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NEGATIVE DECLARATION

TO: **X** Office of Planning & Research
 P. O. Box 3044
 Sacramento, California 95812-3044

X County Clerk, County of San Joaquin

FROM: San Joaquin County Community Development Department
 1810 East Hazelton Avenue
 Stockton, California 95205

PROJECT TITLE: A Minor Subdivision application NO. PA-1900009 (MS)

PROPONENT: Avo & Nonna Machado LP

PROJECT LOCATION: The project site is on the east side of North Murray Road and East Prahser Road, Linden. (APN/Address: 105-100-20 / 2430 North Murray Road, Linden) (Supervisory District: 4)

PROJECT DESCRIPTION: A Minor Subdivision application to subdivide a 156.06-acre parcel into a 2.00-acre homesite parcel and a 154.06-acre Designated Remainder parcel. This parcel is under a Williamson Act contract.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

Based on the attached Initial Study, it has been found that the project will not have a significant effect on the environment.

Date:

Contact Person: Teddie Hernandez

Phone: (209) 468-8359

SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
INITIAL STUDY

FILE NO: PA-1900009 (MS)

PROJECT/APPLICANT: AVO & NONNA MACHADO LP \ DILLON & MURPHY

PROJECT DESCRIPTION: A Minor Subdivision application to subdivide an existing 156.06 acre parcel into two parcels. Parcel One to contain a 2.0 acre homesite parcel. Parcel Two to contain a 154.06 acre designated remainder parcel. This parcel is located on the east side of North Murray Road and East Prasher Road, Linden.

RECOMMENDED ENVIRONMENTAL DETERMINATION:

The proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.

X

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Negative Declaration will be prepared.

The proposed project may have a significant effect on the environment, an Environmental Impact Report is required.

ASSESSOR PARCEL NO: 105-100-20, -21

ACRES: 156.06 acres

GENERAL PLAN: A/G

ZONING: AG-40

CURRENT SITE CONDITIONS (topography, uses): Relatively flat agricultural land with one existing single-family residence and an accessory building.

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S): One single family residence, one second unit dwelling, and accessory structures on each parcel.

SURROUNDING LAND USES:

North: Agriculture with scattered residences

South: Agriculture with scattered residences

East: Agriculture with scattered residences

West: Agriculture with scattered residences

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes No Nature of concern(s): _____

2. Will the project require approval or permits by agencies other than the County?

Yes No Agency name(s): _____

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes No City: _____

ENVIRONMENTAL IMPACTS:

"Yes" may only be checked in situations where there is substantial evidence to indicate that there may be a significant adverse impact on the environment if there is no change in the project description. (CEQA Guidelines, Sec. 15064)

See the "Discussion" section at the end of the Initial Study for explanation of any impacts checked "Yes", or any "No" answer marked with an asterisk (*).

Sources: The following sources of information have been used in determining environmental impacts:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc. Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Copies of these reports can be found by contacting the Community Development Department.

Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (note report title, date, and consultant).

1. Water:

a. Is any portion of the project subject to flood hazard?

Flood zone: X(500)

Yes No*

b. Will the project result in reduction of surface or ground water quality or quantity?

Yes No

c. Will the project result in increases to surface, channel or stream volumes, or alterations to drainage patterns and streams?

Yes No

d. Will the project result in erosion of or sedimentation to a channel, river, or body of water?

Yes No

Other sources used: _____

2. Earth:

- a. Will the project result in or be subject to potentially hazardous geologic or soils conditions on or immediately adjoining the site (slides, springs, erosion, liquefaction, earthquake faults; steep slopes, septic tank limitations)? Yes No
- b. Will the project involve substantial grading which could result in secondary impacts (consider amount, steepness, and visibility of proposed slopes; consider effect of grading on trees and creek channels)? Yes No
- c. Will there be conversion of prime farmland (over 40 acres and not shown for development in the General Plan)? Yes No*

Other sources used: San Joaquin County Soil Survey

3. Plant/Animal Life:

- a. Will there be a reduction or disturbance to any habitat for plants and animals (including removal or disturbance of trees, riparian areas, or migration routes)? Yes No *
- b. Will the project impact any rare, endangered, threatened, or recreational species located on or near the site? (Check the Natural Diversity Data Base) Yes No *

Other sources used: Natural Diversity Database

4. Air/Climate:

- a. Will the project make a significant contribution to the deterioration of existing air quality, including creation of objectionable odors; will future project residents be subjected to significant pollution levels? Yes No
- b. Will the project result in any impact to current climatic conditions? (Consider the introduction of water features, loss of wetland, etc.) Yes No

Other sources used: _____

5. Noise:

- a. Will the project expose people to high noise or vibration levels (over 65db/Ldn for residential uses or 75db/Ldn for industrial uses at the property line)? (Check 2010 projected noise contours.) Yes No*
- b. Will the project result in increased noise or vibration levels? Yes No

Other sources used: _____

6. Energy/Natural Resources:

- a. Will the project use substantial amounts of fuel or energy, require a substantial increase in demand upon existing sources, or require the development of new sources of energy? Yes No
- b. Will the project affect the potential use, extraction, conservation, or depletion of a natural resource (other than agricultural land)? Yes No

Other sources used: _____

7. Hazards:

- a. Will the project create a risk of explosion; release, generate or store Any hazardous substances; or cause other dangers to public health and safety? Yes No
- b. Are there any known hazardous substances located within 500 feet of the boundaries of this project, if in an existing or proposed residential area (this could include possible groundwater contamination)? Yes No
- c. Will the project result in interference with, or need, for emergency plans? Yes No

Other sources used: _____

8. Utilities and Public Service:

- a. ******Will the project require alteration of, addition to, or the need for new utility systems (water, sewer, drainage, solid waste), including a sphere of Influence or district boundary change? Yes No*
- b. ******Will the project result in the need for or the expansion of the following services: fire and police protection, schools, parks and recreation, libraries, roads, flood control, solid waste or other public works facilities, public transit, or governmental services? Yes No
- c. Will the project adversely impact existing recreational/park opportunities or require new park/recreation opportunities? Yes No

Note: ****** "Yes" answers to these two questions and 9 (b) below will require additional discussion, but do not necessarily indicate a potentially significant impact.

Other sources used: _____

9. Transportation/Circulation:

- a. Will the project generate significant traffic volumes and/or make a significant contribution to an existing circulation problem (consider existing LOS on nearby arterials and highways, road design, access, parking, accident potential)? Yes No*

- b. ****Will the project cause special transportation considerations (consider water-borne, rail, air, pedestrian, and bicycle traffic, and public transportation systems and parking facilities)?** Yes No
- c. Will the project result in a significant increase in commuting to and from the local community? Yes No
- d. Will the project be impacted by or interfere with an airport flight path? Yes No*
- e. Will the project restrict access to the surrounding area? Yes No

Other sources used (note traffic studies): _____

10. Cultural Resources:

- a. Will the proposal result in an alteration of a significant archeological, or historical site, structure, or building? Yes No

Other sources used: _____

11. Housing:

- a. Will the proposal adversely affect the existing housing stock or create a demand for additional housing (more than 50 units)? Yes No

Other sources used: _____

12. Aesthetics:

- a. Will the project obstruct any public scenic vista or view, create an aesthetically offensive site open to public view, or produce new light or glare? Yes No

Other sources used: _____

13. Land Use:

- a. Is this project a growth-inducing action: Will it encourage additional requests for related uses, or will it set a significant land use precedent in the area? Yes No*
- b. Will the project conflict with existing or planned land uses; is the project in conflict with any adopted plans? Yes No*
- c. Will the project disrupt a natural or recreation area, impact access to waterways, or allow trespass onto surrounding land? Yes No

14. Cumulative:

- a. Will the project create any impacts which may not be significant for the project alone, but may be significant when combined with other anticipated development of similar type and or location? Yes No

Other sources used: _____

15. **Other Impacts:** Identify any other impact(s) not noted above which may be significant, and cite source(s). NONE KNOWN.

16. **Mandatory Findings of Significance:**

(A "Yes" answer to any of the following questions requires preparation of an EIR.)

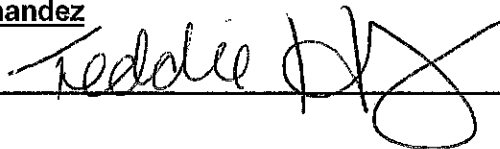
- a. Does the project have the potential to degrade the quality of the environment or curtail the diversity in the environment? Yes No
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? Yes No
- c. Does the project have impacts which are individually limited but cumulatively considerable? Yes No
- d. Does the project have environmental impacts which will cause substantial, adverse effects on human beings, either directly or indirectly? Yes No

17. **DISCUSSION OF ANY ENVIRONMENTAL IMPACTS NOTED ABOVE.**

(Discuss any questions answered "Yes" above, as well as any "No" answers marked with an asterisk (*). Discuss any changes to the project which could mitigate the identified impacts. Discuss any proposed mitigation monitoring program submitted by the project applicant. Use additional attached pages if necessary.)

PLEASE SEE INITIAL STUDY ATTACHMENT PA-1900009 (MS).

Prepared by: Teddie Hernandez



Title: Assistant Planner

Date: March 19, 2019

INITIAL STUDY (ATTACHMENT)
PA-190009 (MS)
AVO & NONNA MACHADO \ DILLION & MURPHY

PROJECT DESCRIPTION: A Minor Subdivision application to subdivide an existing 156.06 acre parcel into two parcels. Parcel One to contain a 2.0 acre homesite parcel. Parcel Two to contain a 154.06 acre designated remainder parcel. This parcel is located on the east side of North Murray Road and East Prasher Road, Linden.

ENVIRONMENTAL ISSUES:

1. Water

1. a. A portion of the project site is located in the x, 500-hundred year flood designation. The subdivision itself does not result in an increase to surface, channel, or stream volumes, or alterations to drainage patterns or streams, nor will it result in any erosion of or sedimentation to a channel, river or body of water. If approved, any new development will have to comply with Development Title Section 9-1605 regarding flood hazards. Compliance with the Development Title will ensure that the proposed project will have a less than significant impact on the local water.

2. Earth

2. c. The existing parcels are classified as Prime Farmland as identified on the Important Farmland 2002 Map. The General Plan designation is General Agriculture (A/G) and the zoning designation is General Agriculture, 40-acre minimum lot size (AG-40).

The Soil Survey of San Joaquin County classifies the soil on the parcels as *Archerdale clay loam, 0 to 2 percent slopes* and *Cogna loam, 0 to 2 percent slopes*.

Archerdale clay loam's permeability is slow and the available water capacity is high. This unit is situated to irrigated row, field, and orchard crops. *Archerdale clay loam* has a storie index rating of 65 and a land capacity of IVs nonirrigated and IIs irrigated.

Cogna loam's permeability is moderate and water capacity is high. This unit is well suited to irrigated row, field, and orchard crops. *Cogna loam* has a storie index rating of 90 and a land capacity of IVc nonirrigated and I irrigated.

The project site is currently under Williamson Act Contract No. 72-C1-130 and is subject to its provisions. Pursuant to Development Title Section 9-1815.3(b), if property under contract is being divided, the property owner shall serve a Notice of Nonrenewal on the County for any resulting parcels less than ten (10) acres in size in the case of prime agricultural land, or less than forty (40) acres in size in the case of land which is not prime, prior to obtaining map approval.

As a result, the applicant will be required to complete a Notice of Nonrenewal for proposed Parcel One of this Minor Subdivision. A homesite parcel may be conditionally permitted on a parcel zoned AG-40 (General Agriculture, 40-acre minimum) with an approved Minor Subdivision application. The proposed subdivision does not conflict with any existing or planned uses as the zoning and General Plan designations will remain the same. Referrals have been sent to the San Joaquin Farm Bureau and Department of Conservation for review.

3. Plant/Animal Life

3. a. & b. The Natural Diversity Database identifies the Swainson's Hawk (*Buteo swainsoni*), the Delta Button-celery (*Eryngium racemosum*), the Tricolored Black Bird (*Agelaius tricolor*), the California Tiger Salamander (*Ambystoma californiense*), the Giant Garter Snake (*Thamnophis gigas*), the Valley Elderberry Long Horn Beetle (*Desmocerus californicus dimorphus*), the Vernal Pool Fairy Shrimp (*Branchinecta lynchi*), the Suisun Marsh Aster (*Aster lentus*), and the Northern Hardpan Vernal Pool as a rare or threatened species the located on or near the site. Referrals have been sent to the San Joaquin Council of Governments (SJCOG) for review.

If SJCOG determines that the applicant may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), and if the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the *Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)*, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation.

8. Utilities and Public Service

8. a. There are no public services available in this area for water, sewer, or storm water drainage. Parcels zoned as agricultural may use a well for water, a septic tank for sewer, and retain all drainage on-site. Any new development will have to be accommodated by an on-site well for water, and septic system for sewage. Storm water drainage will have to be retained on-site. The Environmental Health Department and the Department of Public Works will determine the size of these systems.

9. Transportation/Circulation

9. a.&d. The Department of Public Works states that the addition of one parcel and a designated remainder parcel is not expected to exceed 50 vehicles during any hour. Projects that have a traffic volume that is less than 50 trips per hour have a less than significant impact on traffic.

13. Land Use

13 .a.&b. The property has a General Plan designation of General Agriculture (A/G) and a zoning of AG-40 (General Agriculture, 40-acre minimum). The proposed subdivision may be conditionally permitted with an approved Minor Subdivision application. The surrounding land uses are primarily agricultural with scattered residences. The Zoning and the General Plan for the project site will continue to remain the same if the project is approved. Therefore, the proposed project will have a less than significant impact to surrounding parcels and will not create premature development pressure on surrounding agricultural lands to convert land from agricultural uses to non-agricultural uses. Therefore, this project is not a growth-inducing action. Referrals have been sent to the San Joaquin Farm Bureau, and Department of Conservation for review.

