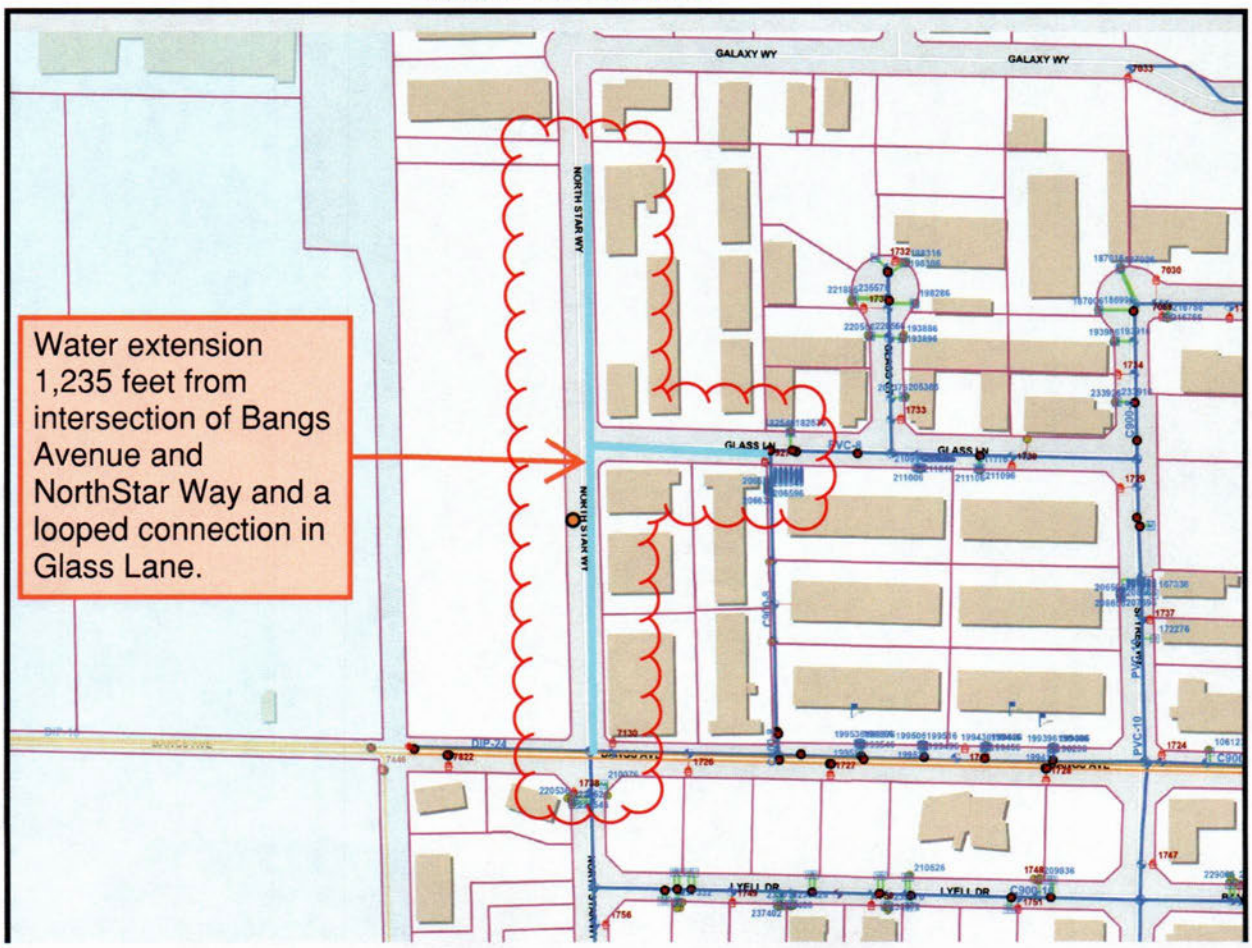
Joseph P. Lopez
City Manager

cc: William S. Wong - Director of Utilities
Jim Alves – Utilities
Stanislaus County – Building

SEWER EXTENSION



WATER EXTENSION



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EXHIBIT C

Government Code Section 56133

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Government Code Section §56133

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission of the county in which the affected territory is located.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:

(1) The entity applying for approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of requests made pursuant to this section to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the extended services. If the new or extended services are disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to any of the following:

(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 nonpotable or nontreated 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 electric utility, as defined by Section 224.3 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundary.

(6) A fire protection contract, as defined in subdivision (a) of Section 56134.

(Amended by Stats. 2022, Ch. 37)

EXHIBIT D

LAFCO Policy 15

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

(Amended January 24, 2018)

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 jurisdictional boundaries in cases where the service extension is proposed to remedy a clear health and safety concern for existing development.

   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: Consistent with Government Code Section 56133, this policy does not apply to:

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 9604 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.

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EXHIBIT E

Stanislaus County Initial Study & Notice of Determination

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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 and Parcel Map Application No. PLN2023-0099 – Power Play
2.	**Lead agency name and address:**	Stanislaus County 1010 10th Street, Suite 3400 Modesto, CA 95354
3.	**Contact person and phone number:**	Jeremy Ballard, Senior Planner (209) 525-6330
4.	**Project location:**	711 Bangs and 4555 North Star Way, between Galaxy Way and Bangs Avenue, in the Modesto area (APN: 046-011-002)
5.	**Project sponsor's name and address:**	Barrett Lipomi, RED INC Architects 1217 J Street Modesto, CA 95354
6.	**General Plan designation:**	Planned Development
7.	**Zoning:**	Planned Development (P-D)(25)

8. Description of project:

This is a request to rezone a 9.33-acre parcel from Planned Development (P-D) 25 to a new P-D, to allow development of an indoor roller hockey rink facility (with two separate rinks). The project will also include the construction of seven commercial buildings, totaling 62,900 square feet, to be developed with light industrial and commercial uses consistent with the P-D (25) zoning district. A subdivision map is included in the request to divide the project site into eight parcels, placing a proposed building on each resulting parcel.

The site was previously developed in the early 1970s with a two-story industrial facility utilized by Pacific Aluminum Corporation (later occupied by Indalex Aluminum) as a custom aluminum extrusion, anodizing, and painting facility. P-D (25) was approved in 1976 which expanded the permitted uses of the site to include a variety of light industrial uses, including light manufacturing, warehousing, offices, contractor yards and similar light industrial and commercial uses that did not provide direct service to the general public.

Indalex ceased operations at the site in the Spring of 2009. In 2010, the United States Environmental Protection Agency (EPA) and California Department of Toxic Substances Control (DTSC) conducted a clean-up on-site to abate toxic liquids left on-site after the abandonment; clean-up of the site, was completed in 2015.

The site maintains land use entitlements to develop with planned industrial and low traffic generating commercial uses ministerially. The seven light industrial and office buildings, proposed to range in size from 7,000 square feet to 12,500 square feet and to be suited for a variety of offices and warehouse spaces, are permitted under the site's current P-D (25) zoning district. The proposed 60,834 square-foot indoor roller hockey rink facility is not currently permitted in the P-D (25) zoning district; accordingly, a rezone to a new P-D is required to include the new use.

At full build out, the project proposes a paved 375 space parking lot with LED security lighting within the parking area. Reciprocal access and parking easements are proposed between each proposed parcel. Proposed landscaping includes a combination of trees, shrubs, grasses, and ground cover along the perimeter of the site and planter islands throughout the interior of the project area. Proposed signage includes a six-foot-high by 15-foot-wide monument sign

at the corner of the Bangs Avenue and North Star Way intersection, three 10-foot-high by 4.5-foot-wide monument signs adjacent to North Star Way, and wall signage on the buildings for individual tenants. The proposed hours of operation for the roller hockey rink are 5:00 p.m. to 10:00 p.m. Monday through Friday and 10:00 a.m. to 10:00 p.m. on Saturdays and Sundays. The proposed hours of operation for the commercial buildings on Parcels 1 through 7 are expected to be 8:00 a.m. to 5:00 p.m. Monday through Friday. The interior of the roller hockey rink facility will be developed with two separate rinks, locker rooms, party rooms, restrooms, pro shop, offices, kitchen, dining area, skate rental, and equipment storage. The rink will be open to the public as well as youth and adult roller hockey leagues.

Up to 175 daily customers are expected for the roller hockey rink, with up to 60 on-site at one time for league use, and 100 on-site at one time during public skating. The rink anticipates eight employees on a maximum shift, with one shift per-day. Trip generation from the roller hockey facility is estimated to create 396 daily trips. For the additional proposed buildings, which are already permitted per the current P-D (25) zoning, up to 430 daily trips associated with general office use and 204 daily trips associated with light industrial uses are anticipated. A total of 1,030 daily vehicle trips for the project at full build out between all proposed uses is anticipated; however, only the roller hockey rink (396 daily trips) is being considered under this review as the other uses are already permitted ministerially under the current zoning.

The project will be served with public water services from the City of Modesto and by eight individual septic systems for sanitary services, until public sewer services from the City of Modesto becomes available, at which point the site will be required to connect to the City of Modesto for public sewer. Stormwater will be handled via a horizontal drainage system and access will be provided via North Star Way, a County-maintained Road.

9. Surrounding land uses and setting: Light industrial and low traffic generating uses surround the site to the north, east, and south; the City of Modesto is located to the south; some agricultural lands planted in orchard within the City of Modesto Sphere of Influence are located west and south of the project site.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):
Stanislaus County Department of Environmental Resources (DER)
Stanislaus County Department of Public Works
City of Modesto
San Joaquin Valley Air Pollution Control District
California Department of Toxic Substances Control (DTSC)
United States Environmental Protection Agency (EPA)

11. Attachments:

I. Records Search, conducted by the Central California Information Center, dated August 14, 2023
II. California Department of Toxic Substances Control, Pacific Aluminum Closure Report Acceptance Letter, dated April 9, 2015
III. Project Trip Generation Analysis, completed by Pinnacle Traffic Engineering, dated February 25, 2025

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

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

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

☒ **I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.**

☐ **I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.**

☐ **I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.**

☐ **I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.**

☐ **I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.**

Signature on File
Prepared by Jeremy Ballard, Senior Planner

September 19, 2025
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

> **a) Earlier Analysis Used. Identify and state where they are available for review.**
>
> **b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.**
>
> **c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.**

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

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

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

9) The explanation of each issue should identify:

> **a) the significant criteria or threshold, if any, used to evaluate each question; and**
>
> **b) the mitigation measure identified, if any, to reduce the impact to less than significant.**

ISSUES

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

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. The only scenic designation in the County is along Interstate 5 which is not located near the project site. The site is located in an area with other developed industrial uses and the site was previously developed in the early 1970s with a two-story industrial building utilized by Pacific Aluminum Corporation (later occupied by Indalex Aluminum) as a custom aluminum extrusion, anodizing, and painting facility. The facility stopped operating in 2009, and the building and accessory structures were all demolished by 2015. The project proposes to construct an indoor roller hockey rink facility (with two separate rinks) and seven shell buildings, ranging in size from 7,000 square feet to 12,500 square feet, to be suited for a variety of offices and warehouse spaces. At full build out, the project proposes a paved 375 space parking lot with LED security lighting within the parking area. Reciprocal access and parking easements are proposed between each proposed parcel. Proposed landscaping includes a combination of trees, shrubs, grasses, and ground cover along the perimeter of the site and planter islands throughout the interior of the project area. Proposed signage includes a six-foot-high by 15-foot-wide monument sign at the corner of the Bangs Avenue and North Star Way intersection, three 10-foot-high by 4.5-foot-wide monument signs adjacent to North Star Way, and wall signage on the buildings for individual tenants.

A referral response received from the Stanislaus County Department of Public Works requires that the project annex into the County Services Area (CSA) No. 20 – Hideaway Terrace for maintenance of stormwater, public landscaping, and block wall improvements and annex into the North McHenry Lighting District No. 1 for maintenance of street lighting. The City of Modesto provided a referral response indicating that the project shall meet City commercial standards for utilities, the screening of on-site utilities, street frontage improvements, parking lot, drive aisle, and driveway design, signage, building setbacks, landscaping, and trash enclosures. The City of Modesto also stated they support the proposed 375 parking spaces as shown on the site plan as long as the conditions of approval for the Development Plan for the P-D Zone does have provisions for shared parking between the uses including disparate hours of operation between those uses and the Power Play facility, and that there is a requirement for a blanket reciprocal vehicular and parking access easement to allow for shared parking between all of the parcels of the site. The previous development installed curb, gutter, paved driveway approaches, and partial sidewalk along the property frontages of Bangs Avenue and North Star Way; however, portions of the sidewalk has been degraded and may be required to be replaced in some areas. Development standards will be incorporated into the project to ensure these standards are met. Development standards will also be added to this project to require a photometric lighting plan and require all lighting fixtures to be shielded and aimed downward to reduce potential for creation of a new source of glare or sky-glow affecting the day or nighttime views of the area.

The proposed office building will be visually and characteristically consistent with the existing commercial and light industrial uses within the surrounding area. The proposed project is not anticipated to degrade the existing visual character or quality of the site or its surroundings. No impacts to aesthetics are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Application information; Referral responses received from the Department of Public Works dated May 7, 2025 and June 3, 2025; Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Stanislaus County Zoning Ordinance; Stanislaus County General Plan and Support Documentation[1].

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

Discussion: The project site is presently zoned Planned Development (25) and is not enrolled in a Williamson Act Contract. The site is located in an area with other developed industrial uses and the site was previously developed in the early 1970s with a two-story industrial building utilized by Pacific Aluminum Corporation (later occupied by Indalex Aluminum) as a custom aluminum extrusion, anodizing, and painting facility. The facility stopped operating in 2009, and the building and accessory structures were all demolished by 2015. The project site is classified as "Urban and Built-Up Land" by the California Department of Conservation's 2020 Farmland Mapping and Monitoring Program. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 80 and above as excellent. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey for Eastern Stanislaus County indicates that 57% of the property is made up of Dinuba sandy loam (DrA), which has a Storie Index rating of 77 and Grade of two, which are good soils for the purposes of farming, and the remainder of the site (43%) is made up of Hanford sandy loam soils (HdA), with a Storie Index rating of 95 and Grade of one, which is considered to be

prime soil. Despite a portion of the site's soils being identified as prime, the site was previously declared to be a toxic site, due to the previous aluminum manufacturing facility, but was remediated in 2015.

The project site is in the service boundary of the Modesto Irrigation District (MID). MID provided a project response indicating that the project site does not include any irrigation facilities, thus they did not have concerns regarding irrigation water or infrastructure. Additionally, the project was referred to the Stanislaus County Agricultural Commissioner's Office who responded with no comments on the project.

The project is located in an area developed with light industrial and low traffic generating uses. The Union Pacific Railroad is located on the western property boundary of the project site, which has a 50-foot wide right-of-way. Four parcels between 18 and 40 acres in size are located to the west and southwest of the project site which are currently planted in orchard and enrolled in Williamson Act Contracts. However, these parcels are part of the Founder Point East Specific Plan, approved by the city of Modesto, which is currently in the process of being annexed by the city and will be developed with residential and industrial park uses. If the annexation has not occurred prior to consideration of this project, a requirement for an agricultural buffer or buffer alternative will be required to be incorporated into the project.

The project will have no impact to forest land or timberland. Based on the specific features and design of this project, it does not appear this project will impact the long-term productive agricultural capability of surrounding contracted lands in the A-2 zoning district. There is no indication this project will result in the removal of adjacent contracted land from agricultural use.

Mitigation: None.

References: Application information; Referral response received from the Modesto Irrigation District, dated May 6, 2025; Natural Resources Conservation Service Soil Survey; Stanislaus Soil Survey (1957); California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Referral response from the Stanislaus County Agricultural Commissioner's Office, dated April 21, 2025; Stanislaus County General Plan and Support Documentation[1].

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), 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.

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. All construction activities are required to comply with all SJVAPCD regulations.

The site is located in an area with other developed industrial uses and the site was previously developed in the early 1970s with a two-story industrial building utilized by Pacific Aluminum Corporation (later occupied by Indalex Aluminum) as a custom aluminum extrusion, anodizing, and painting facility. The facility stopped operating in 2009, and the building and accessory structures were all demolished by 2015. The seven light industrial and office buildings, proposed to range in size from 7,000 square feet to 12,500 square feet and to be suited for a variety of offices and warehouse spaces, are permitted under the site's current P-D (25) zoning district. The proposed 60,834 square-foot indoor roller hockey rink facility is not currently permitted in the P-D (25) zoning district; accordingly, a rezone to a new P-D is required to include the new use.

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

Up to 175 daily customers are expected for the rink, with up to 60 on-site at one time for league use, and 100 on-site at one time during public skating. The rink anticipates eight employees on a maximum shift, with one shift per-day. Trip generation from the roller hockey facility is estimated to create 396 daily trips. For the additional proposed buildings, which are already permitted per the current P-D (25) zoning, up to 430 daily trips associated with general office use and 204 daily trips associated with light industrial uses are anticipated. A total of 1,030 daily vehicle trips for the project at full build out between all proposed uses is anticipated; however, only the roller hockey rink (396 daily trips) is being considered under this review as the other uses are already permitted ministerially under the current zoning.

Originally, the SJVAPCD provided a project referral response indicating that additional studies were required in order to determine if the proposed project is below the District's thresholds of significance for emissions. After clarifying that the light industrial, office, and low generating commercial uses were already permitted under the current P-D (25) zoning designation and that the environmental review was only evaluating the impacts from the proposed roller hockey rink, the SJVAPCD provided a revised response indicating that potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds.

The proposed project would not conflict with applicable regional plans or policies adopted by agencies with jurisdiction over the project. Compliance with any applicable SJVPCD regulations and permitting will be required and applied to the project's development standards. With development standards in pace impacts to air quality are considered to be less than significant.

Mitigation: None.

References: San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; Referral response received from the San Joaquin Valley Air Pollution Control District (SJVAPCD), dated April 17, 2025; Revised referral response received from the SJVAPCD, dated September 8, 2025; Stanislaus County General Plan and Support Documentation[1].

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

Discussion: It does not appear this project will result in impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors. There is no known sensitive or protected species or natural community located on the site. The project is located within the Salida Quad of the California Natural Diversity Database. According to the California Natural Diversity Database (CNDDB) Quad Species List, there are 13 animal or botanical species which are state or federally listed as endangered or threatened, or proposed threatened species, that have been recorded to either occur or have occurred within the Quad. These species include: California tiger salamander, Swainsons Hawk, tricolored blackbird, green sturgeon – southern DPS, Sacramento hitch, hardhead, Sacramento splittail, Pacific lamprey, steelhead – Central Valley DPS, Chinook Salmon - Central Valley fall/late fall-run ESU, northwestern pond turtle, and the coast horned lizard. An Early Consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and no response was received.

The site is located in an area with other developed industrial uses and the site was previously developed in the early 1970s with a two-story industrial building utilized by Pacific Aluminum Corporation (later occupied by Indalex Aluminum) as a custom aluminum extrusion, anodizing, and painting facility. The facility stopped operating in 2009, and the building and accessory structures were all demolished by 2015. 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: California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation[1].

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 does not include a General Plan Amendment the project is not subject to SB18, nor is subject to the notification process of AB 52, as Stanislaus County has not received any requests for consultation from the tribes listed with the Native American Heritage Commission (NAHC). A records search formulated by the Central California Information Center (CCIC) indicated that the Union Pacific Railroad abutting the project site to the south was constructed in 1913, which is considered to be a historic resource. The proposed development will not encroach on the existing railroad line. The CCIC letter also indicated that there was a low probability of discovery of prehistoric or historic resources on-site; nor have any cultural resources been discovered or reported in the immediate vicinity.

It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site was previously developed and the proposed construction is within the area which has already been disturbed. However, standard conditions of approval regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Central California Information Center Report for the project site, dated August 14, 2023; Stanislaus County General Plan and Support Documentation[1].

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.

As required by CEQA Guidelines Section 15064.3, potential impacts regarding Air Quality should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, identifies projects and areas presumed to have a less than significant, which includes, absent substantial evidence indicating that a project would

generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per-day as generally assumed to cause a less-than significant transportation impact.

Up to 175 daily customers are expected for the rink, with up to 60 on-site at one time for league use, and 100 on-site at one time during public skating. The rink anticipates eight employees on a maximum shift, with one shift per-day. Trip generation from the roller hockey facility is estimated to create 396 daily trips. For the additional proposed buildings, which are already permitted per the current P-D (25) zoning, up to 430 daily trips associated with general office use and 204 daily trips associated with light industrial uses are anticipated. A total of 1,030 daily vehicle trips for the project at full build out between all proposed uses is anticipated; however, only the roller hockey rink (396 daily trips) is being considered under this review as the other uses are already permitted ministerially under the current zoning. Although the proposed skating hockey rink will potentially increase daily vehicle trips, due to the nearest skating hockey rink facility in the surrounding area being located in Stockton, daily trips will also be reduced.

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 placed on the project requiring all construction activities be in compliance with all SJVAPCD regulations and with Title 24, Green Building Code, which includes energy efficiency requirements.

The project site is served by the Modesto Irrigation District (MID) for electrical service who provided a project response indicating that the project is required to meet MID standards for electrical service, including the dedication and protection of electric easements and equipment. This will be incorporated into the project's development standards.

Originally, the San Joaquin Valley Air Pollution Control District (SJVAPCD) provided a project referral response indicating that additional studies were required in order to determine if the proposed project is below the District's thresholds of significance for emissions. After clarifying that the light industrial, office, and low generating commercial uses were already permitted under the current P-D (25) zoning designation and that the environmental review was only evaluating the impacts from the proposed roller hockey rink, the SJVAPCD provided a revised response indicating that potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds. The Air District response also indicated that the proposed construction will require an Authority to Construct (ATC) Permit and may be subject to the following District Rules: Regulation VIII, Rule 4102, Rule 4601, Rule 4641, Rule 4002, Rule 4102, Rule 4550, and Rule 4570. The proposed project would be consistent with all applicable renewable energy or energy efficiency requirements. Requirements to obtain any required SJVAPCD permits will be incorporated into the project's development standards.

With development standards to be applied to the project impacts to energy are considered to be less than significant.

Mitigation: None.

References: Application information; CEQA Guidelines; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County 2016 General Plan EIR; Governor's Office of Planning and Research Technical Advisory, December 2018; Referral response received from the Modesto Irrigation District, dated May 6, 2025; Referral response received from the San Joaquin Valley Air Pollution Control District (SJVAPCD), dated April 17, 2025; Revised referral response received from the SJVAPCD, dated September 8, 2025; Stanislaus County General Plan and Support Documentation[1].

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 57% of the property is made up of Dinuba sandy loam (DrA) and the remaining 43% of Hanford sandy loam soils (HdA). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the Diablo Range, west of Interstate 5; however, 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. Any structures resulting from this project will be designed and built according to building standards appropriate to withstand shaking for the area in which they are constructed. An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project will be required, subject to Public Works review and Standards and Specifications.

Likewise, any addition or expansion of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements. A referral response received from the Stanislaus County Department of Environmental Resources (DER) indicated that the uses on each proposed parcel are required to meet DER standards for on-site wastewater treatment, including future replacements areas, 100% expansion areas, that dispersal fields shall not be paved or covered by concrete or a material which is not capable of reducing or prohibiting a possible evaporation of the sewer effluent, and that local standards including the Local Agency Management Program (LAMP) standards and Measure

X standards, which require individual primary and secondary wastewater treatment units, be met. These standards will be applied to the project as development standards.

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

DER, Public Works, and the Building Permits Division review and approve any building or grading permit to ensure their standards are met. Development Standards regarding these standards will be applied to the project and will be triggered when a building permit is requested. With these development standards in place impacts to geology and soils are anticipated to ne less than significant.

Mitigation: None.

References: Referral response received from the Stanislaus County Department of Environmental Resources, Environmental Health Division, dated April 21, 2025; Referral responses received from the Department of Public Works dated May 7, 2025 and June 3, 2025; Stanislaus County General Plan and Support Documentation[1].

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.

Up to 175 daily customers are expected for the rink, with up to 60 on-site at one time for league use, and 100 on-site at one time during public skating. The rink anticipates eight employees on a maximum shift, with one shift per-day. Trip generation from the roller hockey facility is estimated to create 396 daily trips. For the additional proposed buildings, which are already permitted per the current P-D (25) zoning, up to 430 daily trips associated with general office use and 204 daily trips associated with light industrial uses are anticipated. A total of 1,030 daily vehicle trips for the project at full build out between all proposed uses is anticipated; however, only the roller hockey rink (396 daily trips) is being considered under this review as the other uses are already permitted ministerially under the current zoning. Although the proposed skating hockey rink will potentially increase daily vehicle trips, due to the nearest skating hockey rink facility in the surrounding area being located in Stockton, daily trips will also be reduced.

Originally, the San Joaquin Valley Air Pollution Control District (SJVAPCD) provided a project referral response indicating that additional studies were required in order to determine if the proposed project is below the District's thresholds of significance for emissions. After clarifying that the light industrial, office, and low generating commercial uses were already permitted under the current P-D (25) zoning designation and that the environmental review was only evaluating the impacts from the proposed roller hockey rink, the SJVAPCD provided a revised response indicating that potential impacts on local and regional air quality are anticipated to be less than significant, falling below SJVAPCD thresholds. The Air District response also indicated that the proposed construction will require an Authority to Construct (ATC) Permit and may be subject to the following District Rules: Regulation VIII, Rule 4102, Rule 4601, Rule 4641, Rule 4002, Rule 4102, Rule 4550,

and Rule 4570. Requirements to obtain any required SJVAPCD permits will be incorporated into the project's development standards.

With development standards to be applied to the project impacts to greenhouse gases are considered to be less than significant.

Mitigation: None.

References: Referral response received from the San Joaquin Valley Air Pollution Control District (SJVAPCD), dated April 17, 2025; Revised referral response received from the SJVAPCD, dated September 8, 2025; Stanislaus County General Plan and Support Documentation[1].

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 site was previously listed on the EnviroStor database managed by the CA Department of Toxic Substances Control. The site was previously developed by Indalex, a custom aluminum extrusion, anodizing, and painting facility. Indalex ceased operations at the site in the Spring of 2009. In 2010, the United States Environmental Protection Agency (EPA) and California Department of Toxic Substances Control (DTSC) conducted a clean-up on-site to abate toxic liquids left on-site after the abandonment. The site was fenced and DTSC provided security patrols. Security patrols were removed in late 2010 after the State and Federal warrants expired. By 2011, independent scavengers had begun dismantling the facility and removing steel and equipment for salvage. In November 2011, the Department of Planning and Community Development Building Permits Division began abatement proceedings and by December 12, 2011, most of the steel and wood structures were gone, and what remained on-site was mostly loose insulation and debris which was being blown off-site and impacting County roadways and neighboring properties. A portion of one two-story office building and

storage tanks also remained. The EPA and DTSC completed clean-up of the site, which was fully abated in 2015. The DTSC issued a closure report on April, 9, 2015 (see Attachment II)

The Stanislaus County Hazardous Materials Division (DER HAZ MAT) has reviewed the information available on the subject project and indicated that the project will not have a significant impact to the environment. Further DER HAZ MAT requested that the applicant complete a Phase I study (and if necessary, Phase II study) prior to the issuance of any grading permit, if requested by the Division. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER. The applicant is required to comply with a DER HAZ MAT requirements and permitting. This will be applied to the project's development standards.

The project site is not within the vicinity of any airstrip or moderate or high fire hazard severity zone. With development standards in place impacts to hazards and hazardous materials are considered to be less than significant.

Mitigation: None.

References: California Department of Toxic Substances Control, Pacific Aluminum Closure Report Acceptance Letter, dated April 9, 2015; Referral response received from the Stanislaus County Department of Environmental Resources, Hazardous Materials Division, dated April 16, 2025; Stanislaus County General Plan and Support Documentation[1].

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

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains.

A referral response received from the City of Modesto indicated that they have the capacity to serve the project with public water; however, each parcel is required to have its own meter and connection, the water main on North Star would need to be extended, and an outside service agreement and Local Agency Formation Commission (LAFCO) review and approval of an out-of-boundary service extension will be required prior to connection.

A referral response received from the Stanislaus County Department of Environmental Resources (DER) indicated that the uses on each proposed parcel are required to meet DER standards for on-site wastewater treatment, including future replacements areas, 100% expansion areas, that dispersal fields shall not be paved or covered by concrete or a material which is not capable of reducing or prohibiting a possible evaporation of the sewer effluent, and that local standards including the Local Agency Management Program (LAMP) standards and Measure X standards, which require individual primary and secondary wastewater treatment units, be met. These standards will be applied to the project as development standards.

A response received from the Central Valley Regional Water Quality Control Board (CVRWQCB) indicated that the project is required to obtain any applicable CVRWQCB permits. This will be incorporated into the project as a development standard.

All flood zone requirements will be addressed by the Building Permits Division during the building permit process. A referral response received from the Stanislaus County Department of Public Works requires that a grading and drainage permit be obtained, the project annex into the County Services Area (CSA) No. 20 – Hideaway Terrace for maintenance of stormwater, public landscaping, and block wall improvements, and annex into the North McHenry Lighting District No. 1 for maintenance of street lighting. Development standards will be incorporated into the project to ensure these standards are met.

The landscaping associated with the project will need to meet City of Modesto and state standards for water efficiency and is not expected to have significant effects on groundwater supplies.

The project site is in the service boundary of the Modesto Irrigation District (MID), the applicant of the project. MID provided a project response indicating that the project site does not include any irrigation facilities, thus they did not have concerns regarding irrigation water or infrastructure.

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 information; FEMA Flood Map Service Center; Referral response received from the Stanislaus County Department of Environmental Resources, Environmental Health Division, dated April 21, 2025; Referral responses received from the Department of Public Works dated May 7, 2025 and June 3, 2025; Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Referral response received from the Modesto Irrigation District, dated May 6, 2025; Referral response received from the Central Valley Regional Water Quality Control Board, dated April 15, 2025; Stanislaus County General Plan and Support Documentation[1].

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 rezone a 9.33-acre parcel from Planned Development (P-D) 25 to a new P-D, to allow development of an indoor roller hockey rink facility (with two separate rinks). The project will also include the construction of seven commercial buildings, to be developed with light industrial and commercial uses consistent with the P-D (25) zoning district. A subdivision map is included in the request to divide the project site into eight parcels, placing a proposed building on each resulting parcel.

The site was previously developed in the early 1970s with a two-story industrial facility utilized by Pacific Aluminum Corporation (later occupied by Indalex Aluminum) as a custom aluminum extrusion, anodizing, and painting facility. P-D (25) was approved in 1976 which expanded the permitted uses of the site to include a variety of light industrial uses, including light manufacturing, warehousing, offices, contractor yards and similar light industrial and commercial uses that did not provide direct service to the general public.

Indalex ceased operations at the site in the Spring of 2009. In 2010, the United States Environmental Protection Agency (EPA) and California Department of Toxic Substances Control (DTSC) conducted a clean-up on-site to abate toxic liquids left on-site after the abandonment; abatement was completed by 2015.

The site maintains land use entitlements to develop with these uses ministerially. The seven light industrial and office buildings, proposed to range in size from 7,000 square feet to 12,500 square feet and to be suited for a variety of offices and warehouse spaces, are permitted under the site's current P-D (25) zoning district. The proposed 60,834 square-foot indoor roller hockey rink facility is not currently permitted in the P-D (25) zoning district; accordingly, a rezone to a new P-D is required to include the new use.

The Planned Development Zoning District provides opportunities for creative and cohesive design concepts. The Planned Development District allows modification of requirements established in other districts, while ensuring compliance with, and implementation of the General Plan. Development standards are established for each Planned Development District by development plan.

The project site is located within the Sphere of Influence (SOI) of the City of Modesto, which runs south of Kiernan Avenue (State Route 219). Accordingly, the project was referred to the city for their input and for the application of any development standards. The City of Modesto responded requesting that City standards for utilities, the screening of on-site utilities, street frontage improvements, parking lot, drive aisle, and driveway design, signage, building setbacks, landscaping, and trash enclosures will be required to be met; these standards will be applied to the project as development standards. A referral response received from the City of Modesto indicated that they have the capacity to serve the project with public water; however, each parcel is required to have it's own meter and connection, the water main on North Star would need to be extended, and an outside service agreement and Local Agency Formation Commission (LAFCO) review and approval of an out-of-boundary service extension will be required prior to connection.

Light industrial and low traffic generating uses surround the site to the north, east, and south; the City of Modesto is located to the south; some agricultural lands planted in orchard within the City of Modesto SOI are located west and south of the project site which are in the process of being annexed to the City. All development occurring within the city's SOI must be supported by the City and must be developed in accordance with city standards. Any future development north of the city SOI, which ends at Kiernan Avenue (State Route 219), would be required to be consistent with the County's General Plan and zoning standard. Any lands zoned General Agriculture (A-2), would be limited to the uses permitted by the A-2 ordinance or would be required to obtain additional land use entitlements which would include environmental review, landowner noticing, and a public hearing(s), which takes into consideration agricultural conversion findings.

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

Mitigation: None.

References: Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Referral response received from the Stanislaus County Local Agency Formation Commission, dated April 3, 2025; Stanislaus County General Plan and Support Documentation[1].

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation[1].

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 agricultural uses. On-site grading and construction 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. The site itself is impacted by the noise generated from Bangs Avenue, North Star Way, and adjacent light industrial and commercial uses. The project will be conditioned to abide by County regulations related to hours and days of construction.

The proposed hours of operation for the roller hockey rink are 5:00 p.m. to 10:00 p.m. Monday through Friday and 10:00 a.m. to 10:00 p.m. on Saturdays and Sundays. The proposed hours of operation for the commercial buildings on Parcels 1 through 7 are expected to be 8:00 a.m. to 5:00 p.m. Monday through Friday. Trip generation from the roller hockey facility is estimated to create 396 daily trips.

The site is not located within an airport land use plan. The project will be required to meet the County's Noise Element requirements during both construction and operation and accordingly no impacts to noise are anticipated to occur as a result of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation[1].

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) or the draft 6th cycle Housing Element and will therefore not impact the County's ability to meet their RHNA. No population growth will be induced nor will any existing housing be displaced as a result of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation[1].

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

Discussion: The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. All adopted public facility fees will be required to be paid at the time of building permit issuance. This project was circulated to all applicable school, fire, police, irrigation, and public works departments and districts during the early consultation referral period and no concerns were identified with regard to public services.

A referral response received from the City of Modesto indicated that they have the capacity to serve the project with public water; however, each parcel is required to have it's own meter and connection, the water main on North Star would need to be extended, and an outside service agreement and Local Agency Formation Commission (LAFCO) review and approval of an out-of-boundary service extension will be required prior to connection.

A referral response received from the Stanislaus County Department of Environmental Resources (DER) indicated that the uses on each proposed parcel are required to meet DER standards for on-site wastewater treatment, including future

replacements areas, 100% expansion areas, that dispersal fields shall not be paved or covered by concrete or a material which is not capable of reducing or prohibiting a possible evaporation of the sewer effluent, and that local standards including the Local Agency Management Program (LAMP) standards and Measure X standards, which require individual primary and secondary wastewater treatment units, be met.

The site is located in a Local Responsibility Area (LRA) for fire protection and is served by the Salida Fire Protection District. The project was referred to the District who responded with a request that the project be required to pay all applicable fees, annex into the District's Community Finance District, and meet all fire standards for fire protection water supplies, fire vehicle access and turn around, fire sprinklers, and traffic signal standards (if applicable). Additionally, as the project is located within the City of Modesto's Sphere of Influence, the City provided a referral response indicating that the project shall meet City of Modesto fire standards.

The project site is in the service boundary of the Modesto Irrigation District (MID). MID provided a project response indicating that the project site does not include any irrigation facilities, thus they did not have concerns regarding irrigation water or infrastructure. The project site is served by the Modesto Irrigation District (MID) for electrical service who provided a project response indicating that the project is required to meet MID standards for electrical service, including the dedication and protection of electric easements and equipment.

A referral response received from the Stanislaus County Department of Public Works requires that the parcel map be prepared by a licensed land surveyor, or a registered civil engineer, that all new parcels be surveyed and fully monumented and all structures not shown on the parcel map be removed prior to recording of the map. Additionally, Public Works requested that the developer pay for the installation of any signs and/or markings, if warranted, that no parking loading or unloading of vehicles occur within the County road right-of-way, that an encroachment permit and grading permit be obtained, that the project annex into the County Services Area (CSA) No. 20 – Hideaway Terrace for maintenance of stormwater, public landscaping, and block wall improvements, and annex into the North McHenry Lighting District No. 1 for maintenance of street lighting and pay a deposit for the first year's operating and maintenance costs for the streetlights.

The City of Modesto provided a referral response indicating that the project shall meet City commercial standards for utilities, the screening of on-site utilities, street frontage improvements, parking lot, drive aisle, and driveway design, reciprocal access between parking lots, signage, building setbacks, landscaping, and trash enclosures.

Development standards will be incorporated into the project to ensure these standards are met. The project is also served by the Sylvan Union and Modesto City school districts and by Stanislaus County Parks and Recreation for parks. The project was referred to these agencies and no response was received. With development standards in place no impacts to public services are anticipated as a result of the project.

Mitigation: None.

References: Referral response received from the Modesto Irrigation District, dated May 6, 2025; Referral response received from the Salida Fire Protection District, dated March 27, 2025; Referral responses received from the Department of Public Works dated May 7, 2025 and June 3, 2025; Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Referral response received from the Stanislaus County Local Agency Formation Commission, dated April 3, 2025; Stanislaus County General Plan and Support Documentation[1].

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

Discussion: This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development. The County has adopted Public Facilities Fees, which includes parks fees, to address impacts to public services. All adopted public facility fees will be required to be paid at the time of building permit issuance.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation[1].

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

Discussion: The project will receive access via County-maintained Bangs Avenue and North Star Way. As required by CEQA Guidelines Section 15064.3, potential impacts regarding Air Quality should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, identifies projects and areas presumed to have a less than significant, which includes, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per-day as generally assumed to cause a less-than significant transportation impact.

Up to 175 daily customers are expected for the rink, with up to 60 on-site at one time for league use, and 100 on-site at one time during public skating. The rink anticipates eight employees on a maximum shift, with one shift per-day. Trip generation from the roller hockey facility is estimated to create 396 daily trips. For the additional proposed buildings, which are already permitted per the current P-D (25) zoning, up to 430 daily trips associated with general office use and 204 daily trips associated with light industrial uses are anticipated. A total of 1,030 daily vehicle trips for the project at full build out between all proposed uses is anticipated; however, only the roller hockey rink (396 daily trips) is being considered under this review as the other uses are already permitted ministerially under the current zoning. Although the proposed skating hockey rink will potentially increase daily vehicle trips, due to the nearest skating hockey rink facility in the surrounding area being located in Stockton, daily trips will also be reduced.

A referral response received from the Stanislaus County Department of Public Works requires that the parcel map be prepared by a licensed land surveyor, or a registered civil engineer, that all new parcels be surveyed and fully monumented and all structures not shown on the parcel map be removed prior to recording of the map. Additionally, Public Works requested that the developer pay for the installation of any signs and/or markings, if warranted, that no parking loading or unloading of vehicles occur within the County road right-of-way, that an encroachment permit and grading permit be obtained, that the project annex into the County Services Area (CSA) No. 20 – Hideaway Terrace for maintenance of stormwater, public landscaping, and block wall improvements, and annex into the North McHenry Lighting District No. 1 for maintenance of street lighting and pay a deposit for the first year's operating and maintenance costs for the streetlights.

The City of Modesto provided a referral response indicating that the project shall meet City commercial standards for utilities, the screening of on-site utilities, street frontage improvements, parking lot, drive aisle, and driveway design, signage, building setbacks, landscaping, and trash enclosures. The City of Modesto also stated they support the proposed 375

parking spaces as shown on the site plan as long as the conditions of approval for the Development Plan for the P-D Zone does have provisions for shared parking between the uses including disparate hours of operation between those uses and the Power Play facility, and that there is a requirement for a blanket reciprocal vehicular and parking access easement to allow for shared parking between all of the parcels of the site. The previous development installed curb, gutter, paved driveway approaches, and partial sidewalk along the property frontages of Bangs Avenue and North Star Way; however, portions of the sidewalk has been degraded and will be required to be replaced in some areas. Development standards will be incorporated into the project to ensure these standards are met.

This project was referred to the California Department of Transportation (Caltrans) and no comments regarding the proposed project were received. With development standards in place no impacts to transportation are anticipated as a result of the project.

Mitigation: None.

References: Referral responses received from the Department of Public Works dated May 7, 2025 and June 3, 2025; Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Stanislaus County General Plan and Support Documentation[1].

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 does not include a General Plan Amendment the project is not subject to SB18, nor is subject to the notification process of AB 52, as Stanislaus County has not received any requests for consultation from the tribes listed with the Native American Heritage Commission (NAHC). A records search formulated by the Central California Information Center (CCIC) indicated that the Union Pacific Railroad abutting the project site to the south was constructed in 1913, which is considered to be a historic resource. The proposed development will not encroach on the existing railroad line. The CCIC letter also indicated that there was a low probability of discovery of prehistoric or historic resources on-site; nor have any cultural resources been discovered or reported in the immediate vicinity.

It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site was previously developed and the proposed construction is within the area which has already been disturbed. However, standard conditions of approval regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

References: Central California Information Center Report for the project site, dated August 14, 2023; Stanislaus County General Plan and Support Documentation[1].

XIX. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Discussion: Limitations on providing services have not been identified. The project proposes to utilize City of Modesto for public water and on-site septic systems until connection to the City of Modesto for public sewer is available, at which time connection will be required. The project will be served by the Modesto Irrigation District (MID) for electricity, PG&E for gas services, and AT&T for telecommunications. The Stanislaus County Department of Public Works will manage stormwater and roads requirements.

A referral response received from the City of Modesto indicated that they have the capacity to serve the project with public water; however, each parcel is required to have it's own meter and connection, the water main on North Star would need to be extended, and an outside service agreement and Local Agency Formation Commission (LAFCO) review and approval of an out-of-boundary service extension will be required prior to connection. The City of Modesto provided a referral response indicating that the project shall meet City commercial standards for utilities, the screening of on-site utilities, street frontage improvements, parking lot, drive aisle, and driveway design, signage, building setbacks, landscaping, and trash enclosures. The City of Modesto also stated they support the proposed 375 parking spaces as shown on the site plan as long as the conditions of approval for the Development Plan for the P-D Zone does have provisions for shared parking between the uses including disparate hours of operation between those uses and the Power Play facility, and that there is a requirement for a blanket reciprocal vehicular and parking access easement to allow for shared parking between all of the parcels of the site. The previous development installed curb, gutter, paved driveway approaches, and partial sidewalk along the property frontages of Bangs Avenue and North Star Way; however, portions of the sidewalk has been degraded and will be required to be replaced in some areas. Development standards will be incorporated into the project to ensure these standards are met.

A referral response received from the Stanislaus County Department of Environmental Resources (DER) indicated that the uses on each proposed parcel are required to meet DER standards for on-site wastewater treatment, including future replacements areas, 100% expansion areas, that dispersal fields shall not be paved or covered by concrete or a material

which is not capable of reducing or prohibiting a possible evaporation of the sewer effluent, and that local standards including the Local Agency Management Program (LAMP) standards and Measure X standards, which require individual primary and secondary wastewater treatment units, be met. These standards will be applied to the project as development standards.

A referral response received from the Stanislaus County Department of Public Works requires that the parcel map be prepared by a licensed land surveyor, or a registered civil engineer, that all new parcels be surveyed and fully monumented and all structures not shown on the parcel map be removed prior to recording of the map. Additionally, Public works requested that the developer pay for the installation of any signs and/or markings, if warranted, that no parking loading or unloading of vehicles occur within the County road right-of-way, that an encroachment permit and grading permit be obtained, that the project annex into the County Services Area (CSA) No. 20 – Hideaway Terrace for maintenance of stormwater, public landscaping, and block wall improvements, and annex into the North McHenry Lighting District No. 1 for maintenance of street lighting and pay a deposit for the first year's operating and maintenance costs for the streetlights .

The project site is served by the Modesto Irrigation District (MID) for electrical service who provided a project response indicating that the project is required to meet MID standards for electrical service, including the dedication and protection of electric easements and equipment. These standards will be applied to the project as development standards.

With development standards in place no impacts to utilities and service systems are anticipated as a result of the project.

Mitigation: None.

References: Referral response received from the Modesto Irrigation District, dated May 6, 2025; Referral response received from the Salida Fire Protection District, dated March 27, 2025; Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Referral response received from the Stanislaus County Department of Environmental Resources, Environmental Health Division, dated April 21, 2025; Referral response received from the Stanislaus County Local Agency Formation Commission, dated April 3, 2025; Referral responses received from the Department of Public Works dated May 7, 2025 and June 3, 2025; Stanislaus County General Plan and Support Documentation[1].

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 terrain of the site is relatively flat, developed in and urbanized area and the site has access to two County-maintained roads, North Star Way and Bangs Avenue. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by the Salida Fire Protection District. The project was referred to the District who responded with a request that the project be required to pay all applicable fees, annex into the District's Community Finance District, and meet all fire standards for fire protection water supplies, fire vehicle access and turn around, fire sprinklers, and traffic signal standards (if applicable). Additionally, as the project is located within the City of Modesto's Sphere of Influence, the

City provided a referral response indicating that the project shall meet City of Modesto fire standards. These requirements will be applied to the project's development standards. 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; these standards will be required to be met with the review of any building permit. With these requirements in place, wildfire risk and risks associated with postfire land changes are considered to be less than significant.

Mitigation: None.

References: Referral response received from the Salida Fire Protection District, dated March 27, 2025; Referral responses received from the City of Modesto, dated April 18, 2025; Stanislaus County General Plan and Support Documentation[1]

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 proposed project is consistent with the General Plan and Community Plan and would be consistent with the character of the mix of light industrial and commercial uses in the vicinity. Light industrial and low traffic generating uses surround the site to the north, east, and south; the City of Modesto is located to the south; some agricultural lands planted in orchard within the City of Modesto SOI are located west and south of the project site. The project site is located within the Sphere of Influence (SOI) of the City of Modesto, which runs south of Kiernan Avenue (State Route 219). Accordingly, the project was referred to the city for their input and for the application of any development standards. The City of Modesto responded requesting that City standards for utilities, the screening of on-site utilities, street frontage improvements, parking lot, drive aisle, and driveway design, signage, building setbacks, landscaping, and trash enclosures will be required to be met; these standards will be applied to the project as development standards. The project proposes to utilize City of Modesto for public water and on-site septic systems until connection to the City of Modesto for public sewer is available, at which time connection will be required. The Founder Point East Specific Plan, approved by the City of Modesto, includes the property west of the project site, bounded by the Union Pacific Railroad, Pelandale Avenue, Tully Road, and Kiernan Avenue (State Route 219). The area included in the Founders Point East Specific Plan is currently in the process of being annexed by the city and will be developed with residential and industrial park uses. Any future development occurring within the city's SOI must be supported by the City and must be developed in accordance with city standards. Any future development north of the city SOI, which ends at Kiernan Avenue (State Route 219), would be required to be consistent with the County's General Plan and zoning standards. Any lands zoned General Agriculture (A-2), would be limited to the uses permitted by the A-2 ordinance or would be required to obtain additional land use

entitlements which would include environmental review, landowner noticing, and a public hearing(s), which takes into consideration agricultural conversion findings.

The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to endangered species or habitats, locally designated species, or wildlife dispersal or mitigation corridors are considered to be less than significant. The project will not physically divide an established community. Development standards regarding the discovery of cultural resources during any future construction resulting from this request will be added to the project. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Initial Study; Referral responses received from the City of Modesto, dated April 18, 2025 and June 13, 2025; Stanislaus County General Plan and Support Documentation[1].

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

CENTRAL CALIFORNIA INFORMATION CENTER
California Historical Resources Information System
Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

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

Date: 8/14/2023

Records Search File #: 12628N
Project: Rezone Application, 4555 North Star Way, Modesto, California (APN-011-002)

Jim Freitas, President
Associated Engineering Group
4206 Technology Drive, Suite 4
Modesto, CA 95356
209-545-3390 Jim@assoceng.com

Dear Mr. Freitas:

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

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the following:

National Register of Historic Places (NRHP)
California Register of Historical Resources (CRHR)
California Inventory of Historic Resources (1976)
California Historical Landmarks
California Points of Historical Interest listing
Office of Historic Preservation Built Environment Resource Directory (BERD) and the Archaeological Resources Directory (ARD)
Survey of Surveys (1989)
Caltrans State and Local Bridges Inventory
General Land Office Plats
Other pertinent historic data available at the CCaIC for each specific county

The following details the results of the records search:

Prehistoric or historic resources within the project area:

- There are no formally recorded prehistoric or historic archaeological resources or historic buildings or structures within the project area.

- The General Land Office survey plat for T3S R9E (dated 1854) shows the NE ¼ of Section 5 divided into two parcels: 83.81 acres on the north half and 80.00 acres on the south half.

ATTACHMENT I

- The Official Map of the County of Stanislaus, California (dated 1906) shows the NE ¼ of Section 5 owned by a Mr. Bangs.

- The 1913 edition of the Salida USGS quadrangle shows the Southern Pacific Railroad alignment to the west of the project and the Bangs Avenue street layout.

- The 1953 edition of the Salida USGS quadrangle does not show any additional historic features.

Prehistoric or historic resources within the immediate vicinity of the project area: None other than the railroad alignment which has been formally recorded in Stanislaus County with the designator P-50-000083.

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

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

Recommendations/Comments:

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

If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

If the proposed project contains buildings or structures that meet the minimum age requirement (45 years in age or older) it is recommended that the resource/s be assessed by a professional familiar with architecture and history of the county. Review of the available historic building/structure data has included only those sources listed above and should not be considered comprehensive.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at

http://chrisinfo.org

If archaeological resources are encountered during project-related activities, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

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

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

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

Note: Billing will be transmitted separately via email from the Financial Services office ($150.00), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

https://commerce.cashnet.com/ANTHROPOLOGY

Sincerely,

E. A. Greathouse

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

* Invoice Request sent to: ARBilling@csustan.edu, CSU Stanislaus Financial Services

Department of Toxic Substances Control

Barbara A. Lee, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Matthew Rodriquez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

April 9, 2015

Mr. Michael J. Kloberdanz, REPA, REHS
M.J. Kloberdanz & Associates
P.O. Box 576981-6981
Modesto, California 95357

ACCEPTANCE OF THE FINAL SITE CLOSURE REPORT AND FINDING OF NO FURTHER ACTION FOR THE FORMER PACIFIC ALUMINUM SITE LOCATED AT 4555 NORTH STAR WAY, MODESTO, CALIFORNIA

Dear Mr. Kloberdanz:

The Department of Toxic Substances Control (DTSC) has reviewed the Final Site Closure Report (Report) dated April 8, 2015 for the former Pacific Aluminum property located at 4555 North Star Way in Modesto, California (Site). The Report outlines the sampling and analysis that was completed to determine the health risk at the Site and evaluates if arsenic concentrations on the property are within background levels.

On January 26, 2015, a Prospective Purchaser Agreement (PPA) was entered into by Mr. Thomas Hogan and DTSC. As outlined in the PPA, DTSC agreed to review deliverables that describe the sampling and interpretation of new data that were completed in response to recommendations provided in the Site Investigation Report dated October, 2014. A work plan was submitted by Mr. Hogan's consultant, M.J. Kloberdanz and Associates (consultant) and this document was approved by DTSC on January 26, 2015. Following completion of the field work outlined in the work plan, the consultant submitted a draft Site Closure Report dated March 12, 2015 for DTSC's review. DTSC issued several minor comments on that draft report on April 7, 2015 via e-mail. The Final Site Closure Report noted above has addressed those comments.

The approximately 9.4 acre Pacific Aluminum property is identified by Assessor's Parcel Number is 046-011-002-000. The site was undeveloped until 1973 when an aluminum extruding and painting facility was constructed by Columbia Pacific Aluminum. This facility operated from 1973 to 2010 at which time it was abandoned. The Site is currently vacant except for the building foundation and a dry storm water retention pond in the northeast corner. The site is located in a mixed-use light industrial/agricultural

ATTACHMENT II

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area and is bordered by railroad tracks and an almond orchard to the west, and light industrial warehouses to the north, east, and south.

Summary of Investigation and Analysis

As outlined in the approved work plan, four temporary soil vapor wells were installed at the Site based on existing passive soil vapor results. Two of the soil vapor wells were placed in areas with the highest tetrachlorothene (PCE) and trichloroethene (TCE) concentrations and the other two vapor wells were installed in areas where the highest benzene, toluene, ethylbenzene and xylenes (BTEX) concentrations were found. In addition, four background samples were collected from areas around the Site to determine background soil arsenic concentrations in the area.

No TCE was detected in any of the four samples above the reporting limit. The highest contaminant concentrations detected at the Site are as follows:

- PCE - 28 micrograms per meter cubed ($\mu g/m^3$)
- Benzene - 3.9 $\mu g/m^3$
- Toluene - 17 $\mu g/m^3$
- Ethyl benzene - 11 $\mu g/m^3$
- m,p–Xylenes - 38 $\mu g/m^3$
- o-Xylenes - 10 $\mu g/m^3$

The cumulative risk for the identified contaminants under a residential scenario was calculated to be 1.11E-07 which is safer than the residential standard of 1.0E-06. The cumulative non-cancer hazard quotient under a residential scenario was estimated at 2.68E-03 which is below the residential standard of 1.

Arsenic soil concentrations on the Site ranged from 3.1 to 3.7 milligrams per kilogram (mg/kg). Background arsenic soil concentrations near the Site ranged from 2.2 mg/kg to 6.1 mg/kg. The 6.1 mg/kg concentration came from a sample collected in an active orchard adjacent to the Site, thus this sample may be biased high. However, the remaining background results are within approximately 1 mg/kg of the concentrations found on the Site and Site arsenic concentrations are also within regional background levels for the Modesto area.

In addition to the sampling and analysis noted above, the consultant also located and destroyed 6 groundwater monitoring wells on the Site as per the approved work plan and in compliance with the Stanislaus County Department of Environmental Resources (SCDER). A groundwater production well was also destroyed under SCDER oversight.

Approval of the Final Site Closure Report and No Further Action

Based upon review of the Report, DTSC concurs that the residual contaminant concentrations found at the Site do not pose a significant, long term threat to human

health or the environment. In addition, the six groundwater monitoring wells and the production well have all been destroyed as appropriate under SCDER oversight. DTSC has determined that results provided in the Report warrant a No Further Action (NFA) status with respect to investigation and remediation of hazardous substances at the subject property. The NFA status for the property applies to any further involvement by DTSC. As with any project site, if previously unidentified contamination is discovered on the property, additional assessment, investigation, and/or remediation may be required.

If you have any questions regarding this matter, please contact Mr. Dean Wright at (916) 255-6528.

Sincerely,

Steven Becker, P.G., Chief
Site Evaluation and Remediation Unit
San Joaquin Branch
Brownfields & Environmental Restoration Program

cc: Mr. Thomas Hogan
1207 13th Street, Suite 1
Modesto, California 95354

Ms. Beronia Beniamine
Hazardous Materials Manager
Hazardous Materials Division, Stanislaus County
3800 Cornucopia Way, Suite C
Modesto, California 95358-9494

Mr. Dean Wright, PG
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826

PINNACLE TRAFFIC ENGINEERING
664 Heron Drive
Los Banos, CA 93635
(805) 644-9260

February 25, 2025

Jim P. Freitas
Associated Engineering Group, Inc.
4206 Technology Drive, Suite 4
Modesto, CA 95356

RE: Power Play Project (Office, Commercial & Roller Rink), Stanislaus County, CA
Project Trip Generation Analysis

Dear Mr. Freitas,

Pinnacle Traffic Engineering is pleased to submit the trip generation analysis for the project at 4555 North Star Way. The 9.33 acre site is located on the west side of North Star Way, north of Bangs Avenue in the unincorporated area north of the City of Modesto. The project includes development of an existing vacant site, which will be divided into eight (8) separate lots. Permitted uses will include various commercial and industrial uses. The northly parcel will be developed with a roller hockey facility, containing two (2) roller hockey rinks. The facility will operate 5:00 to 10:00 PM on weekdays (Monday-Friday) and 10:00 AM to 10:00 PM on weekend days. The facility will be open to the public and host youth and adult roller hockey leagues. The project description anticipates 150-175 customers per day. Access to the site will be provided via multiple driveways on North Star Way. On-site parking will be provided for 375 vehicles. A copy of the project description and site plan are attached. The following a summary of the project site parcels:

Building A - Office; 10,875 SF	Building B - Office; 11,250 SF
Building C - Office: 9,000 SF	Building D - Office; 8,625 SF
Building E - Flex Space; 17,150 SF	Building F - Flex Space; 14,000 SF
Building G - Flex Space; 10,875 SF	Roller Hockey Rink; 60,834 SF

TRIP GENERATION ANALYSIS

The trip generation analysis was prepared at the applicant's request. The trip generation estimates for the commercial and flex components were derived using data in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition). The general office rates were used to estimate the trips associated with Buildings A-D, while the general light industrial rates were used to estimate the trips associated with Buildings E-G. The ITE Trip Generation Manual doesn't contain specific data or trips rates for a roller hockey facility. However, the manual does include trip rate data for an Ice Staking Rink. Typically, these are stand-alone facilities for sporting and entertainment activities that include spectator seating, refreshment areas, locker rooms, and an

arcade. Most ice skating facilities also support hockey league play. The operational characteristics are similar to the proposed project roller hockey facility. It is noted that an online search for specific roller hockey facility trip rates did not provide any applicable data (reviewed various public agency requirements and organizational websites). Therefore, it was deemed reasonable to reference the ITE ice skating rink trip rates for the proposed project. The afternoon (PM) peak hour trips were derived using the "per rink" rates, which yielded a slightly higher estimate (+11%) as compared to the "per 1,000 SF" rates. The daily trip estimate for a typical weekday was derived by multiplying the projected attendance (150) and staff (8) by 2.5. The ITE trip generation rates and project site trip estimates are presented in Table 1.

Table 1 - Trip Generation Rates and Project Site Trip Generation Estimates

Trip Rate / Project Land Use	Number of Vehicle Trips				
	AM Peak Hour		PM Peak Hour		Daily
	In	Out	In	Out	
Trip Generation Rates:					
ITE Code #110 - General Lt. Industrial (a)	0.65	0.09	0.09	0.56	4.87
ITE Code #710 - General Office Bldg. (a)	1.34	0.18	0.24	1.20	10.84
ITE Code #465 - Roller Skating Rink (a)	0.06	0.11	0.73	0.60	6.51
ITE Code #465 - Roller Skating Rink (b)	NA	NA	28.01	17.16	198.00
Project Site Uses:					
General Office (Bldg. A-D); 39,750 SF	53	7	10	48	430
General Lt. Industrial (Bldg. E-G); 42,025 SF	27	4	4	23	204
Roller Hockey Facility (2 Rinks); 60,834 SF	-	-	56	34	396
Totals:	80	11	70	105	1,030

(a) Number of vehicle trips per 1,000 SF (2.5 ADT per customer)
(b) Number of vehicle trips per number of rinks

The data in Table 1 demonstrates the project will generate approximately 1,030 daily trips, with 91 trips during the AM peak hour (80 in & 11 out) and 175 trips during the PM peak hour (70 in and 105 out). Various Transportation Demand Management (TDM) programs can increase vehicle occupancy rates and reduce the overall employee trip generation. It is anticipated that TDM programs could reduce the number of employee trips by up to 10-15%. Typical TDM programs include:

- Establish an employee rideshare program, with incentives
- Establish an employee bike and walk to work program, with incentives
- Provide incentive for utilization of local transit services
- Provide preferred parking for participating employees
- Provide incentive for students that carpool (reduce class fees)

Please contact my office with questions or comments regarding the project trip generation analysis.

Pinnacle Traffic Engineering



Larry D. Hail, CE, TE
President





ldh:msw

attachments - Project Description and Site Plan

4555 Northstar – Rezone

Project Description

The proposed project includes the development of existing vacant 9.33 Acre site. The site will be divided into 8 lots. The first parcel to be developed will be on the northern side of the property, a 4.3 acre site (Parcel 8) that will contain a roller hockey recreational facility. The other parcels (parcels 1-7) will be developed afterward per our projected development schedule.

1. Permitted uses for this development include:
    a. Recreational (Hockey Rink Building)
    b. Commercial Business / Office
    c. Light Industrial
2. Traffic
    a. Roller Hockey Parcel – No regular truck trips required.
    b. Parcels 1-7 – Dependent upon use, however likely no more than 1 or 2 per month.
    c. Vehicle Trips – See attached trip analysis.
3. Roller Hockey Building Information.
    a. This building's primary function is to host leagues for youth and adult roller hockey. The building is open to the public. The building contains two roller hockey rinks. One of the rinks will also have roller skating during certain times as well, mostly on weekends.
    b. Number of employees on a maximum shift: 8
    c. Shifts per day: 1
    d. Customers
        i. Per day: 150 to 175
        ii. At one time: 40 to 60 for leagues and 100 for public skating.

SITE INFO - ROLLER HOCKEY RINK

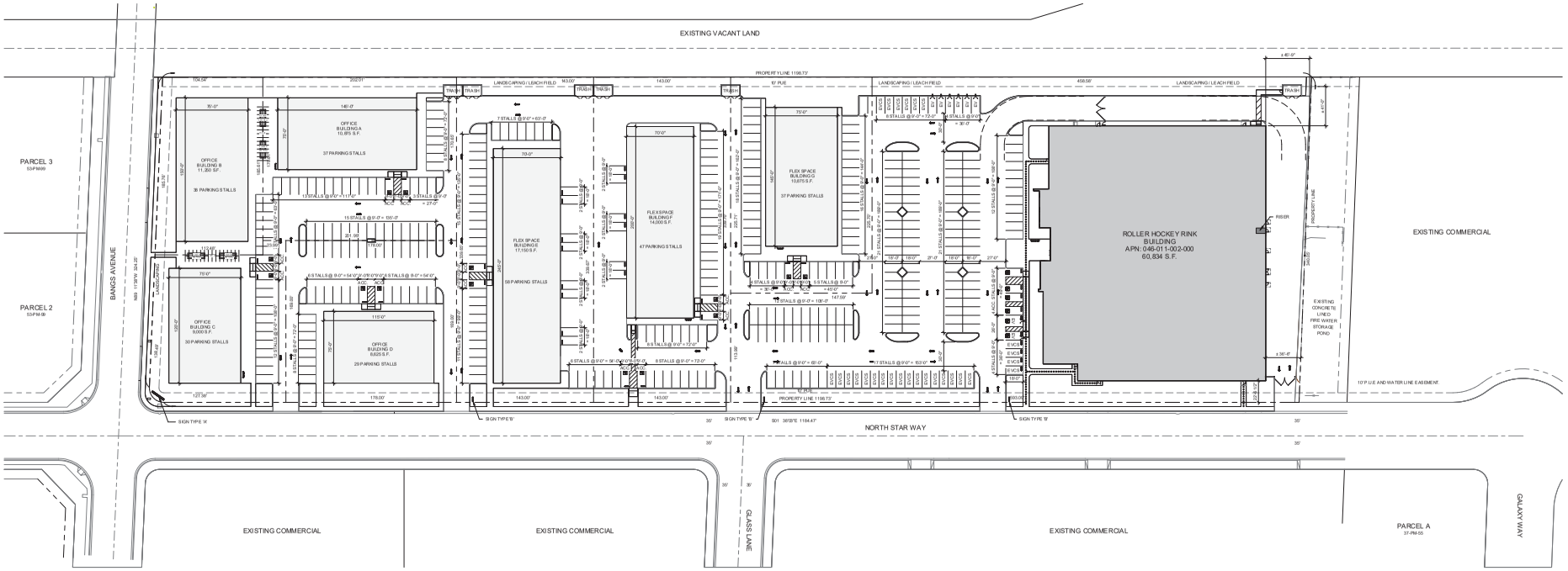
RETAIL/COMMERCIAL:	4555 NORTH STAR WAY, MODESTO, CA 95356
APN:	046-011-002-000
BUILDING DATA:	
ROLLER HOCKEY RINK:	60,834 S.F. (GROSS) 32,034 S.F. (ADJUSTED)*
PARKING ANALYSIS:	
PARKING REQUIRED - ROLLER HOCKEY RINK (1 CAR PER 300 S.F.)	107
TOTAL REQUIRED:	107
ACCESSIBLE PARKING REQUIRED (2% OF TOTAL PROVIDED):	3
PARKING PROVIDED:	166
STANDARD:	127
ACCESSIBLE:	4
ACCESSIBLE:	4
EV CS:	30
EV STALLS	
STANDARD:	6
EV ACCESSIBLE:	2
ACCESSIBLE:	1
VAN ACCESSIBLE:	1
TOTAL:	166
BICYCLE PARKING:	
BICYCLE PARKING REQUIRED - NEW PROJECT (5% OF TOTAL PROVIDED):	
TOTAL REQUIRED:	9

*ADJUSTED S.F. DOES NOT INCLUDE THE AREA OF ROLLER RINKS

SITE INFO - OVERALL

RETAIL/COMMERCIAL:	4555 NORTH STAR WAY, MODESTO, CA 95356
APN:	046-011-002-000
BUILDING DATA:	
OFFICE BUILDING A	10,875 S.F.
OFFICE BUILDING B	11,250 S.F.
OFFICE BUILDING C	8,000 S.F.
OFFICE BUILDING D	8,625 S.F.
FLEX SPACE BUILDING E	17,100 S.F.
FLEX SPACE BUILDING F	14,000 S.F.
FLEX SPACE BUILDING G	10,875 S.F.
SUB TOTAL:	81,775 S.F.
ROLLER HOCKEY RINK	60,834 S.F. (GROSS) 32,034 S.F. (ADJUSTED)*
PARKING ANALYSIS:	
PARKING REQUIRED - RETAIL/COMMERCIAL (1 CAR PER 300 S.F.)	272
PARKING REQUIRED - ROLLER HOCKEY RINK (1 CAR PER 300 S.F.)	107
TOTAL REQUIRED:	380
ACCESSIBLE PARKING REQUIRED (2% OF TOTAL PROVIDED):	8
PARKING PROVIDED:	406
STANDARD:	357
ACCESSIBLE	18
VAN ACCESSIBLE	2
TOTAL:	378
BICYCLE PARKING	
BICYCLE PARKING REQUIRED - NEW PROJECT (5% OF TOTAL PROVIDED)	
TOTAL REQUIRED:	19

*ADJUSTED S.F. DOES NOT INCLUDE THE AREA OF ROLLER RINKS



1 PROPOSED SITE PLAN
1" = 40'-0"

N
NORTH

POWER PLAY

4555 NORTH STAR WAY

MODESTO, CA 95356

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EXHIBIT F

Draft LAFCO Resolution
No. 2026-15

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STANISLAUS COUNTY LOCAL AGENCY FORMATION COMMISSION

RESOLUTION

DATE: October 28, 2026 **NO.** 2026-15

SUBJECT: OUT-OF-BOUNDARY SERVICE APPLICATION: POWER PLAY (CITY OF MODESTO – SEWER & WATER SERVICE)

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

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

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the City of Modesto has submitted an out-of-boundary service application requesting to provide sewer and water service to a property located at 4555 Northstar Way;

WHEREAS, the site is otherwise identified as Assessor's Parcel Number 046-011-002;

WHEREAS, the property is located outside the current city limits of Modesto, but within the City's Sphere of Influence;

WHEREAS, Government Code Section 56133 states that a city 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 but within its sphere of influence in anticipation of a later change of organization;

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 would serve new development;

WHEREAS, the City of Modesto has indicated that it has the ability to serve the site with sewer and water;

WHEREAS, Stanislaus County, as Lead Agency, has prepared an initial study for the project, pursuant to the California Environmental Quality Act (CEQA) and the State CEQA guidelines and adopted a Negative Declaration;

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 October 28, 2026.

NOW, THEREFORE, BE IT RESOLVED that this Commission:

1. Finds that the proposed extensions of sewer and 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 City of Modesto to provide the requested sewer and water service, subject to the following terms and conditions:

    A. This approval allows for the extension of sewer and water service as requested by the City for the property located at 4555 Northstar Way only.

    B. The City shall not allow additional service connections outside the City limits without first requesting and securing approval from LAFCO.

4. Directs the Executive Officer to forward a copy of this resolution to the City of Modesto.

ATTEST: _____
Sara Lytle-Pinhey, Executive Officer