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

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

Date: **July 12, 2019**

To: **Distribution List (See Attachment A)**

From: **Jeremy Ballard, Associate Planner**
Planning and Community Development

Subject: **VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2018-0090 – HONCHARIW – FRYMIRE ROAD**

Comment Period: **July 12, 2019 – August 14, 2019**

Respond By: **August 14, 2019**

Public Hearing Date: **September 5, 2019**

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

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

Applicant: Nick Honchariw, Trustee of the Honchariw Revocable Trust

Project Location: 17442 Cemetery Road, on the southern corner of Cemetery and Frymire Roads, abutting the Stanislaus River, in the Community of Knights Ferry

APN: 002-044-003 and 002-044-004

Williamson Act Contract: N/A

General Plan: Agriculture/Historical

Current Zoning: A-2-5 (General Agriculture)/ HS (Historical Site District)

Project Description: Request to subdivide two parcels, totaling 32.2± acres, into three 5-acre parcels (Parcels 1, 2, & 3) with a 17.2± acre remainder parcel. As proposed, Parcels 1, 2, and 3 will be zoned A-2-5 (General Agriculture,), and the remainder will be split zoned with 4.26± acres zoned A-2-5 and the remaining 12.94± zoned as HS (Historical Site District). If approved, each parcel will have frontage on a County-maintained road. The proposed remainder currently utilizes a private septic system and is served

by the Knights Ferry Community Service District for domestic water. Proposed Parcels 1, 2, and 3 would be served by private water and wastewater disposal systems for any future residential development. The project site is currently improved with one single-family dwelling and multiple storage buildings which are located on the remainder.

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

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VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2018-0090 – HONCHARIW – FRYMIRE ROAD
Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
X	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
X	CA STATE LANDS COMMISSION	X	STAN CO ERC
X	CEMETERY DISTRICT – Knights Ferry	X	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
	CITY OF		STAN CO PARKS & RECREATION
X	COMMUNITY SERVICES DIST: KNIGHTS FERRY	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: CITY OF MODESTO	X	STAN CO SUPERVISOR DIST 1: OLSEN
X	HOSPITAL DIST: OAK VALLEY	X	STAN COUNTY COUNSEL
X	IRRIGATION DIST: OID		StanCOG
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOUNTIAN VALLEY EMERGENCY MEDICAL SERVICES	X	STANISLAUS LAFCO
X	MUNICIPAL ADVISORY COUNCIL: KNIGHTS FERRY		STATE OF CA SWRBC – DIV OF DRINKING WATER DIST. 10
X	PACIFIC GAS & ELECTRIC	X	SURROUNDING LAND OWNERS
X	NATIVE AMERICAN HERITAGE COUNCIL	X	TELEPHONE COMPANY: AT&T
	RAILROAD:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD	X	US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: KNIGHTS FERRY UNION	X	US FISH & WILDLIFE
X	SCHOOL DIST 2: OAKDALE JOINT UNIFIED	X	US MILITARY (SB 1462)
	WORKFORCE DEVELOPMENT		USDA NRCS
X	STAN CO AG COMMISSIONER		WATER DIST:
	TUOLUMNE RIVER TRUST		

STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: **VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2018-0090 – HONCHARIW – FRYMIRE ROAD**

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

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

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

1.
2.
3.
4.

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

1.
2.
3.
4.

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

_____

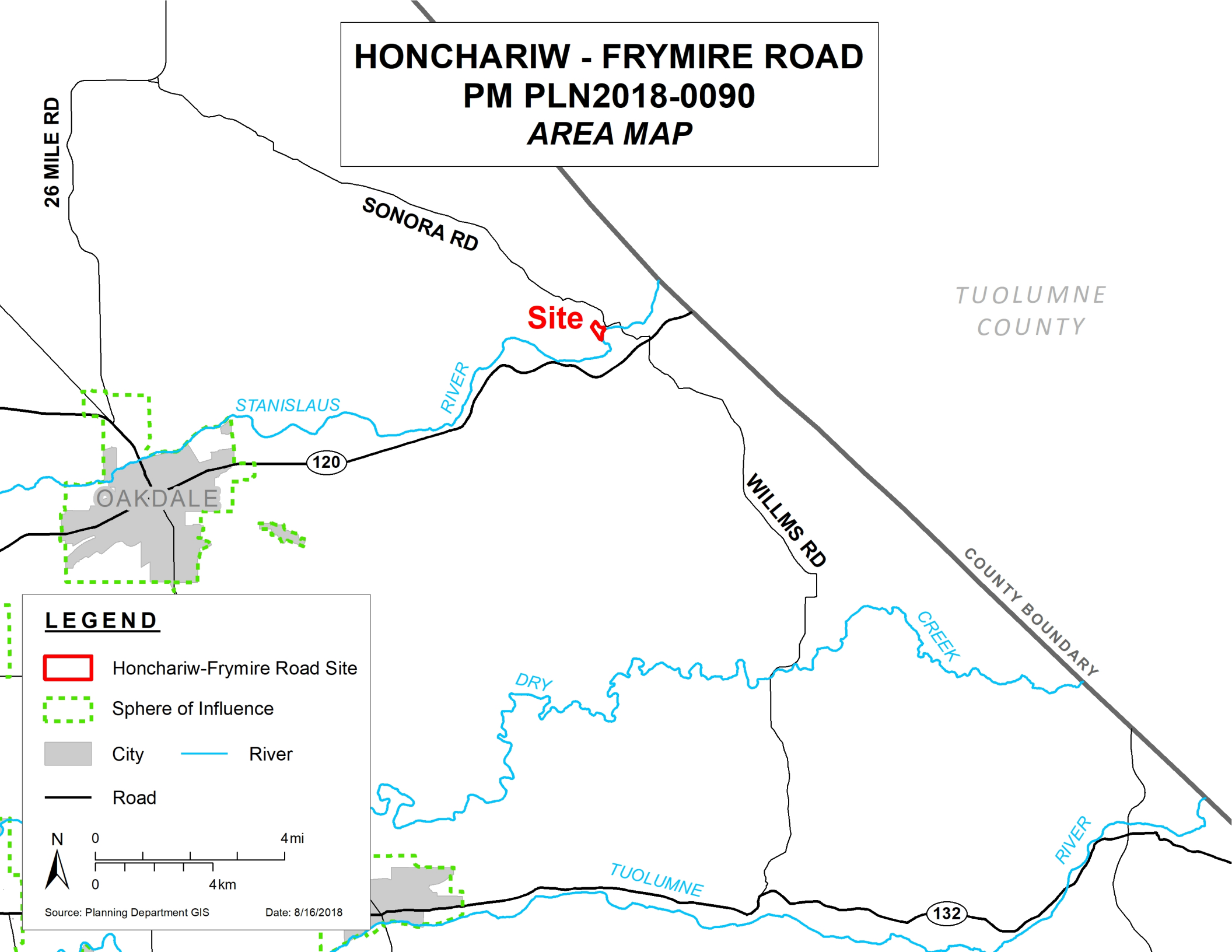
_____

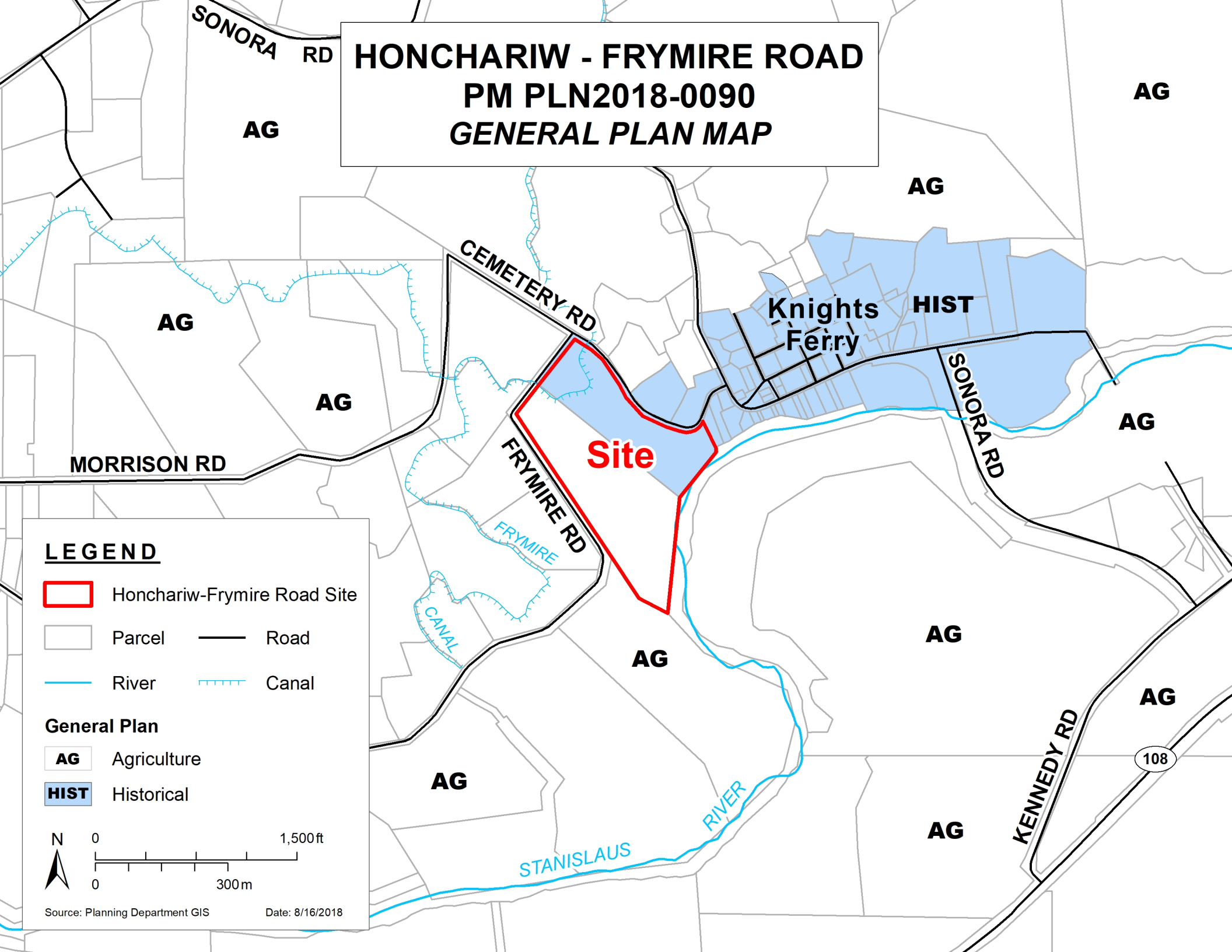
Response prepared by:

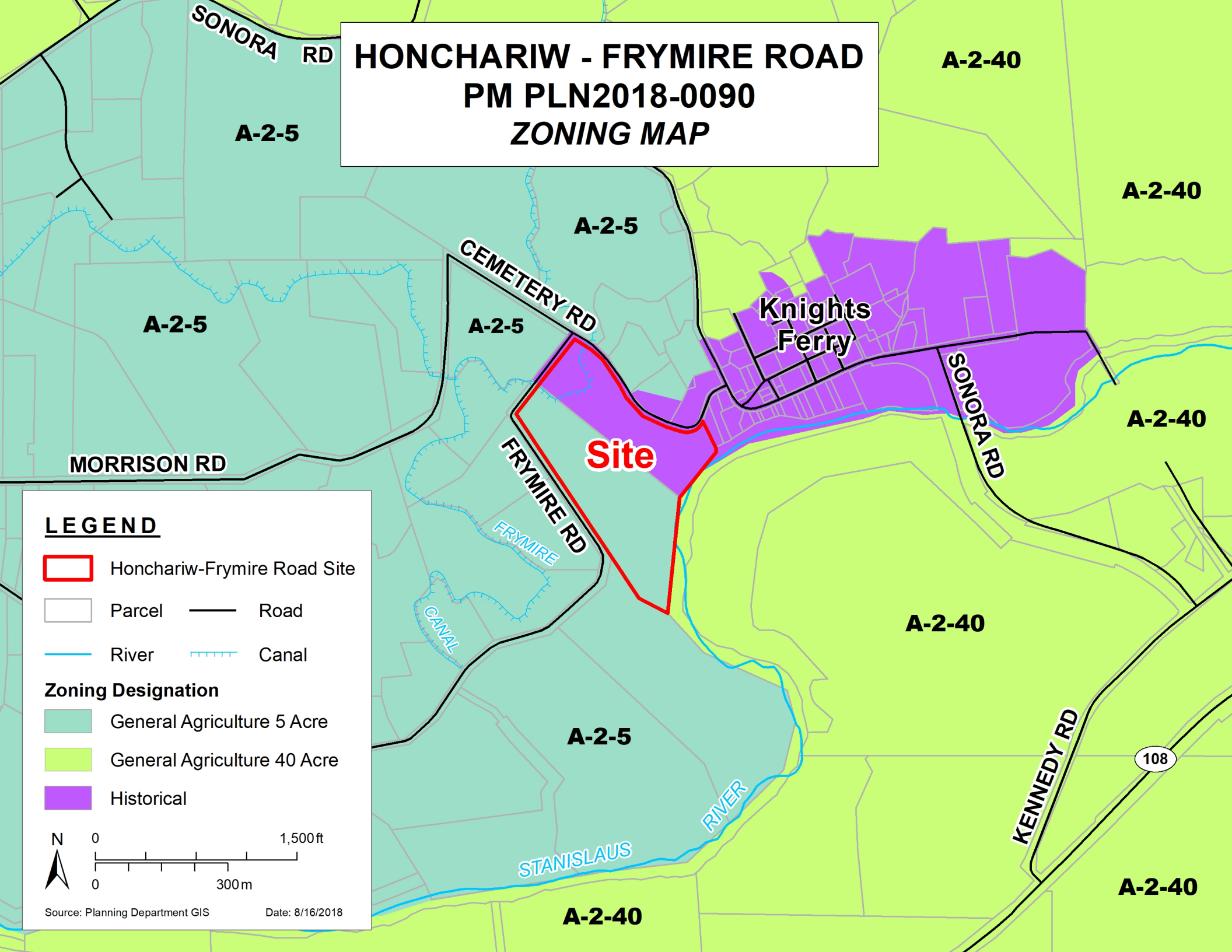
_____

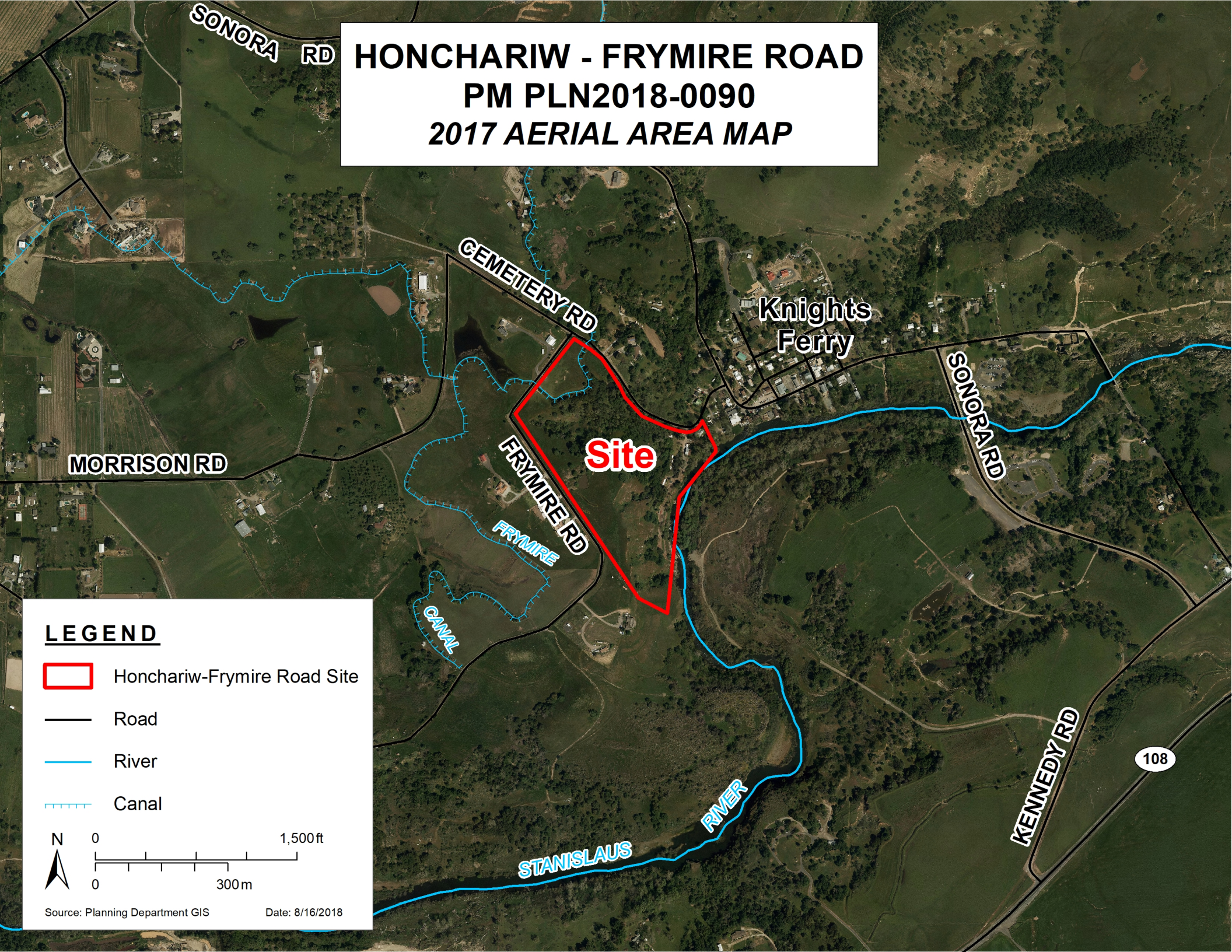
Name Title Date

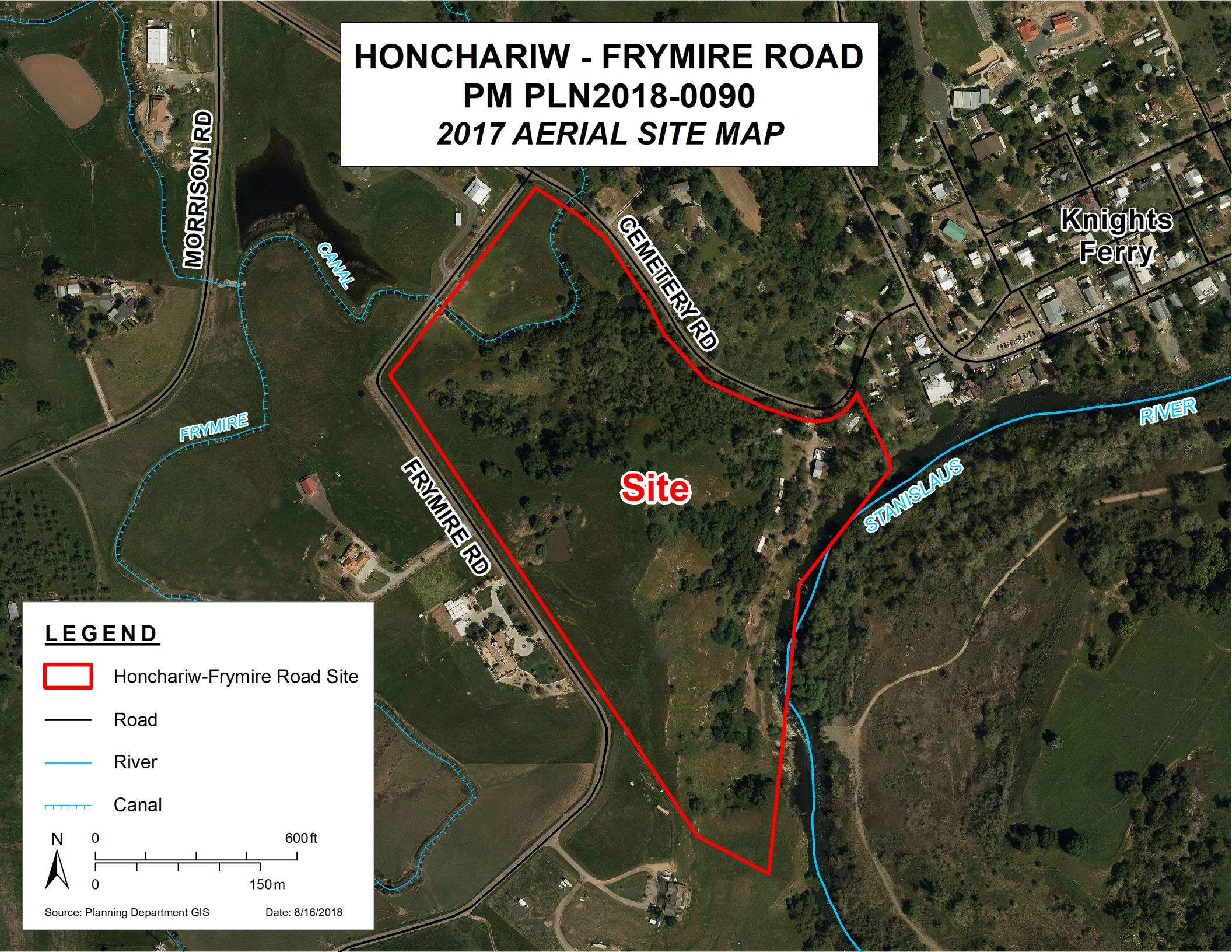
HONCHARIW - FRYMIRE ROAD
PM PLN2018-0090
AREA MAP

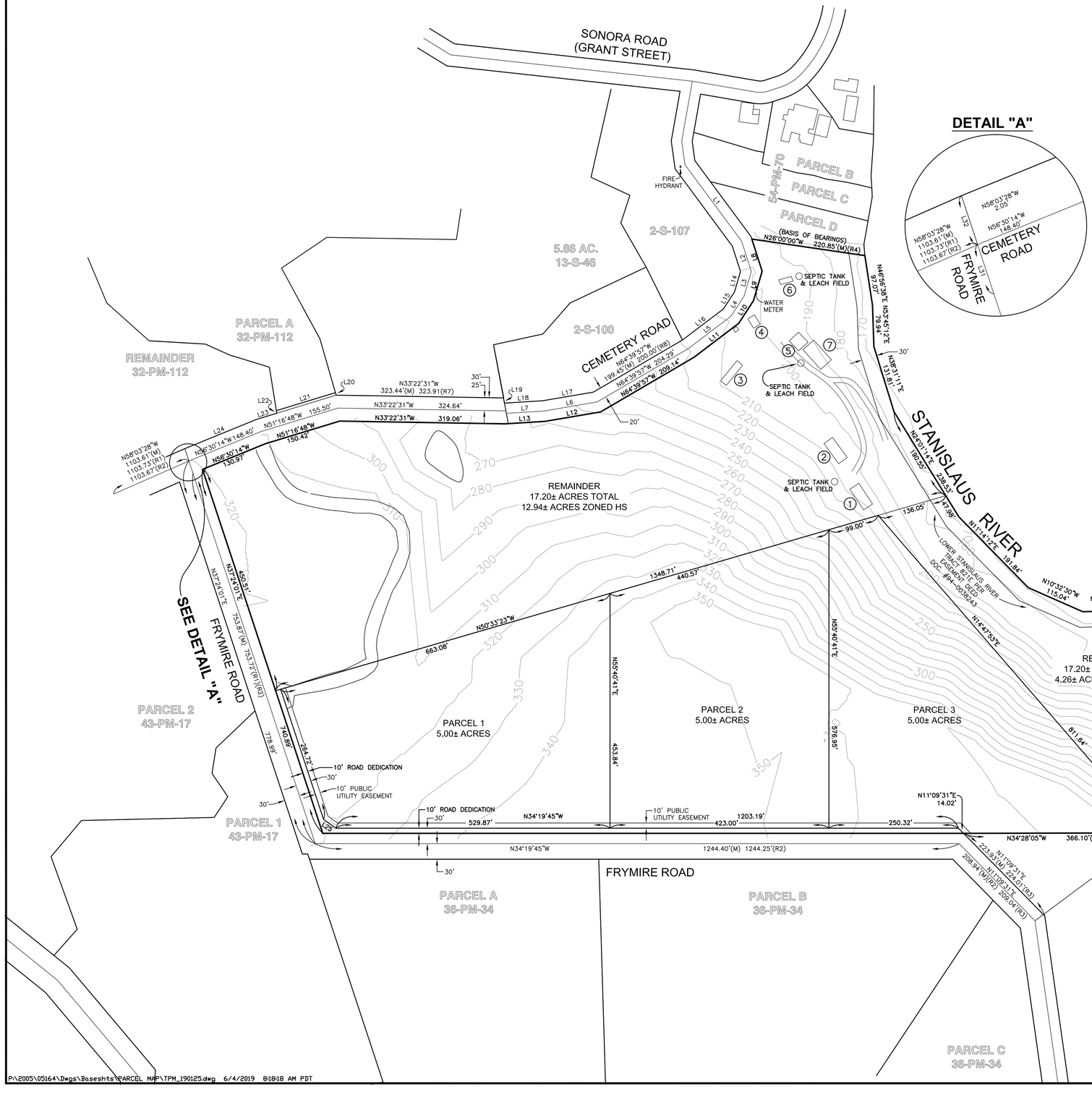



HONCHARIW - FRYMIRE ROAD
PM PLN2018-0090
GENERAL PLAN MAP
SONORA RD
AG
AG
AG
AG
AG
AG
AG
AG
AG
CEMETERY RD
Knights Ferry
HIST
SONORA RD
MORRISON RD
FRYMIRE RD
Site
FRYMIRE
CANAL
STANISLAUS
RIVER
KENNEDY RD
108
LEGEND
Honchariw-Frymire Road Site
Parcel
Road
River
Canal
General Plan
AG
Agriculture
HIST
Historical
N
0
1,500 ft
0
300 m
Source: Planning Department GIS
Date: 8/16/2018


HONCHARIW - FRYMIRE ROAD
PM PLN2018-0090
ZONING MAP
SONORA RD
A-2-5
A-2-40
CEMETERY RD
Knights Ferry
SONORA RD
Site
FRYMIRE RD
MORRISON RD
FRYMIRE
CANAL
KENNEDY RD
108
RIVER
STANISLAUS
LEGEND
Honchariw-Frymire Road Site
Parcel
Road
River
Canal
Zoning Designation
General Agriculture 5 Acre
General Agriculture 40 Acre
Historical
N
0
1,500 ft
0
300 m
Source: Planning Department GIS
Date: 8/16/2018


HONCHARIW - FRYMIRE ROAD
PM PLN2018-0090
2017 AERIAL AREA MAP
SONORA RD
CEMETERY RD
Knights Ferry
SONORA RD
MORRISON RD
FRYMIRE RD
Site
FRYMIRE
CANAL
KENNEDY RD
108
RIVER
STANISLAUS
LEGEND
Honchariw-Frymire Road Site
Road
River
Canal
N
0
1,500 ft
0
300 m
Source: Planning Department GIS
Date: 8/16/2018


HONCHARIW - FRYMIRE ROAD
PM PLN2018-0090
2017 AERIAL SITE MAP
MORRISON RD
CANAL
CEMETERY RD
Knights Ferry
FRYMIRE
FRYMIRE RD
Site
STANISLAUS
RIVER
LEGEND
Honchariw-Frymire Road Site
Road
River
Canal
N
0
600 ft
0
150 m
Source: Planning Department GIS
Date: 8/16/2018



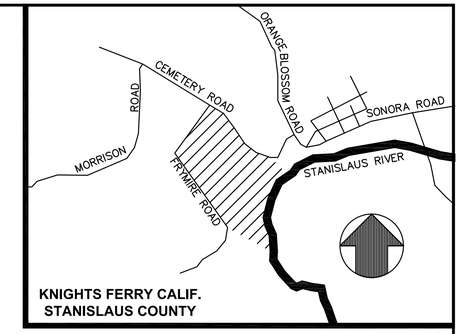
DETAIL "A"

EXISTING IMPROVEMENTS (1)

1. OCCUPIED CARETAKERS RESIDENCE W/ POWER & PLUMBING
2. BUILDING USED FOR STORAGE BUILT AS RESORT UNITS ALL INCLUDE POWER & PLUMBING
3. BUILDING USED FOR STORAGE BUILT AS RESORT UNITS ALL INCLUDE POWER & PLUMBING
4. BUILDING USED FOR STORAGE W/ POWER & PLUNBING
5. BARN USED FOR STORAGE HAS MULTIPLE POWER
6. OCCUPIED RESIDENCE REMODELED IN 2003
7. BUILDING USED FOR STORAGE W/ POWER & PLUMBING

LINE TABLE

LINE	BEARING	LENGTH
L1	N19°09'40"E	184.14(M)(R1)(R4) 184.12(R5)
L2	N37°50'40"E	61.07(M)(R5)
L3	N72°06'41"E	50.36(M)(R5)
L4	N88°48'31"E	45.63(M)(R5)
L5	N71°32'08"W	103.76(M) 104.00(R5)
L6	N43°59'57"W	104.44
L7	N37°50'40"W	72.39
L8	N37°50'40"E	65.36
L9	N72°06'41"E	59.46
L10	N88°48'31"E	52.03
L11	N71°32'08"W	108.42
L12	N43°59'57"W	109.17
L13	N37°50'40"W	77.65
L14	N72°06'41"E	41.26(M) 40.75(R8)
L15	N88°48'31"E	39.23(M) 40.05(R8)
L16	N71°32'08"W	99.09(M) 99.50(R5) 99.80(R8)
L17	N43°59'57"W	99.72(M) 100.00(R8)
L18	N37°50'40"W	73.82(M) 75.00(R8)
L19	N45°00'35"E	10.20(M) 10.22(CALC. R7)
L20	N39°35'12"E	5.00(M) 5.08(R6)
L21	N51°16'48"W	119.24(M) 119.38(R6)
L22	N46°31'22"E	5.05(M) 5.13(R6)
L23	N51°16'48"W	40.73
L24	N56°30'14"W	149.88(M) 150.58(R6) 150.47(R7)



VICINITY MAP

OWNER/APPLICANT: HONCHARIW REVOCABLE TRUST
3 VIA PARAISO WEST
TIBURON, CA 94920
(415) 435-8302

PREPARED BY: GIULIANI & KULL, INC.
440 S. YOSEMITE AVENUE SUITE A
OAKDALE, CA 95361
(209) 847-8726

SURVEYOR: KEVIN S. COLE
PLS 8853

TOTAL AREA: 32.20 AC.±

NO. OF PARCELS: 4 + REMAINDER

A.P.N.: 002-044-003, 002-044-004

ZONING: A-2-5 & HS

WATER: KNIGHTS FERRY AND INDIVIDUAL WELLS

SANITARY SEWER: SEPTIC SYSTEM

STORM DRAIN: ON-SITE DISPOSAL

SLOPE OF LAND: VARIES 1%-50%

SOIL TYPES AS REPORTED BY USDA NATURAL RESOURCES CONSERVATION SERVICE: COMETA SANDY LOAM, AMADOR SANDY LOAM

WATER TABLE ELEVATION = 170'

TENTATIVE PARCEL MAP

PORTION OF PARCEL 1 AND 2 AS DESCRIBED IN DEED FROM GEORGE D. CHENEY TO IWAN S. HONCHARIW, RECORDED ON PAGE 160, VOLUME 2587, OFFICIAL RECORDS OF STANISLAUS COUNTY ON OCTOBER 24, 1973, LYING 30 FEET MEASURED AT RIGHT ANGLES TO THE EXISTING RIGHT BANK OF THE STANISLAUS RIVER, PARCEL 1 AND 2 STANISLAUS COUNTY, CALIFORNIA
SCALE 1" = 100' MAY 2019

Giuliani & Kull, Inc.
Engineers • Planners • Surveyors
440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
(209) 847-8726 Fax (209) 847-7323
Auburn • Oakdale • San Jose

P:\2005\05164\Dwgs\Baseshts\PARCEL MAP\TPM_190125.dwg 6/4/2019 8:18:18 AM PDT

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CEQA INITIAL STUDY

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, December 30, 2009

1.	**Project title:**	Vesting Tentative Parcel Map Application No. PLN2018-0090 – Honchariw – Frymire Road
2.	**Lead agency name and address:**	Stanislaus County 1010 10th Street, Suite 3400 Modesto, CA 95354
3.	**Contact person and phone number:**	Jeremy Ballard, Associate Planner
4.	**Project location:**	17442 Cemetery Road, on the southern corner of Cemetery and Frymire Roads, abutting the Stanislaus River, in the Community of Knights Ferry (APNs: 002-044-004 & -003).
5.	**Project sponsor's name and address:**	Nick Honchariw, Trustee of the Honchariw Revocable Trust
6.	**General Plan designation:**	Historical/Agriculture
7.	**Zoning:**	HS (Historical Site District) / A-2-5 (General Agriculture)

8. Description of project:

Request to subdivide two parcels, totaling 32.2± acres, into three 5-acre parcels (Parcels 1, 2, & 3) with a 17.2± acre Remainder parcel. As proposed, Parcels 1, 2, and 3 will be zoned A-2-5 (General Agriculture,), and the Remainder will be split zoned with 4.26± acres zoned A-2-5 and the remaining 12.94± zoned as HS (Historical Site District). If approved, each parcel will have frontage on a County-maintained road. The proposed Remainder currently utilizes a private septic system and is served by the Knights Ferry Community Service District for domestic water. Proposed Parcels 1, 2, and 3 would be served by private water and wastewater disposal systems for any future residential development. The project site is currently improved with one single-family dwelling and multiple storage buildings which are located on the Remainder.

9.	**Surrounding land uses and setting:**	The Stanislaus River and the Community of Knights Ferry to the east, Ranchettes and pastures to the north, south and west.
10.	**Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**	CalTrans Stanislaus County Department of Public Works Department of Environmental Resources Army Corps of Engineers
11.	**Attachments:**	Maps Application Early Consultation Referral Response Biological Assessment conducted on December 28, 2018 by Moore Biological Consultants

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

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.**

Jeremy Ballard — *Prepared by*

July 12, 2019 — *Date*

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

ISSUES

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

Discussion: The project site is surrounded by rural residential development to the north, west, and south. The site is located southwest of the Community of Knights Ferry and is bordered to the east by the Stanislaus River. The project site is currently designated, in part, as Historical Site (HS) District. The HS zoning designation is used to recognize the unique character of historical areas within the County. Due to the historic character of the Community of Knights Ferry, special building standards have been instituted, and building permits in this district are reviewed for conformance by a Historical Design Review Committee to ensure that any development is compatible with the aesthetic guidelines set forth in the General Plan. As such, any further development within the Historical Site District-designated areas of the project site will be subject to these design guidelines during the building permitting process and will be reviewed by the Stanislaus County Planning Division to ensure compatibility. Further residential development of the proposed Remainder that is within the HS zoning district would be subject to first obtaining a Historical Site Permit. If approved, a condition of approval will be added to the project requiring any new construction and rehabilitation to meet these aesthetic requirements. A condition will also be added to minimize potential impacts from on-site lighting which requires all exterior lighting be designed to provide adequate illumination without a glare effect. The proposed project is not anticipated to have a substantial negative effect on a scenic vista, damage scenic resources, or substantially degrade the existing visual character of the site or its surroundings.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance; the 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 comprised of two parcels, totaling 32.2± acres in size, in the A-2-5 (General Agriculture, 5-Acre Minimum) and HS (Historical Site District) zoning districts. Neither parcel is enrolled in a Williamson Act contract. The project site consists primarily of unirrigated grassland and oak woodland habitats and is adjacent to a riparian corridor. The proposed Remainder is currently developed with one single-family dwelling and multiple accessory storage structures. All existing improvements are located within the Historical Site District-zoned areas of the Remainder while a portion of the Remainder and proposed Parcels 1, 2, and 3 are vacant.

The California Department of Conservation's Farmland Mapping and Monitoring Program lists the project site as comprised of Nonagricultural or Natural Vegetation and Urban and Built-Up Land. According to the United States Department of Agricultural Natural Resources Conservation Service's Soil Survey, the project site consists of approximately 2.5% Columbia sandy loam, drained, 0 to 2 percent slopes, rarely flooded (Storie Index Rating 67); 17% Cometa, sandy loam, 2 to 8 percent slopes (Index Rating 51); 27.5% Redding loam, 0 to 4 percent slopes, dry (Index Rating 19); and 53% Miltonhills-Amador complex, 15 to 45 percent slopes (Index Ratings 16 & 28). The Storie Index is a widely known and accepted method of rating soils for land use and agricultural productivity in California (Storie, 1978). Soils that receive an index grade of 61 to 80 are considered good, 41 to 60 fair, 21 to 40 poor, 11 to 20 very poor. Based on the Storie Index ratings of the project site's soils, the site is not considered prime farmland.

This project proposes to divide two parcels, totaling 32.2± acre parcels, into three 5-acre parcels and a 17.2± acre Remainder, which is split zoned. Area's zoned A-2-5 have been recognized by the County as areas with significant existing parcelization, poor soil, and location and other factors which limit the agricultural productivity of the area. The project will not conflict with any agricultural activities in the area and/or lands enrolled in the Williamson Act, as the resulting parcels will meet the minimum parcel size requirements of the A-2-5 and HS zoning districts. No construction is proposed as part of this project; however, one single family dwelling may be maintained per parcel on proposed Parcels 1, 2, and 3, in accordance with Zoning Ordinance §21.20.020 and §21.44.020, once the final parcel map has been recorded and all applicable conditions are met.

Oakdale Irrigation District (OID) responded to the project referral indicating that the Frymire Lateral—open ditch irrigation infrastructure—crosses both existing parcels. According to the comment letter, the project site is located outside the OID service boundary and has no entitlements to irrigation water under the historic Knights Ferry Water Rights allotment; therefore, no connections to this infrastructure is or will be permitted for the benefit of the proposed parcels. In order to irrigate in the future, the proposed parcels will need to utilize private irrigation facilities, such as a private well. Any construction of a new well for irrigation purposes would be subject to the County's well permitting program, which would evaluate any environmental concerns.

The project site does not contain forest land or timberland, and it is not subject to an existing Williamson Act contract. Therefore, the project would not negatively impact Important Farmland, agriculturally zoned land, land subject to a Williamson Act contract, or timberlands. Impacts to agricultural resources are considered less than significant.

Mitigation: None.

References: Referral response from Oakdale Irrigation District, dated September 27, 2018; California State Department of Conservation Farmland Mapping and Monitoring Program – Stanislaus County Farmland 2019; USDA NRCS Soil Survey; 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) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD's most recent air quality plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified as "extreme non-attainment" for ozone, "attainment" for respirable particulate matter (PM-10), and "non-attainment" for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California EPA which sets emissions for vehicles and acts on issues regarding

cleaner burning fuels and alternative fuel technologies. If approved, the resulting parcels may develop one single-family dwelling each, while the Remainder would be required to obtain a separate historical site permit that includes further environmental analysis. According to the Federal Highway Administration, the average daily vehicle trip per household is 9.6, which would equal 28.8 vehicle trips per day as a result of this project approval (3 additional dwellings x 9.6 = 28.8). The estimated vehicle trips associated with three additional single-family dwellings is considered to be a less than significant impact on air quality. 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.

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 within 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.

No construction is proposed as part of this request; however, construction activities indirectly associated with the proposed project would consist primarily of residential development. These activities may require short-term use of heavy-duty construction equipment due to demolition, construction, or grading resulting from development of the lots and due to the topography of the site. A condition of approval will be applied to the project requiring all construction, demolition, and grading-related activities to occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

Because construction and operation of the project would occur in compliance with SJVACPD standards, the proposed project is not anticipated to increase the frequency or severity of existing air quality standards or the interim emission reductions specified in the air plans.

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

The project was referred to SJVAPCD, and no response has been received to date.

Mitigation: None.

References: Application Material; San Joaquin Valley Air Pollution Control District's Small Project Analysis Level (SPAL) guidance 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: The project is located within the Knights Ferry Quad of the California Natural Diversity Database (CNDDB). As part of this parcel map request, a Biological Assessment was conducted on December 28, 2018. The assessment included consultation of the California Department of Fish and Wildlife's CNDDB, review of aerial photography, and a field survey of the site by a qualified biologist. The entire Biological Study is provided as an attachment to this document.

The site assessment identified the project site as containing upland annual grasslands and oak woodland habitats, primarily supporting common species of plants and wildlife. Parcels1, 2, and 3 are mainly comprised of flat terrace grasslands but also contain a few seasonal wetlands and an elongated vernal pool. Parcel 3 contains a few oak trees and small seasonal wetlands created from remnant mining activities. Oak woodlands are more prominent on the proposed Remainder. Other features located on the Remainder include steep bluffs sloping towards the riparian corridor of the north bank of the Stanislaus River, a stock pond which appears to draw water from the on-site Frymire Lateral open ditch canal, and an ephemeral channel. The Frymire Lateral open ditch may potentially be abandoned byOID, according to a referral response received on September 27, 2018, but the ditch will remain for downstream historic Knights Ferry Water Rights holders.

Review of the CNDDB indicated several special-status wildlife species that have a low to high likelihood to occur on the project site: the Forked hare-leaf (Lagophylla dichotoma) which occurs in both grasslands and woodlands; the Townsend's big-eared bat (Corynorhinus townsendii), Western red bat (Lasiurus blossevillii), and Pallid bat (Antrozous pallidus), which typically reside in woodland and bluff habitats. These species have a low likelihood to appear on the project site and are unlikely to occur on the grassland portion of the project site where residential development is likely to occur. Similarly, the Valley elderberry longhorn beetle (Desmocerus californicus dimorphus) lives on elderberry shrubs which were documented on Remainder parcel in 2005; however, both were surveyed as being at least 250 feet from grassland terraces. The Western pond turtle (Emys marmorata) is indicated as possibly occurring on the project site along the riparian corridor within the proposed Remainder, and Steelhead (Oncorhynchus mykiss irideus) are present within the Stanislaus River. Because grasslands don't provide an aquatic habitat for these species, any future development resulting from this request is unlikely to significantly impact these species.

The following findings and conclusions were discussed:

If approved, residential development as an indirect result of the project may lead to removal of trees. Dwellings are likely to be constructed in open grasslands, and they will likely involve minimal tree removal as oak trees are favored for their aesthetic purposes. Policy four of the County's Conservation Element of the General Plan states that all discretionary projects that will potentially impact oak woodlands shall develop a management plan for protection and enhancement. As such, a Mitigation Measure has been incorporated into the project which states that, prior to any development, an oak woodland management plan shall be prepared by the applicant and reviewed by County staff.

Potential "Waters of the United States" or wetlands include the stock pond located on the Remainder parcel, the Frymire Lateral canal in the north tip of the project site, and the ephemeral channels that drain east into the Stanislaus River. Avoidance of these features is recommended. Mitigation has been incorporated into the project to minimize impact to any potential on-site Waters of the U.S.

With the exception of the Elderberry Shrubs, the assessment reported that it is unlikely for any special status plant species to occur onsite due to the lack of suitable habitat. The likelihood of special status wildlife species occurring on the site is also low. If they do, it is likely that they occupy the site on very occasional or transitory basis. Special status bats and birds

may roost or nest in the site on occasion during certain migratory seasons. Mitigation has been added to the project limiting construction during the time periods when these animals may be nesting on-site. Vernal pool shrimp are not likely to be present in on-site vernal pools nor were spadefoot larvae or California tiger salamander detected due to lack of suitable habitats.

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 with mitigation included.

An Early Consultation was referred to the California Department of Fish and Wildlife (formerly the Department of Fish and Game), and no response has been received to date.

Mitigation:

1. Prior to any construction or ground disturbing activity that will require removal of a healthy oak tree with a diameter of 12 inches or more, an oak tree protection and replacement plan shall be provided by the property owner to the Department of Planning and Community Development and to the California Department of Fish & Wildlife (CDFW) for review and approval.

2. All construction and grading on the site shall be designed in such a way to avoid the placement of any fill material within seasonal drainages, wetlands, and other jurisdictional Waters of the United States occurring within the project site, as identified in Figure 4 of the Biological Assessment conducted by Moore Biological Consultants, dated March 20, 2019. If complete avoidance is infeasible, impacts shall be minimized to the maximum extent practicable, and permits from the U.S. Army Corps of Engineers, the California Department of Fish and Wildlife, and the Central Valley Regional Water Quality Control Board shall be secured prior to the placement of any fill material (e.g., culverts, fill dirt, rock, clean beach sand) within jurisdictional Waters of the U.S.

3. Prior to any construction or ground disturbing activity, a 100-foot development-free fenced buffer shall be established around any blue elderberry shrub existing on the project site. If full avoidance is not possible, consultation with United States Fish and Wildlife Services shall be undertaken to further assess the potential impacts to valley elderberry longhorn population and determine any needed mitigation. Mitigation usually involves planting replacement shrubs at an approved mitigation site or payment of fees to an approved mitigation bank or in-lieu species fund.

4. To prevent disturbance to raptors and migratory birds, any on-site vegetation removal shall occur during the non-breeding season (September 1 through January 31). If vegetation removal occurs between February 1 to August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist. If active nests are found within the survey area, vegetation removal should be delayed until the biologist determines nesting is complete.

5. Prior to any construction or ground disturbance within 200 feet of the Stanislaus River, a pre-construction survey shall be conducted by a qualified biologist to determine if any special-status species occur near the area to be disturbed. If special status species are determined to occur, all work shall cease, and a protection plan shall be developed and implemented.

References: Referral response from Oakdale Irrigation District dated September 27, 2018; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Biological Assessment conducted on December 28, 2019 by Moore Biological Consultants; 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: The project site is located southwest of the historic Community of Knights Ferry and within the Mexican Land Grant area formerly known as the Rancheria Del Rio Estanislao. A Cultural Resources Assessment, written by Susan Alvarez of Far Western Anthropological Research Group, Inc., was conducted on September 2005 as part of a previous application request for the project site. This study included a records search with the Central California Information Center (CCIC), consultation with the Native American community, and a pedestrian survey.

A record search, dated August 2, 2005, was conducted by the Central California Information Center (CCIC) for the project site. This search indicated that there are no historical or prehistoric resources formally reported to the CCIC; however, the California Journal of Mines and Geology Volume 43, No. 2 references a clay mine in the Knights Ferry Quad. Additionally, 25 recorded historical resources were identified within a one-half mile radius of the project area. No construction is proposed as part of this request; however, standard conditions of approval regarding the discovery of cultural resources during future construction will be added to the project.

A sacred land inventory search was conducted as part of this assessment by Native American organizations and individuals. A letter, dated August 5, 2005, received by the Native American Heritage Commission (NAHC) and e-mail correspondence, dated September 7, 2005, from Katherine Perez of the Northern Valley Yokut indicated no presence of Native American cultural resources in the vicinity of the project area; however, Ms. Perez recommended that ground-disturbing activities be monitored by both a qualified archeologist and Native American.

On August 29, 2005, Darren Andolina, archeologist for Far Western, conducted a field survey of prehistoric and historic resources within the project site. The examination of the parcel identified a prehistoric bedrock milling site with about 200 mortar cups along the bank of the Stanislaus River; however, no cultural resources associated with the bedrock were identified. In addition, several historic features dating as far back to 1848 were also located within the project site, including a road, the Frymire Lateral dating back to 1850, building, mining tailings, and abutments reported to be a former ferry mooring. All prehistoric and historic resources identified in this survey are contained on the proposed Remainder parcel with the exception of a portion of mining tailings on proposed Parcel 2 and a section of the OID Frymire Lateral which crosses the northwest corner of proposed Parcel 1.

The Cultural Resource Assessment concluded that no further assessment is recommended as part of this project request. To mitigate potential impacts to any archeological or cultural resources on the project site, mitigation has been applied requiring evaluation of the existing features or structures for eligibility to the California Register of Historic Places.

Mitigation:

6. Prior to ground-disturbing activities or demolition of the existing on-site features or structures, the sites and isolated features identified within the 2005 Archeological Survey Report, conducted by the Far Western Anthropological Research Group, shall be evaluated by eligibility to the California Register of Historic Places and shall be registered if determined to be eligible. Historic-era sites and features shall be evaluated by a historic archaeologist; the prehistoric bedrock mortar features/site shall be evaluated by a prehistoric archaeologist. All recommendations shall be followed.

References: Central California Information Center Report for the project site, dated August 2, 2005; Letter from the Native American Heritage Commission, dated August 5, 2005; E-mail correspondence from Katherine Perez of Northern Valley Yokut, dated September 7, 2005; Cultural Resources Assessment by Susan Alvarez of Far Western Anthropological Research Group, Inc. dated September 2005; 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; and 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.

This project proposes to divide two parcels, totaling 32.2± acre parcels, into three 5-acre parcels and a 17.2± acre Remainder. No construction is proposed. According to the Federal Highway Administration, the average daily vehicle trip per household is 9.6, which would equal 28.8 vehicle trips per day as a result of this project approval (3 additional dwellings x 9.6 = 28.8). Therefore, traffic generated as a result of this subdivision would be minimal, primarily consisting of temporary construction activities and residential vehicle trips. A condition of approval will be added to this project to address any future occurring development's compliance with Title 24, Green Building Code, for projects that require energy efficiency. Additionally, a condition of approval will be added requiring any site lighting to meet industry standards for energy efficiency.

The project was referred to Pacific Gas & Electric (PG&E), which provides the project site with gas and electric, and no response was received to date.

With existing requirements in place that the project is required to meet and with the proposed additional measures providing energy efficient improvements, it does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources.

Mitigation: None

References: 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; 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:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	

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

Discussion: The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that the property is made up of Columbia sandy loam, Cometa sandy loam, Redding loam, and Miltonhills-Amador complex. 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. Any addition or expansion of a septic tank or alternative wastewater disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

The project site is not located near an active fault or within a high earthquake zone. Landslides are not likely on proposed Parcels 1, 2, and 3 because of their flat terrain. The proposed Remainder contains relatively steep bluffs sloping down towards the north bank of the Stanislaus River; however, no construction is proposed. In the event that further development is to take place on the Remainder, it will be subject to first obtaining a Historical Site Permit which requires environmental review for any potential impacts.

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

A records search, conducted by the Central California Information Center (CCIC), for the project site indicated that there are no historical or prehistoric resources formally reported to the CCIC; however, the California Journal of Mines and Geology Volume 43, No. 2 references a clay mine in the Knights Ferry Quad. A condition of approval to address future development regarding the discovery of paleontological 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 2, 2005; 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) to 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.

This project proposes to divide two parcels, totaling 32.2± acre parcels, into three 5-acre parcels and a 17.2± acre Remainder. Minimal greenhouse gas emissions will occur during construction. Construction activities are considered to be less than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control. According to the Federal Highway Administration, the average daily vehicle trip per household is 9.6, which would equal 28.8 vehicle trips per day as a result of this project approval (3 additional dwellings x 9.6 = 28.8). Therefore, traffic generated as a result of this subdivision would be minimal, primarily consisting of temporary construction activities and residential vehicle trips. The project was referred to the San Joaquin Valley Air Pollution Control District, and no response was received to date. Staff will include a condition of approval on the project requiring that the applicant be in compliance with the District's rules and regulations. It is not anticipated that the project will create any significant impacts to greenhouse gas emissions.

Mitigation: None.

References: 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 County's Department of Environmental Resources (DER) is responsible for overseeing hazardous materials and has not indicated any significant impacts in relation to the proposed project. The project request is not recognized as connected to any use of generators and/or consumer of hazardous materials, therefore no significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project. The project was referred to the DER HAZMAT Division, and no response was received to date.

The project site is not located within an airport land use plan or a wildlands area. The project site is located within a medium fire severity zone in the Oakdale Rural Fire Protection District and designated as a State Responsibility Area (SRA). The project was referred to the Oakdale Rural Fire Protection district; a referral response from Stanislaus Consolidate Fire Protection District (as of July 1, 2019, the site will be served by the City of Modesto Fire Department) requiring fire apparatus access roads be installed for every new structure that has been added to the project. In addition, all hazardous vegetation and fuels shall be managed to reduce the severity of potential wildfire exposure to buildings and reduce the risk of fire spreading. Defensible space shall be maintained around all existing and proposed buildings. During the building permit phase, each permit request will be reviewed by the appropriate fire authority to ensure all activities meet the appropriate federal, state, or local fire code requirements.

Mitigation: None.

References: Referral response from Stanislaus Consolidated Fire Protection District dated October 2, 2018; 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. All flood zone requirements will be addressed by the Building Permits Division during the building permit process. No construction is proposed; however, future development indirectly resulting from this project may alter the current absorption patterns of water upon this property.

As discussed in Section IV - Biological Resources of this document, several potential "Waters of the U.S." have been identified on the project site, including the stock pond located on the Remainder parcel, the Frymire Lateral canal in the north tip of the project site, and the ephemeral channels that drain east into the Stanislaus River. Other water features include vernal pools and seasonal wetlands located on proposed Parcels 1, 2, and 3. With Mitigation Measure No. 2 applied to the project requiring all necessary permits from both CDFW and ACOE, impacts associated with drainage, water quality, and runoff are expected to have a less than significant impact.

The site contains one single-family dwelling and residential accessory structures. The existing dwellings currently receive potable water from the Knights Ferry Community Service District (KFCSD) and is served by a private septic system. No new wells are proposed as part of this project; however, the project was referred to theDER, and a condition will be placed on the project that once divided, each proposed parcel is required to have an independent private water supply and wastewater disposal system prior to issuance of a building permit. To implement the 2014 Stanislaus County Groundwater Ordinance (Chapter 9.37 of the Stanislaus County Code), the County has developed its Discretionary Well Permitting and Management Program to prevent the unsustainable extraction from new wells subject to the Stanislaus County Groundwater Ordinance. A condition of approval will be placed on the project requiring a drilling permit to be obtained prior to the construction of new wells. The Eastern San Joaquin Groundwater Authority covers the Eastern San Joaquin Groundwater Sub-basin (ESJ Sub-basin) and is tasked with ensuring compliance with the Sustainable Groundwater Management Act (SGMA). The Eastern San Joaquin Water Resources Model (ESJWRM) was developed primarily to evaluate the current and recent historical groundwater conditions of the ESJ Sub-basin and simulate various future condition scenarios as part of the Groundwater Sustainability Plan (GSP) preparation process under the SGMA. The site is in ESJWRM Subregion #18. Private groundwater pumping quantities on an individual well basis are largely unknown, though aggregate estimates for private pumping are often included in planning documents (e.g., AWMPs, UWMPs, groundwater management plans). The domestic wells are not anticipated to have a significant effect on groundwater supplies.

Although no construction is proposed, any future dwellings will be served by private septic systems; the construction of which must be reviewed and approved by DER and must adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setbacks from wells to prevent negative impacts to groundwater quality. DER is also requiring the on-site wastewater disposal system for parcels 1 through 3 to be operated under conditions and guidelines established by Measure X, which will be added as a condition of approval.

A portion of the Frymire Lateral open ditch crosses both parcels comprising the project site; however, the project site is located outside the OID Boundary and is therefore not entitled to irrigation water under the historic Knights Ferry Water Rights allotment. A referral response from OID indicated that none of the proposed parcels or Remainder are eligible to receive water service from the Frymire Lateral, nor will they be permitted to connect to the service in the future. OID indicated that they may formally abandon the Frymire Lateral in the future; however, the private ditch would remain in place for the benefit of downstream historic Knights Ferry Water Rights holders.

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

Mitigation: None.

References: Referral response from Oakdale Irrigation District dated September 27, 2018; Referral response from the Department of Environmental Resources dated October 2, 2018; Referral response from Department of Environmental Resources dated October 2, 2018; Biological Assessment conducted on December 28, 2019 by Moore Biological Consultants; Biological Assessment conducted on March 31, 2005 by Moore Biological Consultants; 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: The project site is designated Agriculture and Historical by the Stanislaus County General Plan land use diagrams and zoned A-2-5 (General Agriculture) and HS (Historical Site District). The applicant is requesting to divide two parcels, totaling 32.2± acres identified as Assessor's Parcel Numbers 002-044-003 & 002-044-004, into three 5-acre parcels and a 17.2± acre Remainder, which would be split zoned. The Remainder parcel would consist of 12.94± acres zoned HS with the remaining 4.26± acres zoned A-2-5. The proposed parcels all meet the minimum parcel size for the A-2-5 zoning district, which is 5 acres. The proposed Remainder also meets the minimum parcel size for the Historical Site District, which is also 5 acres. If developed further, new or expanded uses on the proposed Remainder will require discretionary permitting via a Historical Site Permit and be reviewed for environmental impacts through a separate CEQA-compliance process. Likewise, development which may occur on proposed Parcels 1, 2, and 3 will require either additional discretionary permitting or will be permitted by-right due to conformance with prior adopted environmental assessments.

The project site lies within the Knights Ferry Municipal Advisory Council (MAC). Per the County's General Plan, the proposed project was referred to the Knights Ferry MAC and was presented to the MAC on their regularly scheduled meeting on September 27, 2018. Subsequent to the MAC meeting, the MAC did not provide comment on the project.

The project site abuts the Stanislaus River to the southeast, with the proposed Remainder located along the length of this frontage. Pursuant to the Subdivision Map Act, Section 66478.1, any subdivision which fronts on a shoreline shall provide public access to and along said shoreline via an easement or fee. A condition of approval has been added requiring suitable river access via easement be recorded prior to issuance of a building or grading permit or sale of the proposed Remainder parcel, whichever comes first.

In addition, Stanislaus County's Right-to-Farm Ordinance §9.32.050 protects the development of agricultural lands for agricultural uses and all associated inconveniences such as noise, odors, flies, dust, or fumes. A condition requiring a Right-to-Farm notice on the recorded parcel map, disclosing such inconveniences to residents of property on or near agricultural lands, will be added to the project.

The project site was previously subject to a Vesting Tentative Subdivision Map and Exception request which proposed 8 parcels ranging in size from 0.5± to 5± acres with a 12.03± acre Remainder. This prior request was approved by the Stanislaus County Board of Supervisors on May 22, 2012. The VTSM is currently alive and has recently requested a one-year time extension. Irrespective of the number of approved tentative maps, only one map may be recorded for the project site. This will be incorporated into the project as a condition of approval.

The project would not conflict with any applicable land use plan, policy, or regulation intended to avoid or mitigate an environmental effect. No natural community conservation plans have been adopted in Stanislaus County, so the project would not result in any conflict.

Mitigation: None.

References: Application Material, VTSM APP No. 2006-06 – Knights Ferry Overlook Project Material, Government Code Section 66478.1**,** 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 (and portions of Special Report Nos. 91-03, 160, and 199 which include Stanislaus County). The project site is located in the Knights Ferry Quad. According to the 1993 Aggregate Resource areas of Stanislaus County survey, the project location is in the vicinity of ARA – 41 and – 38 of the geological area of the Stanislaus River. According to the Central California Information Center records search from the Cultural Resource Assessment conducted for the project site, there are trace placer tailings from a historic gold mine "Frymire Ranch" present on the project site, and the California Journal of Mines and Geology Volume 43, No. 2 references a clay mine in the Knights Ferry Quad; however, the County has no known records of such a mine. If present, mineral resources would not be precluded from extraction as a result of this application and would be subject to a separate discretionary permit requiring CEQA-compliance.

Mitigation: None.

References: Central California Information Center Report for the project site, dated August 2, 2005; State Division of Mining & Geology – Special Report 173 (1993); Stanislaus County General Plan Open Space/Conservation Element 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 60 dB Ldn (or CNEL) as the normally acceptable level of noise for low-density residential and related uses, which is 15 db Ldn fewer than what is considered normally acceptable for agricultural uses (75 dB Ldn). In addition, Stanislaus County's Right-to-Farm Ordinance §9.32.050 protects the development of agricultural lands for agricultural uses and all associated inconveniences such as noise, odors, flies, dust, or fumes. A condition requiring a Right-to-Farm notice on the recorded parcel map disclosing such inconveniences to residents of property on or near agricultural lands will be added to the project. Although the project site is zoned in part for Agriculture, given the topography, lack of irrigation, and size of the proposed parcels, it is unlikely to be utilized for such purposes. The project would not conflict with any applicable land use plan, policy, or regulation intended to avoid or mitigate an environmental effect. The County has no record of a private airstrip in the vicinity. No natural community conservation plans have been adopted in Stanislaus County, so the project would not result in any conflicts.

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 the Stanislaus River. The area's ambient noise level will temporarily increase during grading/construction. As such, the project will be conditioned to abide by County regulations related to hours and days of construction.

No construction is being proposed; however, the A-2 zoning district permits one single-family dwelling per parcel provided all County Code requirements can be met. Development of a single-family dwelling on proposed Parcels 1, 2, and 3 is not proposed, but would be permitted in conformance with the A-2 General Agriculture zoning district upon recordation of the final parcel map. If developed further, new or expanded uses on the proposed Remainder will require discretionary permitting via a Historical Site Permit and be reviewed for environmental impacts through a separate CEQA-compliance process. Any future development, as a result of this project, is not expected to increase the area's ambient noise level.

Mitigation: None.

References: Title 10 Stanislaus County Code; 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) for the County and will therefore not impact the County's ability to meet their RHNA. Minimal population growth will be induced; if the project request is approved, one single-family residence may be constructed per parcel, for a total of three new dwellings. No existing housing will 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:				
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. First year costs of the Sheriff's Department have been standardized based on studies conducted by the Sheriff's Department, and as such, a Sheriff's fee of $339 is required to be paid for all new (not replacement) dwellings. No construction is proposed as part of this project; however, should any construction occur on the property in the future, all adopted public facility fees will fund police, fire, roads, and other services. The fee 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. With public facility fees in place, no impacts to public services are anticipated. On July 1, 2019, the project site will be served by the City of Modesto Fire Department for emergency fire services.

Mitigation: None.

References: 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 is not anticipated to significantly increase demands for recreational facilities, as such impacts are typically associated with residential development. No construction is proposed; however, if approved, each parcel will be able to maintain one single-family dwelling per parcel. All parcels are large enough to provide recreational opportunities should the applicant or a future property owner intend to utilize the proposed parcels as such.

The project site abuts the Stanislaus River to the southeast, with the proposed Remainder located along the length of the river frontage. Pursuant to The Subdivision Map Act, Section 66478.1, any subdivision which fronts on a shoreline shall provide public access to and along said shoreline via an easement or fee. A condition of approval has been added requiring suitable river access via easement be recorded prior to a building or grading as well as sale of the proposed Remainder parcel.

Mitigation: None.

References: Government Code Section 66478.1; Stanislaus County General Plan and Support Documentation[1]

XVII. TRANSPORATION-- 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 proposes to divide two parcels, totaling 32.2± acres, into three 5-acre parcels and a 17.2± acre Remainder. The project will receive access via County-maintained Frymire and Cemetery Roads. If approved, each parcel will be able to maintain one single-family dwelling per parcel. Increased traffic related to development as an indirect result of this project is insignificant; therefore, staff has no evidence to support that this project will significantly impact any transit, roadway, bicycle, or pedestrian facilities.

This project was referred to the California Department of Transportation (Caltrans) – District 10, and no comments were received regarding the proposed project.

Section 15064.3 of the CEQA Guidelines establishes specific considerations for evaluating a project's transportation impacts. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Vehicle miles traveled exceeding an applicable threshold of significance for land use projects may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area, compared to existing conditions, should be presumed to have a less than significant transportation impact.

The Environmental Impact Report (EIR) prepared for Stanislaus County's 2016 General Plan Update considered vehicle miles traveled (VMT) in the County as considered by the General Plan planning horizon of 2035. The EIR identified that total daily VMT is expected to increase within the unincorporated area by 2035. However, the daily VMT in the unincorporated area is expected to decrease slightly, on both a per-household and a service population basis, indicating that development that could occur under the General Plan would decrease the average distance between goods and services within the unincorporated County. Therefore, implementation of the General Plan policies is expected to have a less than significant impact on VMT. The proposed project site was considered in the General Plan EIR and would therefore be expected to have a less than significant impact to VMT.

Frymire and Cemetery Road are both identified as rural local roads with an ultimate right of way of 60 feet wide. The General Plan EIR identifies it as operating at a level of service (LOS) A under cumulate conditions (2035). Given the small scale of the project and minimal distance traveled, it is not anticipated that the project would substantially affect the level of service on Orange Blossom Road or any other nearby roadways

The project was also referred to the Department of Public Works who responded by requiring dedication of right of way on Frymire road and a 10' wide public-utility easement on Parcels 1through 3. Furthermore, the referral response stated that building No. 4 shown on the Remainder parcel may be located within the existing County's Right of Way along Cemetery Road and has required that prior to the final map being recorded the building be either demolished or relocated. Lastly, the referral response stated once the Remainder parcel is developed, the applicant shall dedicate the appropriate right of way widths along both Frymire and Cemetery Roads including the intersection of these roads. Conditions of approval will be added to the project to reflect the referral response from the Public Works Department.

Mitigation: None.

References: Referral response from Public Works, dated June 4, 2019; 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. No construction is proposed as part of this request; however, the project was referred to DER, and conditions requiring each parcel to have its own approved independent water supply and wastewater disposal system have been added to the project. Parcels 1 through 3 will be required to develop a new well in accordance with County requirements. Although no construction is proposed, any future dwellings will be served by private septic systems; the construction of which must be reviewed and approved by DER and must adhere to current Local Agency Management Program (LAMP) standards. LAMP standards include minimum setbacks from wells to prevent negative impacts to groundwater quality. DER is also requiring the on-site wastewater disposal system for Parcels 1 through 3 to be operated under conditions and guidelines established by Measure X, which will be added as a condition of approval.

The proposed Remainder is currently and will continue to receive municipal water service from the Knights Ferry Community Service District. The Department of Public Works will review and approve grading and drainage plans prior to construction. Conditions of approval will be added to the project to reflect this requirement.

Mitigation: None.

References: Referral response from Department of Environmental Resources dated October 2, 2018; 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 and maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Discussion. The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less than significant. The terrain of the site is relatively flat. Access will be provided via the County-maintained Frymire and Cemetery Roads. Emergency vehicle access will be required as part of any building permit for future development of each parcel. Wildfire Hazard Mitigation Objective WF03 is to maintain the roads for the safety of travelers for wildfire. The existing County-maintained roads ensures the road will be maintained and is less likely to exacerbate fire risk.

The project site is served by the Oakdale Rural Fire Protection District in conjunction with Stanislaus Consolidated Fire Protection District. As of July 1, 2019, the site will be served by the City of Modesto Fire Department in conjunction with Oakdale Rural Protection District. The site is located in a State Responsibility Area (SRA). All future structure will be required to be constructed in accordance with Chapter 7A of the most current adopted version of the California Building Code and California Residential Code. If approved, residential development resulting from this project request will likely occur on the flat areas of each proposed parcel, outside the floodway and 0.2% floodplain. The project was referred to Oakdale Rural Fire District, and conditions requiring management of hazardous vegetation, maintenance of defensible space around all structures, and installation of fire apparatus roads for every structure will be added to the project which will lessen the risk of wildfire. Wildfire risk and risks associated with postfire land changes are considered to be less than significant.

Mitigation: None.

References: Referral response from Stanislaus County Building Permits Division dated October 1, 2018; Referral response from Stanislaus Consolidated Fire Protection District dated October 2, 2018; 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: Any potential impacts, as a result of this project, have been mitigated to less than significant.

Mitigation: None.

References: Initial Study; 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.

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

MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: Vesting Tentative Parcel Map Application No. PLN2018-0090 – Honchariw – Frymire Road

LOCATION OF PROJECT: 17442 Cemetery Road, on the southern corner of Cemetery and Frymire Roads, abutting the Stanislaus River, west of the Community of Knights Ferry (APNs: 002-044-003 & -004).

PROJECT DEVELOPER: Nick Honchariw, Trustee of the Honchariw Revocable Trust

DESCRIPTION OF PROJECT: Request to subdivide two parcels, totaling 32.2± acres, into three 5-acre parcels ("Parcels 1, 2, & 3") with a 17.2± acre remainder parcel. As proposed, Parcels 1, 2, and 3 will be zoned A-2-5 (General Agriculture,), and the remainder will be split zoned with 4.26± acres zoned A-2-5 and the remaining 12.94± zoned as HS (Historical Site District). If approved, each parcel will have frontage on a County-maintained road. The proposed remainder currently utilizes a private septic system and is served by the Knights Ferry Community Service District for domestic water. Proposed Parcels 1, 2, and 3 would be served by private water and wastewater disposal systems for any future residential development. The project site is currently improved with one single-family dwelling and multiple storage buildings which are located on the remainder.

Based upon the Initial Study, dated **July 12, 2019**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.

2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.

3. This project will not have impacts which are individually limited but cumulatively considerable.

4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. Prior to any construction or ground disturbing activity that will require removal of a healthy oak tree with a diameter of 12 inches or more, an oak tree protection and replacement plan shall be provided by the property owner to the Department of Planning and Community Development and to the California Department of Fish & Wildlife (CDFW) for review and approval.

2. All construction and grading on the site shall be designed in such a way to avoid the placement of any fill material within seasonal drainages, wetlands, and other jurisdictional Waters of the United States occurring within the project site, as identified in Figure 4 of the Biological Assessment conducted by Moore Biological Consultants, dated March 20, 2019. If complete avoidance is infeasible, impacts shall be minimized to the maximum extent practicable, and permits from the U.S. Army Corps of Engineers, the California Department of

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Fish and Wildlife, and the Central Valley Regional Water Quality Control Board shall be secured prior to the placement of any fill material (e.g., culverts, fill dirt, rock, clean beach sand) within jurisdictional Waters of the U.S.

3. Prior to any construction or ground disturbing activity, a 100-foot development-free fenced buffer shall be established around any blue elderberry shrub existing on the project site. If full avoidance is not possible, consultation with United States Fish and Wildlife Services shall be undertaken to further assess the potential impacts to valley elderberry longhorn population and determine any needed mitigation. Mitigation usually involves planting replacement shrubs at an approved mitigation site or payment of fees to an approved mitigation bank or in-lieu species fund.

4. To prevent disturbance to raptors and migratory birds, any on-site vegetation removal shall occur during the non-breeding season (September 1 through January 31). If vegetation removal occurs between February 1 to August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist. If active nests are found within the survey area, vegetation removal should be delayed until the biologist determines nesting is complete.

5. Prior to any construction or ground disturbance within 200 feet of the Stanislaus River, a pre-construction survey shall be conducted by a qualified biologist to determine if any special-status species occur near the area to be disturbed. If special status species are determined to occur, all work shall cease, and a protection plan shall be developed and implemented.

6. Prior to ground-disturbing activities or demolition of the existing on-site features or structures, the sites and isolated features identified within the 2005 Archeological Survey Report, conducted by the Far Western Anthropological Research Group, shall be evaluated by eligibility to the California Register of Historic Places, and shall be registered if determined to be eligible. Historic-era sites and features shall be evaluated by a historic archaeologist; the prehistoric bedrock mortar features/site shall be evaluated by a prehistoric archaeologist. All recommendations shall be followed.

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

Initial Study prepared by: Jeremy Ballard, Associate Planner

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

MOORE BIOLOGICAL CONSULTANTS

March 20, 2019

Mr. Nick Honchariw
3 Via Paraiso West
Tiburon, CA 94920

Subject: BIOLOGICAL ASSESSMENT: 32+/- ACRE "KNIGHTS FERRY OVERLOOK", PROJECT, STANISLAUS COUNTY, CALIFORNIA

Dear Nick:

Thank you for asking Moore Biological Consultants to conduct a biological assessment of this 32+/- acre site near Knights Ferry, in Stanislaus County, California (Figures 1 and 2). The purposes of this assessment are to describe existing biological resources in proposed new parcels in the property, identify potentially significant impacts to biological resources from the proposed project, and provide recommendations for how to reduce those impacts to a less-than-significant level. The work involved reviewing databases, aerial photographs, and documents, and conducting field surveys. This report details the methodology and results of our investigation.

Project Overview

The project site is 32+/- acres near Knights Ferry that is currently comprised of two legal parcels (APN 002-044-003 and 002-044-004). The proposed project is the creation of three new 5+/- acre residential parcels along Frymire Road, while the remaining 17+/- acres will become a "Remainder Parcel" (see Tentative Map in Attachment A). Water for the new parcels will be from individual wells and each new parcel will require a septic system.

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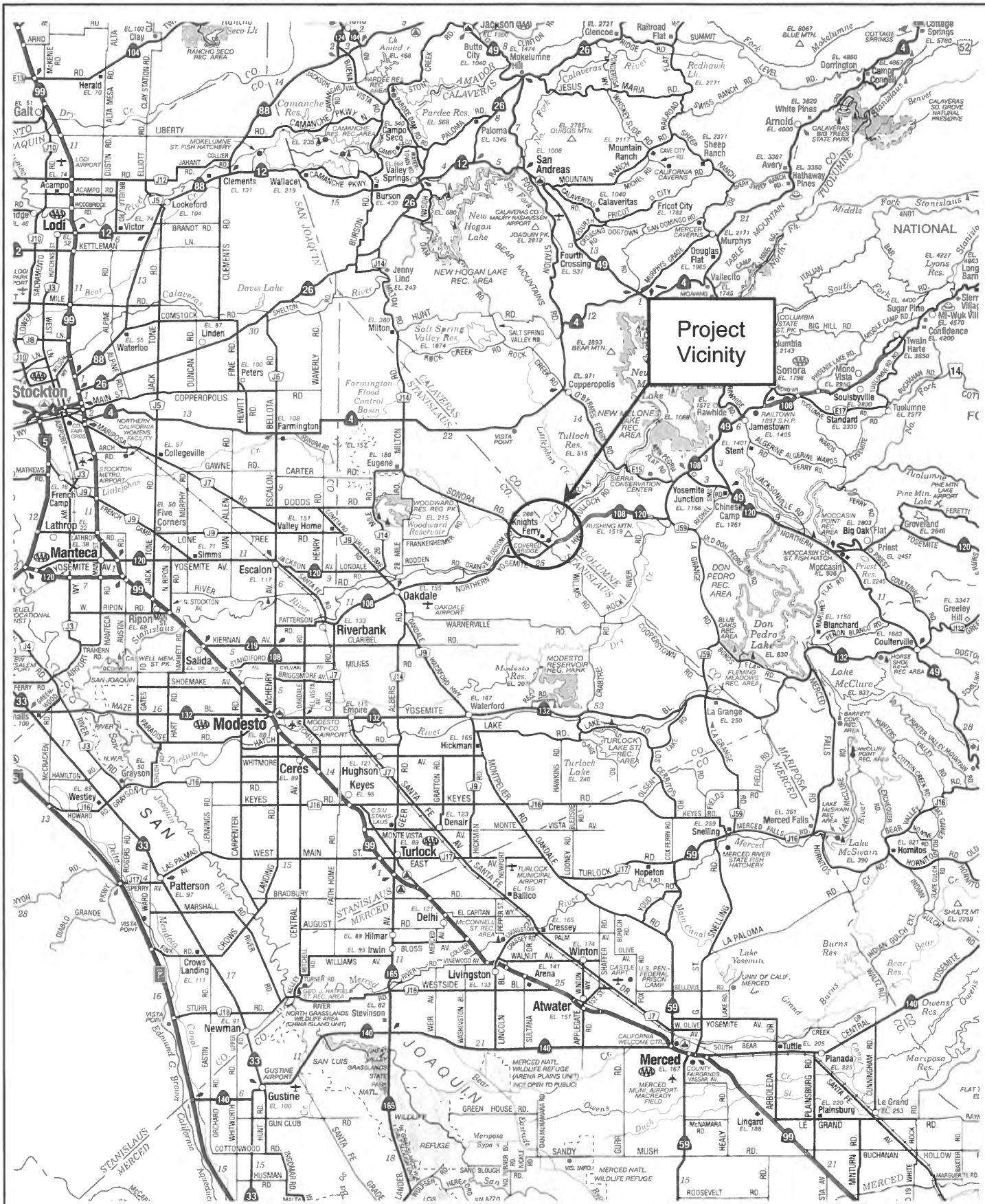


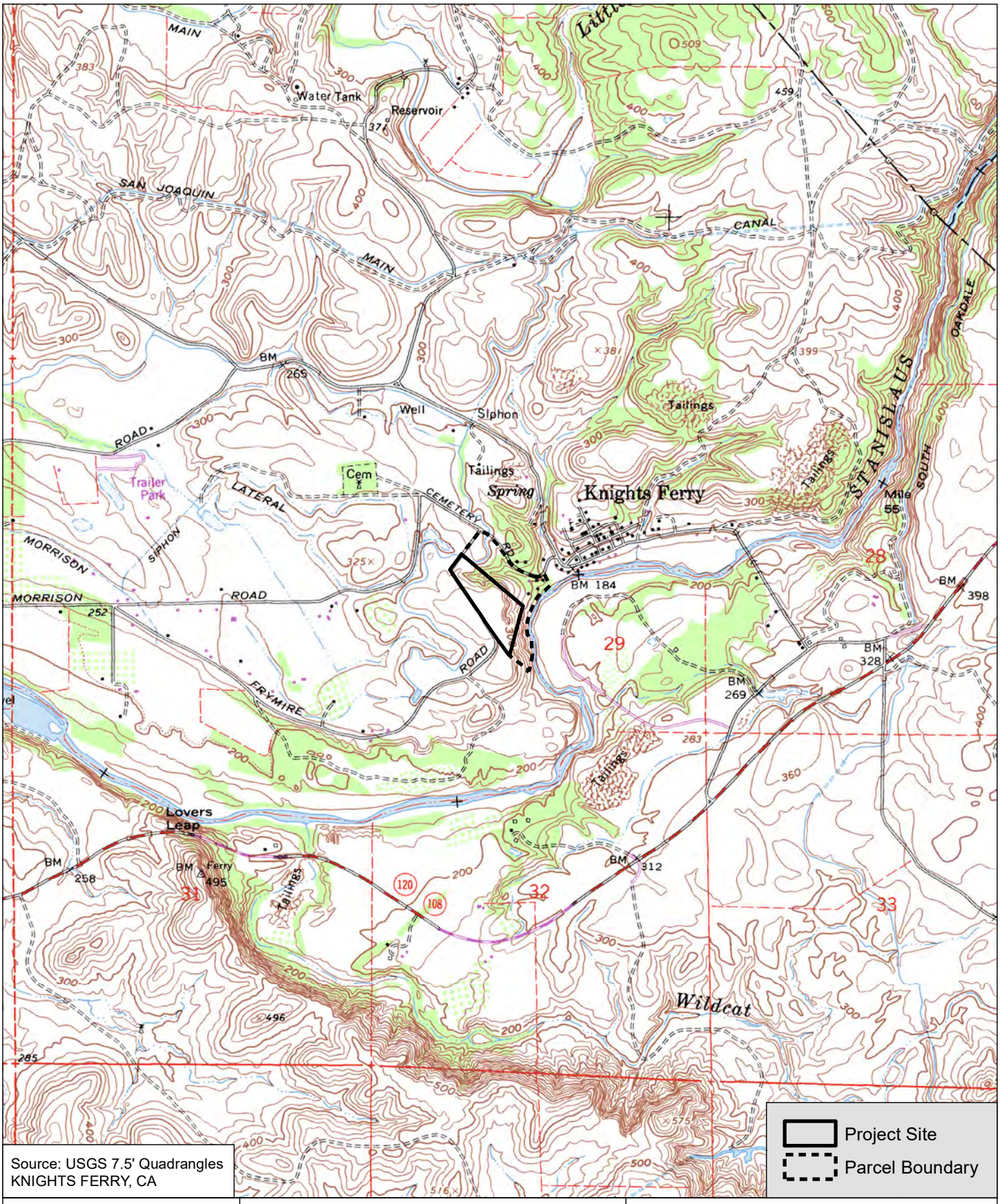
Source: Calif. State Automobile Association

Moore Biological Consultants

0 18 Miles

N W E S

FIGURE 1
PROJECT VICINITY



Source: USGS 7.5' Quadrangles
KNIGHTS FERRY, CA

Figure 2

Moore Biological Consultants

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N
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USGS

Knight's Ferry Overlook

Stanislaus County, CA

Map Date: 01/08/2019

Methods

Prior to the 2018 field survey, we conducted an updated search of California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB, 2018). The CNDDB search included the USGS 7.5-minute Knight's Ferry topographic quadrangle, encompassing approximately 60+/- square miles surrounding the site (Attachment B). The United States Fish and Wildlife Service (USFWS*)* IPaC Trust Resource Report of Federally Threatened and Endangered species that may occur in or be affected by projects in the project vicinity was also reviewed (Attachment B). This information was used to identify special-status wildlife and plant species that have been previously documented in the vicinity or have the potential to occur based on suitable habitat and geographical distribution. Additionally, the CNDDB depicts the locations of sensitive habitats. The USFWS on-line-maps of designated critical habitat in the area were also downloaded.

Moore Biological Consultants conducted an initial field survey of the site on March 31, 2005; this initial survey was associated with a prior development proposal. This updated survey in support of the proposed project was conducted on December 28, 2018. The surveys consisted of walking throughout the site making observations of habitat conditions and noting surrounding land uses, habitat types, and plant and wildlife species. The fieldwork included an assessment of potentially jurisdictional Waters of the U.S. and wetlands as defined by the U.S. Army Corps of Engineers (ACOE, 1987; 2008) and a search for special-status species and suitable habitat for special-status species (e.g., vernal pools, blue elderberry shrubs, cliffs, caves, areas with unique soils). Additionally, trees in and near the site were assessed for the potential use by bats, nesting raptors, and other nesting birds. The site was also searched for burrowing owls (*Athene cunicularia*) or ground squirrel burrows that could be utilized by burrowing owls.

Results

The 32+/- acre site is near the town of Knight's Ferry, in Stanislaus County, California (Figure 1). The site is within Section 29, within Township 1 South, Range 12 East of the USGS 7.5-minute Knight's Ferry topographic quadrangle (Figure 2). The grassland terraces in Parcels 2-4 that are suitable for residential development are at an elevation of approximately 300 to 340 feet above mean sea level; the remainder of the project site is in lower elevations. The majority of the project site slopes down generally to the east, and drains in to the Stanislaus River; the extreme northwest tip of the site slopes and drains to the northwest.

Land uses in this part of Stanislaus County are a mixture of agriculture, rangeland, open space, recreation, and residential development (Figure 3). Cemetery Road is along the northeast edge of the overall parcel and Frymire Road borders the northwest edge and the majority of the southwest edge of the site. There are ranchette-style homes on relatively large parcels surrounding the northeast, northwest, and southwest edges of the site. The Stanislaus River flows along the southeast edge of the parcel and there is an intense sloping bluff descending down from the grassland terraces in Parcels 2-4 to the riparian corridor of the Stanislaus River.

The portion of the site where the new 5-acre lots are proposed primarily consists of a relatively flat grassy terrace (Figure 3 and photographs in Attachment C). The proposed new lots also contain portions of the bluff that descends down to the Stanislaus River and some areas of oak woodlands. There is an area of remnant dredger tailings in Parcel 3 with a few oak trees and pockets of relatively small seasonal wetlands. Additionally, there are a few seasonal wetlands and a vernal pool scattered across the grassland terraces on Parcels 2-4. Oak woodlands are more prominent in the Remainder Parcel, especially near Cemetery Road and in the Stanislaus River riparian corridor. The Remainder Parcel also contains a stock pond, ephemeral channel, and an irrigation canal; no work will be conducted in the Remainder Parcel.

Figure 3

Moore Biological Consultants

0 100 200

N W E S

Project Site
Parcel Boundary

Map Date: 01/08/2019
Aerial Source: NAIP (2017)

AERIAL

Knight's Ferry Overlook

Stanislaus County, CA

VEGETATION: California annual grassland series and Mixed oak series (Sawyer and Keeler-Wolf, 1995) best describe the habitat types in the site (Figure 3 and photographs in Attachment C). Annual grassland covers the grassland terraces in Parcels 2-4 and part of the Remainder Parcel. The rest of the Remainder Parcel primarily supports oak woodland vegetation; there is also oak woodland vegetation on the steep areas in Parcels 2-4.

The grassland areas within the site are vegetated with native and non-native annual and perennial grassland species. Oats (*Avena fatua*), foxtail barley (*Hordeum murinum*), soft chess brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), and perennial ryegrass (*Lolium perenne*) are dominant grasses in the site. Other grassland species such as black mustard (*Brassica nigra*), fiddleneck (*Amsinckia menziesii*), Italian thistle (*Carduus pycnocephalus*), rose clover (*Trifolium hirtum*), wild radish (*Raphanus sativus*), yellow star thistle (*Centaurea solstitialis*) and filaree (*Erodium botrys*) are intermixed with the grasses. Plant species observed in the site are listed in Table 1.

The oak woodland contain blue oak (*Quercus douglasii*), interior live oak (*Quercus wislizenii*), and valley oak (*Quercus lobata*). The oaks in the site vary in size, structure, and health. Many of the oak trees have multiple stems, with most of the stems being 12+/- inches in diameter at breast height (DBH) (see photographs in Attachment C). There are lesser numbers of relatively larger single-trunk oaks. Other trees species in the oak woodlands include California buckeye (*Aesculus californicus*) and toyon (*Heteromeles arbutifolia*). The oak woodlands also contain a subset of the grasses and other herbaceous vegetation found in the on-site grasslands.

No blue elderberry (*Sambucus mexicana*) shrubs were observed in Parcels 2-4 in the project site during either the 2005 or 2018 survey. During the March 2005 field survey, two blue elderberry shrubs were observed in the Remainder Parcel, one along the edge of the Stanislaus River corridor and one in the oak woodlands to the east of Parcel 2.

TABLE 1

PLANT SPECIES OBSERVED IN THE SITE

Aesculus californica	California buckeye
Ailanthus altissima	tree-of-heaven
Aira caryophyllea	silver European hairgrass
Amsincka menziesii	rancher's fireweed
Asclepias fascicularis	narrow-leaf milkweed
Avena s fatua	wild oat
Avena sp.	oat
Brassica nigra	black mustard
Briza minor	quaking grass
Brodiaea elegans	elegant brodiaea
Bromus diandrus	ripgut brome
Bromus hordeaceus	soft chess brome
Callitriche marginata	water starwort
Carduus pycnocephalus	Italian thistle
Centaurea solstitialis	yellow star thistle
Cichorium intybus	chickory
Claytonia perfoliata	miner's lettuce
Collinsia heterophylla	Chinese house
Cyperus eragrostis	tall flat sedge
Eremocarpus setigerus	turkey mullein
Erodium botrys	filaree
Eryngium vaseyi	coyote thistle
Eschscholzia californica	California poppy
Geranium dessectum	geranium
Glyceria occidentalis	manna grass
Grindelia camporum	gumplant
Heteromeles arbutifolia	toyon
Holocarpha virgata	tarweed
Hordeum marinum	seaside barley
Hordeum murinum	foxtail barley
Juncus balticus	Baltic rush
Layia pentachaeta	layia
Lasthenia crysantha	goldfields
Lolium perenne	perennial ryegrass
Lomatium utriculatum	foothill lomatium

TABLE 1 (continued)

PLANT SPECIES OBSERVED IN THE SITE

Lotus purshianus	lotus
Lupinus albifrons	silver bush lupine
Mentha pulegium	pennyroyal
Nassella pulchera	purple needle grass
Orthocarpus erianthus	butter and eggs
Pholistoma auritum	pholistoma
Plagiobothrys nothofulvus	popcornflower
Plantago lanceolata	English plantain
Populus fremontii	Fremont cottonwood
Prunus sp.	plum, almond
Punica granatum	pomegranate
Quercus douglasii	blue oak
Quercus lobata	valley oak
Quercus wislizenii	interior live oak
Ranunculus bonariensis	carter's buttercup
Ranunculus muricatus	spiny-fruit buttercup
Rubus discolor	Himalayan blackberry
Rubus ursinus	California blackberry
Rumex crispus	curly dock
Rumex pulcher	fiddle dock
Salix sp.	willow
Sambucus mexicana	blue elderberry
Sidalcea calycosa	vernal pool sidalcea
Silybum marianum	milk thistle
Taeniatherum caput-medusae	Medusa-head grass
Toxicodendron diversilobum	poison oak
Trichostema lanceolatum	vinegar-weed
Trifolium hirtum	rose clover
Trifolium wormskjoldii	cow clover
Triteleia laxa	Ithuriel's spear
Typha sp.	cat-tail
Umbellularia californica	California bay laurel
Verbena lasiostachys	common verbena
Vicia americana	American purple *v*etch
Vicia sativa	common vetch
Vulpia myuros	rattail fescue
Xanthium strumarium	rough cocklebur

WILDLIFE: A variety of wildlife species that are common in Stanislaus County were observed in the site. Turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), acorn woodpecker (*Melanerpes formicivorous*), northern flicker (*Colaptes auratus*), western kingbird (*Tyrannus verticalis*), California scrub jay (*Aphelocoma californica*) and Brewer's blackbird (*Euphagus cyanocephalus*) are some of the more common birds observed at the site. Wildlife species observed in the site are listed in Table 2.

There are numerous potential nest trees in and near the site that are suitable for nesting raptors and other protected migratory birds. A few stick nests were observed within some of the trees within and near the site. Given the presence of large trees and raptor foraging habitat (i.e., open fields) in and near the site, it is likely one or more pairs of raptors, plus a variety of songbirds, nest in trees in the site each year. Further, it is considered likely that numerous songbirds nest within trees, shrubs, and grassland habitats in or adjacent to the site each year.

Several mammals are expected to use habitats in or move through the site on occasion. Western gray squirrel (*Sciurus griseus*) and mule deer (*Odocoileus hemionus*) were observed within in the site; sign of Bottae's pocket gopher (*Thomomys bottae*) was also observed. Raccoon (*Procyon lotor*), desert cottontail (*Sylvilagus audubonii*), California ground squirrel (*Spermophilus beecheyi*), coyote (*Canis latrans*), black-tailed hare (*Lepus californicus*) and striped skunk (*Mephitis mephitis*) are known from the greater project vicinity and are expected to occur within the project site. Mountain lions (*Felis concolor*) and bobcats (*Felis rufus*) may occur on-site on occasion; however, no evidence of either of these species was observed. Small rodents including mice (*Mus musculus, Reithrodontomys megalotis,* and *Peromyscus maniculatus*) and voles (*Microtus californicus*) also likely occur. The oaks and other trees in site may also provide suitable roosting habitat for bats.

TABLE 2

WILDLIFE SPECIES OBSERVED IN THE SITE

Birds:	
Canada goose	*Branta canadensis*
Mallard	*Anas platyrhynchos*
Turkey vulture	*Cathartes aura*
Red-shouldered hawk	*Buteo lineatus*
Red-tailed hawk	*Buteo jamaicensis*
American kestrel	*Falco sparverius*
American coot	*Fulica americana*
Mourning dove	*Zenaida macroura*
Acorn woodpecker	*Melanerpes formicivorous*
Black phoebe	*Sayornis nigricans*
Western kingbird	*Tyrannus verticalis*
Tree swallow	*Tachycineta bicolor*
California scrub jay	*Aphelocoma californica*
American crow	*Corvus brachyrhynchos*
Spotted towhee	*Pipilo maculatus*
California towhee	*Melozone crissalis*
Song sparrow	*Melospiza melodia*
White-crowned sparrow	*Zonotrichia leucophrys*
Dark-eyed junco	*Junco hyemalis*
Western meadowlark	*Sturnella neglecta*
Brewer's blackbird	*Euphagus cyanocephalus*
House finch	*Haemorhous mexicanus*
American goldfinch	*Spinus tristis*
Mammals:	
Botta's pocket gopher	*Thomomys bottae*
Western gray squirrel	*Sciurus griseus*
Mule deer	*Odocoileus hemionus*
Amphibians and Reptiles:	
Pacific chorus frog	*Pseudacris regilla*
Western fence lizard	*Sceloporus occidentalis*

Based on habitat types present, a variety of amphibians and reptiles may use habitats within the immediate project vicinity. Pacific chorus frog (*Pseudacris regilla*) and western fence lizard (*Sceloporus occidentalis*) were observed in the project site during the surveys. The site is within the range of bullfrog (*Rana catesbeiana*) northern alligator lizard (*Gerrhonotus coeruleus*), mountain king snake (*Lampropeltis zonata*), western rattlesnake (*Crotalis viridis*), and common garter snake (*Thamnophis sirtalis*); these and other common amphibian and reptile species may also occur on-site.

WATERS OF THE U.S. AND WETLANDS: Waters of the U.S., including wetlands, are broadly defined under 33 Code of Federal Regulations (CFR) 328 to include navigable waterways, their tributaries, and adjacent wetlands. State and federal agencies regulate these habitats and Section 404 of the Clean Water Act requires that a permit be secured prior to the discharge of dredged or fill materials into any waters of the U.S., including wetlands. ACOE, CDFW, and the California Regional Water Quality Control Board (RWQCB) have jurisdiction over modifications to riverbanks, lakes, stream channels and other wetland features.

"Waters of the U.S.", as defined in 33 CFR 328.4, encompasses Territorial Seas, Tidal Waters, and Non-Tidal Waters; Non-Tidal Waters includes interstate and intrastate rivers and streams, as well as their tributaries. The limit of federal jurisdiction of Non-Tidal Waters of the U.S. extends to the "ordinary high water mark". The ordinary high water mark is established by physical characteristics such as a natural water line impressed on the bank, presence of shelves, destruction of terrestrial vegetation, or the presence of litter and debris.

Jurisdictional wetlands are vegetated areas that meet specific vegetation, soil, and hydrologic criteria defined by the ACOE *Wetlands Delineation Manual* and Regional Supplement (ACOE, 1987; 2008). Jurisdictional wetlands are usually adjacent to or hydrologically associated with Waters of the U.S; isolated wetlands are outside federal jurisdiction.

On February 14, 2019, the Environmental Protection Agency (EPA) and ACOE proposed a new definition of "Waters of the United States" that is intended to clarify the limits of jurisdiction under the Clean Water Act; the Proposed Rule is currently out for public comment. The Proposed Rule proposes as a baseline concept that ''Waters of the U.S.'' are waters within the ordinary meaning of the term, such as oceans, rivers, streams, lakes, ponds, and wetlands. The Proposed Rule clarifies that "Waters of the U.S." encompass traditional navigable waters, including the territorial seas; tributaries that contribute perennial or intermittent flow to such waters; certain ditches; certain lakes and ponds; impoundments of otherwise jurisdictional waters; and wetlands adjacent to other jurisdictional waters. Under the Proposed Rule, not all waters are "Waters of the U.S.". For example, many ditches, constructed features (excavated basins), isolated waters and wetlands, and ephemeral tributaries would no longer meet the definition of "Waters of the U.S.".

WATERS OF THE STATE: Under the Porter-Cologne Water Quality Control Act, "Waters of the State" fall under the jurisdiction of the State Water Resource Control Board (SWRCB) and California Regional Water Quality Control Boards (RWQCBs). The RWQCBs are required to prepare and periodically update water quality control basin plans, which set forth water quality standards for surface water and groundwater, as well as actions to control non-point and point sources of pollution to achieve and maintain these standards.

Projects that affect Waters of the State may also be required to meet waste discharge requirements (WDRs) of the RWQCBs. SWRCB's Resolution 2008-0026 identified a need to protect Waters of the State that are not subject to CWA Section 404 permitting and associated CWA Section 401 Water Quality Certification. In January 2019, the SWRCB released the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State.* If and when it is adopted, the Central Valley Regional Water Quality Board is expected to require WDRs for the fill of isolated wetlands that not subject to CWA Section 404 that authorize the impacts by issuing WDRs or in

some cases, a WDR waiver. Various RWQCBs have issued General Orders for WDRs for certain activities, such as maintenance dredging of up to 100,000 cubic yards of material in the legal delta (Order R5-2009-0085).

Jurisdictional wetlands and Waters of the U.S. include, but are not limited to, perennial and intermittent creeks and drainages, lakes, seeps, and springs; emergent marshes; riparian wetlands; and seasonal wetlands. Wetlands and Waters of the U.S. provide critical habitat components, such as nest sites and a reliable source of water, for a wide variety of wildlife species.

There are several different aquatic features within the overall parcel boundary that may potentially be classified as jurisdictional Waters of the U.S. or wetlands. Potential Waters of the U.S or wetlands include an irrigation canal in the north tip of the parcel, a few ephemeral drainages that drain easterly into the Stanislaus River, several seasonal wetlands, and a stock pond (Figure 4).

The Stanislaus River is a navigable jurisdictional Water of the U.S and is located along the eastern boundary of the site (see attached photographs). The Stanislaus River is depicted on the USGS topographic map as a perennial “blue-line” stream (Figure 2). The river is located in a deep canyon, a few hundred feet in elevation below the grassland terraces in Parcels 2-4 that are suitable for residential development.

There are also a few intermittent tributaries to the Stanislaus River, all of which primarily located in the Remainder Parcel. The upstream tips of two of these drainages extend up into the lower elevation parts of Parcels 2 and 4, well below the grassland terraces.

Despite being constructed, the irrigation lateral in the site (the “Frymire Lateral”) is a potentially jurisdictional Water of the U.S. Portions of this lateral are cement-lined, while others are dirt and the lateral is depicted on the USGS topographic map as a perennial “blue-line” stream (Figure 2). The Frymire Lateral appears

Figure 4

Moore Biological Consultants

0 100 200

N W E S

Project Site
Parcel Boundary
Seasonal Wetland
Stock Pond
Ephemeral Creek
Irrigation Lateral

Map Date: 01/09/2019
Aerial Source: NAIP (2017)

Potential Waters of the U.S.

Knight's Ferry Overlook

Stanislaus County, CA

to originate from the South San Joaquin Main Canal, which is located a few miles north of the site. Water in the South San Joaquin Main Canal is derived via gravity from the Stanislaus River a few miles east of the site and the water in the Frymire Lateral appears to be derived via gravity from the Main Canal. Downstream of the site, excess water in the Frymire Lateral is released back in to the Stanislaus River. The Frymire Lateral has potential to fall under ACOE jurisdiction due to this hydrologic connectivity with Waters of the U.S. both upstream and downstream of the site.

The stock pond near Cemetery Road was likely constructed in the past for either livestock watering or historical mining activities. The pond is generally circular and well shaded and appears to be perennial. Some old pipes in the Remainder Parcel appear to convey water from the Frymire Lateral into the stock pond.

Waters of the U.S or wetlands in the grassland terraces in Parcels 2-4 proposed for development include a few natural seasonal wetlands and a few seasonal wetlands that appear to be created from remnant mining activities (see photographs in Attachment C). The most notable seasonal wetland in the site is an elongated vernal pool near the west edge of the site that has a maximum depth of approximately 10 inches. The remaining wetlands are shallower and are better classified as seasonal wetlands than vernal pools. The seasonal wetlands in the site support hydrophytic wetland species such as coyote thistle (*Erygium vaseyi*), seaside barley (*Hordeum marinum*), perennial ryegrass (*Lolium perenne*), sidalcea (*Sidalcea calycosa*), and goldfields (*Lasthenia* sp.).

SPECIAL-STATUS SPECIES: Special-status species are plants and animals that are legally protected under the state and/or federal Endangered Species Act or other regulations. The Federal Endangered Species Act (FESA) of 1973 declares that all federal departments and agencies shall utilize their authority to conserve endangered and threatened plant and animal species. The California Endangered Species Act (CESA) of 1984 parallels the policies of FESA and pertains to native California species. Both FESA and CESA prohibit

unauthorized “take” (i.e., killing) of listed species, with take broadly defined in both acts to include activities such as harassment, pursuit and possession.

Special-status wildlife species also includes species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts, and other essential habitat. The federal Migratory Bird Treaty Act and Fish and Game Code of California protect special-status bird species year-round, as well as their eggs and nests during the nesting season. Fish and Game Code of California also provides protection for mammals and fish.

Special-status plants are those which are designated rare, threatened, or endangered and candidate species for listing by the USFWS. Special-status plants also include species considered rare or endangered under the conditions of Section 15380 of the California Environmental Quality Act Guidelines, such as those plant species identified on Lists 1A, 1B and 2 in the Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2018). Finally, special-status plants may include other species that are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for state or federal status, such as those included on CNPS List 3.

Table 3 summarizes the listing status and habitat requirements of special-status species that have been documented in the CNDDB (2018) in the greater vicinity of the site, or for which there is potentially suitable habitat in or near the site. This table also includes an assessment of the likelihood of occurrence of each of these species in the site. The evaluation of the potential for occurrence of each species is based on the distribution of regional occurrences (if any), habitat suitability, and field observations.

SPECIAL-STATUS PLANTS: Special-status plants recorded in the CNDDB (2018) within the search area (i.e., the USGS 7.5-minute Knight’s Ferry topographic

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[1]	CNPS List[2]	Habitat	Potential for Occurrence in the Project Site
PLANTS						
Beaked clarkia	*Clarkia rostrata*	None	None	1B	North facing slopes in valley and foothill grassland and cismontane woodlands.	Unlikely: the grasslands and oak woodlands in parts of the project site provide potentially suitable habitat for this species; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable habitat for beaked clarkia. The nearest documented occurrence of this species is an historical (1938) sighting for which the precise location is not known; it is mapped nonspecifically surrounding the town of Knight's Ferry (CNDDB, 2018).
Dwarf downingia	*Downingia pusilla*	None	None	2	Vernal pools.	Unlikely: the seasonal wetlands in the project site provide potentially suitable habitat for; however, dwarf downingia is usually found in larger and deeper seasonal wetlands than those in the site. The nearest documented occurrence of this species is an historical (1937) record for which the precise location is not known; it is mapped nonspecifically approximately 3 miles southeast of the site (CNDDB, 2018).
Stanislaus monkeyflower	*Erythranthe marmorata*	None	None	1B	Lower and upper montane coniferous forest and cismontane woodland. Meadows and seeps.	Unlikely: the grasslands and oak woodlands in parts of the project site provide potentially suitable habitat for this species; however, the site is at the very low end of the elevation range of Stanislaus monkeyflower (CNPS, 2018). The nearest occurrence of this species in the CNDDB (2018) search area is an historical (1895) record for which the precise location is not known; it is mapped nonspecifically surrounding the town of Knight's Ferry.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[1]	CNPS List[2]	Habitat	Potential for Occurrence in the Project Site
Forked hare-leaf	*Lagophylla dichotoma*	None	None	1B	Cismontane woodland, valley and foothill grassland; sometimes on clay.	Low: the grasslands and oak woodlands in the site provide potentially suitable habitat for this species. The nearest occurrence of forked hare-leaf in the CNDDB (2018) is a historical (1938) record for which the precise location is not known; it is mapped nonspecifically surrounding the town of Knight's Ferry (CNDDB, 2018).
Colusa grass	*Neostapfia colusana*	T	E	1B	Large, deep vernal pools.	Unlikely: the seasonal wetlands within the project site are too shallow to support this species. The nearest documented occurrence is approximately 4 miles southeast of the site (CNDDB, 2018).
Hartweg's golden sunburst	*Pseudobahia bahiifolia*	E	E	1B	Clay soils on north-facing slopes, moist areas along shady creeks, and vernal pools within grassland and woodlands.	Unlikely: the grasslands and oak woodlands in parts of the project site provide potentially suitable habitat for this species; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable habitat for Hartweg's golden sunburst. The nearest documented occurrence of this species is an historical (1939) record for which the precise location is not known; it is mapped nonspecifically approximately 1.5 miles east of the site (CNDDB, 2018). Additionally, this species is noted as "Possibly Extirpated" in the CNDDB (2018).
WILDLIFE						
MAMMALS						
San Joaquin kit fox	*Vulpes macrotis mutica*	E	T	N/A	Inhabits open, dry annual or perennial grasslands and scrublands with loose textured soils for denning.	Unlikely: the project site does not contain suitable habitat for San Joaquin kit fox and is well outside the known range of this species. There are no occurrences of San Joaquin kit fox recorded in the CNDDB (2018) within the search area.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[1]	CNPS List[2]	Habitat	Potential for Occurrence in the Project Site
Townsend's big-eared bat	*Corynorhinus townsendii*	None	SC	N/A	Wide variety of habitats, most common in mesic sites; roosts primarily in caves, tunnels, and mines, and in large cavities in trees.	Low: the bluff descending down to the river and the oak woodland habitats in parts of the project site provide potentially suitable habitat for this species; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable roosting habitat for Townsend's big-eared bat may roost. The nearest occurrence of Townsend's big-eared bat in the CNDDB (2018) search area is a nonspecific record mapped within half of a mile of the site.
Western mastiff bat	*Eumops perotis californicus*	None	SC	N/A	Open, dry habitats with crevices in cliff faces, high buildings, trees and tunnels for roosting.	Low: the bluff descending down to the river and the oak woodland habitats in parts of the project site provide potentially suitable habitat for this species; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable roosting habitat for western mastiff bat. The nearest occurrence of western mastiff bat in the CNDDB (2018) search area is approximately 0.5 miles east of the site.
Western red bat	*Lasiurus blossevillii*	None	SC	N/A	Roosts in trees in a wide variety of habitats between the coast western Sierra Nevada mountains.	Low: the oak woodland habitats in parts of the site provide potentially suitable habitat for western red bat; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable roosting habitat for this species. The nearest occurrence of this species in the CNDDB (2018) search area is within approximately 0.5 miles east of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[1]	CNPS List[2]	Habitat	Potential for Occurrence in the Project Site
Pallid bat	*Antrozous pallidus*	None	SC	N/A	Open and dry habitats with rocky areas; roosts primarily in caves, tunnels, and mines, and in large cavities in trees.	Low: the bluff descending down to the river and the oak woodland habitats in parts of the project site provide potentially suitable habitat for this species; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable roosting habitat for pallid bat. The nearest occurrence of pallid bat in the CNDDB (2018) search area is approximately 0.5 miles east of the site.
REPTILES & AMPHIBIANS						
California tiger salamander	*Ambystoma californiense*	T	T	N/A	Require seasonal water sources for breeding and small mammal burrows for summer refugia.	Unlikely: no potentially suitable California tiger salamander breeding habitat was observed within or adjacent to the project site; the seasonal wetlands in the site are too small and shallow to pond water long enough in the spring to support successful reproduction. The stock pond in the remainder parcel is perennial and likely contains fish. The nearest documented occurrence of this species is approximately 2 miles southwest of the site (CNDDB, 2018).
California red-legged frog	*Rana aurora draytonii*	T	SC	N/A	Lowlands and foothills in or near permanent sources of water with vegetation.	None: the project site does not contain suitable habitat for this species. There are no occurrences of California red-legged frog recorded in the CNDDB (2018) within the search area. The site is not within designated critical habitat for California red-legged frog (USFWS, 2006).
Western spadefoot	*Spea hammondii*	None	SC	N/A	Require seasonal water sources for breeding and egg-laying.	Unlikely: the seasonal wetlands in the site appear too small and shallow to support successful reproduction of western spadefoot. The nearest documented occurrence of this species is approximately 2 miles southwest of the site (CNDDB, 2018).

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[1]	CNPS List[2]	Habitat	Potential for Occurrence in the Project Site
Western pond turtle	*Emys marmorata*	None	SC	N/A	Perennial bodies of water with basking site such as log and snags.	Possible: The Stanislaus River contains suitable basking and rearing habitat to support this species; however, the grassland terraces in Parcels 2-4 that are suitable for residential development do not provide suitable aquatic habitat for this species. The closest documented occurrence of western pond turtle in the CNDDB (2018) search area is an undated historical record mapped nonspecifically near the Stanislaus River just downstream of the site (CNDDB, 2018).
FISH						
Steelhead – Central Valley DPS	*Oncorhynchus mykiss irideus*	T	None	N/A	Riffle and pool complexes with adequate spawning substrates within Central Valley drainages.	Present: Central Valley steelhead occur in the Stanislaus River, along the edge of the Remainder Parcel. The nearest occurrences of Central Valley steelhead recorded in the CNDDB (2018) search area are numerous records in the Stanislaus River. The Stanislaus River is also designated critical habitat for Central Valley steelhead (NOAA, 2005).
Delta smelt	*Hypomesus transpacificus*	T	T	N/A	Shallow lower delta waterways with submersed aquatic plants and other suitable refugia.	None: this species only occurs in Delta waterways. There are no occurrences of delta smelt recorded in the CNDDB (2018) within the search area. The site is not within designated critical habitat for delta smelt (USFWS, 1994).
INVERTEBRATES						
Vernal pool fairy shrimp	*Branchinecta lynchi*	T	None	N/A	Vernal pools	Unlikely: the seasonal wetlands in the site provide potentially suitable habitat for vernal pool fairy shrimp. However, this species was not found during 2008-2009 wet-season surveys conducted by ECORP Consulting. The nearest occurrence of vernal pool fairy shrimp in the CNDDB (2018) search area is approximately 2.5 miles southeast of the site. The site is not within designated critical

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[1]	CNPS List[2]	Habitat	Potential for Occurrence in the Project Site
						habitat for this species (USFWS 2005b). Unlikely: the seasonal wetlands in the project site provide potentially suitable habitat for Conservancy fairy shrimp. However, no shrimp of any species were found during the ECORP 2008-2009 wet-season surveys. There are no occurrences of this species in the CNDDB (2018) search area. The site is not within designated critical habitat for Conservancy fairy shrimp (USFWS 2005b).
Conservancy fairy shrimp	*Branchinecta conservatio*	E	None	N/A	Vernal pools and seasonal wetlands.	
Vernal pool tadpole shrimp	*Lepidurus packardi*	E	None	N/A	Vernal pools.	Unlikely: the seasonal wetlands in the project site provide potentially suitable habitat for vernal pool tadpole shrimp. However, no shrimp of any species were found during the ECORP 2008-2009 wet-season surveys. The nearest occurrence of this species in the CNDDB (2018) search area is approximately 1.5 miles east of the site. The site is not within designated critical habitat for vernal pool tadpole shrimp (USFWS 2005b).
Valley elderberry longhorn beetle	*Desmocerus californicus dimorphus*	T	None	N/A	Elderberry shrubs in the Central Valley and surrounding foothills	Low: while two blue elderberry shrubs were documented in the Remainder Parcel during he 2005 survey, both shrubs are 250+ feet or further from the grassland terraces in Parcels 2-4 that are suitable for residential development. No blue elderberry shrubs were observed in 2018 in or adjacent to the grassland terraces in Parcels 2-4. The nearest occurrence of valley elderberry longhorn beetle in the CNDDB (2018) search area is approximately 1 mile southeast of the site.

1 T= Threatened; E = Endangered; C = Candidate for listing; SC = Species of Special Concern per California Department of Fish and Wildlife.
2 CNPS List 1B includes species that are rare, threatened, or endangered in California and elsewhere; List 2 includes plants that are rare, threatened or endangered in California but are more common elsewhere.

quadrangle) include beaked clarkia (*Clarkia rostrata*), dwarf downingia (*Downingia pusilla*), Stanislaus monkeyflower (*Erythranthe marmorata*), forked hare-leaf (*Lagophylla dichotoma*), Colusa grass (*Neostapfia colusana*), and Hartweg's golden sunburst (*Pseudobahia bahiifolia*) (Table 3 and Attachment B). The USFWS IPaC Trust Report does not include any special-status plants.

Special-status plants found in the low Sierra Nevada foothills generally occur in relatively undisturbed areas within unique vegetation communities such as chaparral, seeps and springs, marshes and swamps, and areas with unique soils i.e., serpentine, gabbroic). The site primarily consists of annual grassland and oak woodland vegetation and no unique habitat types or highly suitable habitat for special-status plants were observed in the site.

The seasonal wetlands in the project site provide potentially suitable habitat for dwarf downingia, Colusa grass, and Hartweg's golden sunburst. However, all of these plants are usually found in larger and deeper seasonal wetlands and vernal pools than those in the site. Beaked clarkia and Stanislaus monkeyflower could potentially occur in parts of the site, but the grassland terraces in Parcels 2-4 do not provide suitable habitat for either species. The grasslands in the site provide potentially suitable habitat for forked hare-leaf. As the only occurrence of this species in the CNDDB (2018) search area is an historical (1895) record, the likelihood of occurrence in the site is low.

SPECIAL-STATUS WILDLIFE: The potential for intensive use of habitats within the site by special-status wildlife species is generally low. Special-status wildlife species recorded in the CNDDB (2018) in the search area include Townsend's big-eared bat (*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossvelli*), pallid bat (*Antrozous pallidus*), California tiger salamander (*Ambystoma californiense*), western spadefoot (*Spea hammondii*), western pond turtle (*Emys marmorata*), Central Valley steelhead (*Oncorhynchus mykiss*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), and valley elderberry longhorn beetle

(*Desmocerus californicus dimorphus*). San Joaquin kit fox (*Vulpes macrotis mutica*), California red-legged frog (*Rana aurora draytonii*), delta smelt (*Hypomesus transpacificus*), and Conservancy fairy shrimp (*Branchinecta conservatio*), are not recorded in the CNDDB (2018) within the search area, but are on the USFWS IPaC Trust Report (Attachment B).

Only a few of the species identified in Table 3 have potential to occur in the site on more than an occasional or transitory basis. Special-status birds may fly over the site on occasion, but none would be expected to nest in the area due to lack of preferred nesting habitat. For example, there are no marshes with open water and cattails for nesting tricolored blackbirds (*Agelaius tricolor*). No burrowing owls or suitable burrow habitat were observed in the site. A few special-status species with potential to occur in the greater project vicinity are discussed below.

VERNAL POOL INVERTEBRATES: In 1994, USFWS listed three species of Central Valley fairy shrimp and one species of tadpole shrimp as threatened or endangered species under FESA. The vernal pool fairy shrimp was listed as threatened, while Conservancy fairy shrimp, longhorn fairy shrimp (*B. longiantenna*), and vernal pool tadpole shrimp were listed as endangered. All of these species occur in vernal pools and other seasonal wetland habitats throughout much of the Central Valley. In most years, following cold winter rains which fill vernal pools, shrimp hatch, grow for a period ranging from a couple of weeks to a couple of months, then lay eggs and die. The eggs drift to the mud at the bottom of the pools, and remain in the dirt throughout the summer when the pools dry out. They hatch the following winter.

The nearest occurrences of vernal pool fairy shrimp and vernal pool tadpole shrimp in the CNDDB (2018) search area are approximately 2.5 miles southeast of the site and approximately 1.5 miles east of the site, respectively. Vernal pools and seasonal wetlands in the site provide suitable habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp. However, no listed vernal pool shrimp species were found during wet-season protocol-level surveys conducted

by ECORP Consulting in 2008-2009. Due to these negative survey results and lack of documented occurrences in close proximity to the site, it is considered very unlikely that listed vernal pool shrimp species occur in the site.

CALIFORNIA TIGER SALAMANDER*:* In 2004, the California tiger salamander was listed as threatened under FESA (USFWS, 2004), and in 2010, it was also listed as threatened under CESA. In August 2005, USFWS designated critical habitat for the Central Valley population of California tiger salamander (USFWS, 2005a). Review of the USFWS maps of designated critical habitat for California tiger salamander (Attachment D) indicates that the project site is not within a Critical Habitat Unit for California tiger salamander.

California tiger salamanders require stock ponds without game fish or deep, large vernal pools, which hold water well into the spring (i.e., April or May) for breeding (Jennings and Hayes, 1994). Grasslands containing ground squirrel burrows and other smaller mammal burrows near breeding ponds are used for over-summering. Following heavy winter rains, the adults emerge from their burrows, migrate to breeding ponds, spend a few days in the ponds breeding, and then return to their burrows. Following larval metamorphosis, the young emerge from the ponds, disperse across upland habitats, and spend the summer months in subterranean refugia. While most salamanders aestivate in burrows within several hundred feet of their breeding ponds, they have been documented over-summering up to a mile or more from their breeding ponds. The nearest documented occurrence of this species is approximately 2 miles southwest of the site (CNDDB, 2018).

No potentially suitable California tiger salamander breeding habitat was observed within or adjacent to the project site; the seasonal wetlands in the site are too small and shallow to pond water long enough in the spring to support successful reproduction. The stock pond in the remainder parcel is perennial and likely contains fish, which predate upon California tiger salamander larvae and

preclude use of the pond for breeding. Similarly, the large stock pond to the north of site, across Frymire Road, is perennial and likely contains fish.

The on-site grassland and woodland habitats contain cracks and small mammal burrows that are marginally suitable for over-summering salamanders, however, the site is notably lacking ground squirrels and ground squirrel burrows. Further, larval salamanders would have been detected during the wet-season shrimp surveys conducted by ECORP Consulting in 2008-2009 if they were in fact present and were not. The combined lack of suitable breeding habitat, negative survey results, absence of high quality aestivation habitat, and lack of observations of this species in the vicinity renders it extremely unlikely for California tiger salamander to occur within or immediately adjacent to the site.

WESTERN SPADEFOOT: The western spadefoot is a State of California Species of Concern, but is not listed under FESA or CESA. Western spadefoot is a subterranean species that occupies rodent burrows and other underground retreats in grasslands, prairie, savanna, and scrub vegetation communities. This toad remains underground most of the year coming to the surface only during the rainy season, when it moves to ephemeral water channels and pools to breed. The nearest documented occurrence of this species is approximately 2 miles southwest of the site (CNDDB, 2018).

The vernal pool and seasonal wetlands in the site provide potentially suitable habitat for western spadefoot. However, larval spadefoot would have been detected during the wet-season shrimp surveys conducted by ECORP Consulting in 2008-2009 if they were in fact present and were not. The combined lack of negative survey results and lack observations of this species in closer proximity to the site renders it unlikely for western spadefoot to occur on the site.

VALLEY ELDERBERRY LONGHORN BEETLE: The valley elderberry longhorn beetle (VELB) is listed as a federally threatened species and its host plant is the blue

elderberry shrub. Eggs are laid on the leaves or stems of the shrubs and upon hatching, the larvae bore in to the stem where they remain for 2+/- years feeding on the interior portions of the stems. Following several larval instars, the larvae chews an exit hole in the stem, pupates, and emerges after approximately a month as an adult. The adults live only 4 to 5 days, mate, lay eggs, and die. The nearest occurrence of valley elderberry longhorn beetle in the CNDDB (2018) search area is approximately 1 mile southeast of the site.

The USFWS (2017) *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle* direct that, if possible, elderberry shrubs should be avoided by a ground disturbance set back of at least 165 feet from the drip line of each shrub. A number of measures are also recommended to avoid and minimize project impacts to VELB and/or its habitat including fencing, worker training, and timing of construction, among others. In cases where complete avoidance is not feasible, the Framework recommends compensatory mitigation for the loss of actual or potential VELB habitat. Mitigation is usually achieved through the purchase of credits at a USFWS-approved mitigation bank, and transplantation of the impacted shrub to the bank, if feasible. In the case of a single shrub in a riparian setting such as at the project site, the Framework recommends the purchase of 2 credits at a USFWS-approved bank and transplantation of the impacted shrub to the bank, if feasible.

As described above, no blue elderberry shrubs were observed in Parcels 2-4 in the project site during either the 2005 or 2018 survey. During the March 2005 field survey, two blue elderberry shrubs were observed in the Remainder Parcel, one along the edge of the Stanislaus River corridor and one in the oak woodlands to the east of Parcel 2. Residential development in Parcels 2-4 will not involve ground disturbance within 165 feet from the drip line of any blue elderberry shrubs.

OTHER SPECIAL-STATUS SPECIES: Townsend's big-eared bat, western mastiff bat, pallid bat, spotted bat, and other special-status bats may fly over or forage in

the site, but few would be expected to use the site intensively. Some of these bats may use the bluff descending down to the river or some of the trees in the site for roosting, but would not be expected to roost on the grassland terraces in Parcels 2-4.

The site is not within the known range of San Joaquin kit fox. The site does not provide aquatic habitat for any type of fish or California red-legged frog. Western pond turtle is known to occur in the Stanislaus River and could potentially occur in the stock pond in the Remainder Parcel. However, this species is unlikely to occur in the grassland terraces in Parcels 2-4 due to lack of perennial aquatic habitat.

CRITICAL HABITAT: The site is not within designated critical habitat for California red-legged frog (USFWS, 2006), California tiger salamander (USFWS, 2005b), any vernal pool shrimp or plant species (USFWS, 2005a), or other federally listed species (Attachment D).

Discussion, Conclusions and Recommendations

- The site primarily consists of upland grassland and woodland habitats. Similar woodlands and upland grasslands are widespread in Stanislaus County, supporting a variety of mostly common plant and wildlife species.

- The future development of homes on the project site may result in the removal of a few trees. The homes are expected to be built in relatively open grassland areas in the site and residential development will likely involve limited tree removal, because oaks and other trees are valued by residents for aesthetic purposes, wildlife habitats, and privacy. The potential removal of a few trees in the site is a less than significant impact.

- Potential Waters of the U.S or wetlands include an irrigation canal in the north tip of the parcel, a few ephemeral drainages that drain easterly into the Stanislaus River, a vernal pool, several seasonal wetlands, and a stock pond.
- Avoidance of jurisdictional Waters of the U.S. is recommended, if possible. If complete avoidance is infeasible, impacts should be minimized to the maximum extent practicable, and permits from ACOE, CDFW, and the Regional Water Quality Control Board (RWQCB) will then be needed prior to the placement of any fill material (e.g., culverts, fill dirt, rock) within jurisdictional Waters of the U.S.

- Due to a lack of suitable habitat, it is unlikely special-status plants occur in the site.

- The likelihood of occurrence of special-status wildlife species in the site is generally low. No special-status wildlife species are expected to occur at or near the site on more than a very occasional or transitory basis. Special-status bats and birds may roost and/or nest in the site on occasion.

- Listed vernal pool shrimp are unlikely to occur in the seasonal wetlands in the site because they were not detected during wet-season protocol-level surveys conducted at the site. Similarly, western spadefoot larvae would have been detected during the shrimp surveys and were not. The combined lack of suitable breeding habitat, negative survey results, absence of high quality aestivation habitat, and lack of observations of this species in the vicinity renders it extremely unlikely for California tiger salamander to occur within or immediately adjacent to the site.

- On-site trees, shrubs, grasslands, and other vegetation may be used by nesting birds protected by the Migratory Bird Treaty Act of 1918 and Fish and Game Code of California. In order to avoid take of protected raptors and migratory birds, any vegetation removal should be scheduled for between September 1 and January 31, if possible. If vegetation removal occurs between February 1 and August 31, a pre-construction nesting bird survey should be conducted by a qualified biologist. If active nests are found within the survey area, vegetation removal should be delayed until the biologist determines nesting is complete.

Thank you again for asking Moore Biological Consultants to assist with this project. Please call me at (209) 745-1159 with any questions.

Sincerely,

Diane S. Moore, M.S.
Principal Biologist

References and Literature Consulted

ACOE (U.S. Army Corps of Engineers). 1987. Technical Report Y87-1. U.S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, MI.

ACOE. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region. U.S. Army Engineer Research and Development Center, Vicksburg, MS. September.

CNDDB (California Natural Diversity Database). 2018. California Department of Fish and Wildlife's Natural Heritage Program, Sacramento, California.

California Native Plant Society, Rare Plant Program. 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.38). Website http://www.rareplants.cnps.org

Jennings, M.R. and M.P. Hayes. 1994. Amphibian and Reptile Species of Special Concern in California. Prepared for California Department of Fish and Game, Rancho Cordova, California. November.

National Oceanic and Atmospheric Administration (NOAA). 2005. Endangered and Threatened Species; Designation of Critical Habitat for Seven Evolutionarily Significant Units of Pacific Salmon and Steelhead in California; Final Rule. Federal Register 70 (170): 52488-52585. September 2, 2005.

Sawyer, J.O. and T. Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento. California.

USFWS (United States Fish and Wildlife Service). 1980. Part II, Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17. Listing the Valley Elderberry Longhorn Beetle as a Threatened Species with Critical Habitat. Federal Register 45 No. 155, pp. 52803-52807, August 8.

USFWS. 1994. Final Critical Habitat for the Delta Smelt (*Hypomesus transpacificus*). Federal Register Vol. 59, No. 242, December 19, 1994, pp. 65256 – 65279.

USFWS. 2005a. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Central Population; Final Rule. Federal Register Vol. 70, No. 162, August 23, 2005, pp. 49390 – 49458.

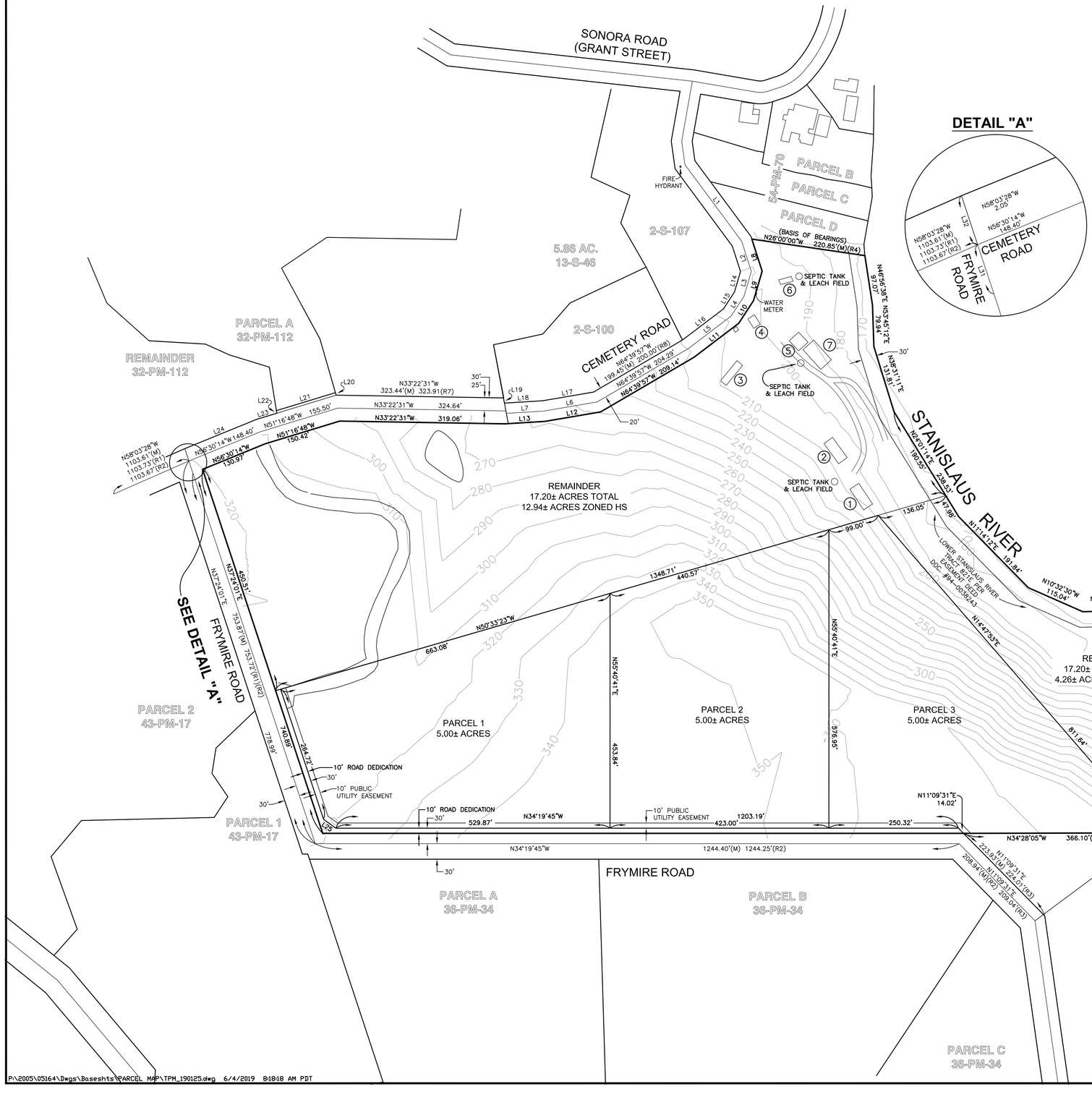
USFWS. 2005b. Part II, Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for Four Vernal Pool Crustaceans and Eleven Vernal Pool Plants in California and Southern Oregon; Evaluation and Economic Exclusions from August 2003 Final Designation, Final Rule. Federal Register Vol. 70, No. 154, August 11.

USFWS. 2006. Part II, Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Red-Legged Frog, and Special Rule Exemption Associated with Final Listing for Existing Routine Ranching Activities, Final Rule. Federal Register Vol. 71, No. 71, April 13.

USFWS. 2017. Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*). U.S. Fish and Wildlife Service; Sacramento, California. 28pp.

Attachment A

Tentative Map



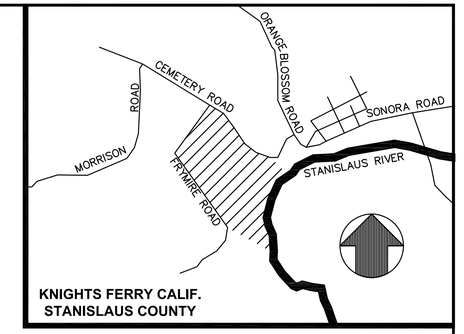
DETAIL "A"

EXISTING IMPROVEMENTS (1)

1. OCCUPIED CARETAKERS RESIDENCE W/ POWER & PLUMBING
2. BUILDING USED FOR STORAGE BUILT AS RESORT UNITS ALL INCLUDE POWER & PLUMBING
3. BUILDING USED FOR STORAGE BUILT AS RESORT UNITS ALL INCLUDE POWER & PLUMBING
4. BUILDING USED FOR STORAGE W/ POWER & PLUNBING
5. BARN USED FOR STORAGE HAS MULTIPLE POWER
6. OCCUPIED RESIDENCE REMODELED IN 2003
7. BUILDING USED FOR STORAGE W/ POWER & PLUMBING

LINE TABLE

LINE	BEARING	LENGTH
L1	N19°09'40"E	184.14(M)(R1)(R4) 184.12(R5)
L2	N37°50'40"E	61.07(M)(R5)
L3	N72°06'41"E	50.36(M)(R5)
L4	N88°48'31"E	45.63(M)(R5)
L5	N71°32'08"W	103.76(M) 104.00(R5)
L6	N43°59'57"W	104.44
L7	N37°50'40"W	72.39
L8	N37°50'40"E	65.36
L9	N72°06'41"E	59.46
L10	N88°48'31"E	52.03
L11	N71°32'08"W	108.42
L12	N43°59'57"W	109.17
L13	N37°50'40"W	77.65
L14	N72°06'41"E	41.26(M) 40.75(R8)
L15	N88°48'31"E	39.23(M) 40.05(R8)
L16	N71°32'08"W	99.09(M) 99.50(R5) 99.80(R8)
L17	N43°59'57"W	99.72(M) 100.00(R8)
L18	N37°50'40"W	73.82(M) 75.00(R8)
L19	N45°00'35"E	10.20(M) 10.22(CALC. R7)
L20	N39°35'12"E	5.00(M) 5.08(R6)
L21	N51°16'48"W	119.24(M) 119.38(R6)
L22	N46°31'22"E	5.05(M) 5.13(R6)
L23	N51°16'48"W	40.73
L24	N56°30'14"W	149.88(M) 150.58(R6) 150.47(R7)



VICINITY MAP

OWNER/APPLICANT: HONCHARIW REVOCABLE TRUST
3 VIA PARAISO WEST
TIBURON, CA 94920
(415) 435-8302

PREPARED BY: GIULIANI & KULL, INC.
440 S. YOSEMITE AVENUE SUITE A
OAKDALE, CA 95361
(209) 847-8726

SURVEYOR: KEVIN S. COLE
PLS 8853

TOTAL AREA: 32.20 AC.±

NO. OF PARCELS: 4 + REMAINDER

A.P.N.: 002-044-003, 002-044-004

ZONING: A-2-5 & HS

WATER: KNIGHTS FERRY AND INDIVIDUAL WELLS

SANITARY SEWER: SEPTIC SYSTEM

STORM DRAIN: ON-SITE DISPOSAL

SLOPE OF LAND: VARIES 1%-50%

SOIL TYPES AS REPORTED BY USDA NATURAL RESOURCES CONSERVATION SERVICE: COMETA SANDY LOAM, AMADOR SANDY LOAM

WATER TABLE ELEVATION = 170'

TENTATIVE PARCEL MAP

PORTION OF PARCEL 1 AND 2 AS DESCRIBED IN DEED FROM GEORGE D. CHENEY TO IWAN S. HONCHARIW, RECORDED ON PAGE 160, VOLUME 2587, OFFICIAL RECORDS OF STANISLAUS COUNTY ON OCTOBER 24, 1973, LYING 30 FEET MEASURED AT RIGHT ANGLES TO THE EXISTING RIGHT BANK OF THE STANISLAUS RIVER, PARCEL 1 AND 2 STANISLAUS COUNTY, CALIFORNIA
SCALE 1" = 100' MAY 2019

Giuliani & Kull, Inc.
Engineers • Planners • Surveyors
440 S. Yosemite Avenue, Suite A, Oakdale, CA 95361
(209) 847-8726 Fax (209) 847-7323
Auburn • Oakdale • San Jose

P:\2005\05164\Dwgs\Baseshts\PARCEL MAP\TPM_190125.dwg 6/4/2019 8:18:18 AM PDT

Attachment B

CNDDB Summary Report and Exhibits

& USFWS IPaC Trust Report

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Knights Ferry (3712076))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Ambystoma californiense California tiger salamander	AAAAA01180	Threatened	Threatened	G2G3	S2S3	WL
Antrozous pallidus pallid bat	AMACC10010	None	None	G5	S3	SSC
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Calicina breva Stanislaus harvestman	ILARAU8020	None	None	G1	S1	
Clarkia rostrata beaked clarkia	PDONA050Y0	None	None	G2G3	S2S3	1B.3
Corynorhinus townsendii Townsend's big-eared bat	AMACC08010	None	None	G3G4	S2	SSC
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2	S2	
Downingia pusilla dwarf downingia	PDCAM060C0	None	None	GU	S2	2B.2
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Erythranthe marmorata Stanislaus monkeyflower	PDPHR01130	None	None	G2?	S2?	1B.1
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
Fritillaria agrestis stinkbells	PMLIL0V010	None	None	G3	S3	4.2
Lagophylla dichotoma forked hare-leaf	PDAST5J070	None	None	G2	S2	1B.1
Lasionycteris noctivagans silver-haired bat	AMACC02010	None	None	G5	S3S4	
Lasiurus blossevillii western red bat	AMACC05060	None	None	G5	S3	SSC
Lasiurus cinereus hoary bat	AMACC05030	None	None	G5	S4	
Lepidurus packardi vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G4	S3S4	
Monadenia mormonum buttoni Button's Sierra sideband	IMGASC7071	None	None	G2T1	S1S2	
Myotis yumanensis Yuma myotis	AMACC01020	None	None	G5	S4	
Neostapfia colusana Colusa grass	PMPOA4C010	Threatened	Endangered	G1	S1	1B.1

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Northern Hardpan Vernal Pool	CTT44110CA	None	None	G3	S3.1	
Northern Hardpan Vernal Pool						
Oncorhynchus mykiss irideus pop. 11	AFCHA0209K	Threatened	None	G5T2Q	S2	
steelhead - Central Valley DPS						
Pseudobahia bahiifolia	PDAST7P010	Endangered	Endangered	G2	S2	1B.1
Hartweg's golden sunburst						
Spea hammondii	AAABF02020	None	None	G3	S3	SSC
western spadefoot						

Record Count: 24

Colusa grass
Northern Hardpan Vernal Pool
BACHELOR VALLEY
COPPEROPOLIS
MELONES DAM
Chinese Camp brodiaea
western mastiff bat
Townsend's big-eared bat
western red bat
Yuma myotis
western mastiff bat
western spadefoot
Parcel Boundary
hoary bat
pallid bat
western mastiff bat
Yuma myotis
western red bat
Stanislaus monkeyflower
forked hare-leaf
hoary bat
pallid bat
Yuma myotis
beaked clarkia
Hartweg's golden sunburst
valley elderberry longhorn beetle
western pond turtle
OAKDALE
KNIGHTS FERRY
KEYSTONE
steelhead - Central Valley DPS
California tiger salamander
western spadefoot
Stanislaus harvestman
Hartweg's golden sunburst
valley elderberry longhorn beetle
vernal pool fairy shrimp
dwarf downingia
vernal pool fairy shrimp
Colusa grass
California tiger salamander
vernal pool fairy shrimp
stinkbells
Colusa grass
Colusa grass
California tiger salamander
vernal pool tadpole shrimp
Colusa grass
Swainson's hawk
California linderiella
adpole shrimp
PAULSELL
COOPERSTOWN
Greene's tuctoria

CNDDB

Knight's Ferry Overlook

Stanislaus County, CA

Map Date: 01/10/2019; Source: CNDDB

N

0 0.25 0.5

Miles

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Stanislaus County, California

Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS

San Joaquin Kit Fox Vulpes macrotis mutica — Endangered
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/2873

Amphibians

NAME	STATUS
California Red-legged Frog Rana draytonii	Threatened
There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/2891	
California Tiger Salamander Ambystoma californiense	Threatened
There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/2076	

Fishes

NAME	STATUS
Delta Smelt Hypomesus transpacificus	Threatened
There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/321	

Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle Desmocerus californicus dimorphus	Threatened
There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/7850	

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp Branchinecta conservatio	Endangered
There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8246	
Vernal Pool Fairy Shrimp Branchinecta lynchi	Threatened
There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/498	

Vernal Pool Tadpole Shrimp Lepidurus packardi There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/2246	Endangered

Flowering Plants

NAME	STATUS
Colusa Grass Neostapfia colusana There is **final** critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5690	Threatened
Hartweg's Golden Sunburst Pseudobahia bahiifolia No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1704	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Clark's Grebe Aechmophorus clarkii This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jan 1 to Dec 31
Common Yellowthroat Geothlypis trichas sinuosa This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/2084	Breeds May 20 to Jul 31

Costa's Hummingbird Calypte costae — Breeds Jan 15 to Jun 10

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/9470

Golden Eagle Aquila chrysaetos — Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Lewis's Woodpecker Melanerpes lewis — Breeds Apr 20 to Sep 30

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9408

Long-billed Curlew Numenius americanus — Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/5511

Nuttall's Woodpecker Picoides nuttallii — Breeds Apr 1 to Jul 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/9410

Oak Titmouse Baeolophus inornatus — Breeds Mar 15 to Jul 15

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656

Song Sparrow Melospiza melodia — Breeds Feb 20 to Sep 5

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Spotted Towhee Pipilo maculatus clementae — Breeds Apr 15 to Jul 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/4243

Tricolored Blackbird Agelaius tricolor — Breeds Mar 15 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910

Wrentit Chamaea fasciata This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 10
Yellow-billed Magpie Pica nuttalli This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9726	Breeds Apr 1 to Jul 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (▪)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

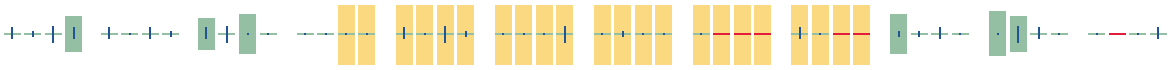
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

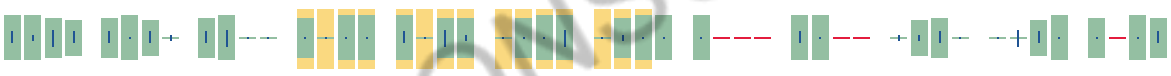
Golden Eagle
Non-BCC Vulnerable (This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.)

Lewis's Woodpecker
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

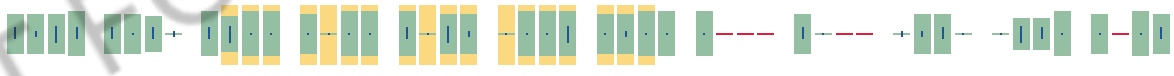


Long-billed Curlew
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

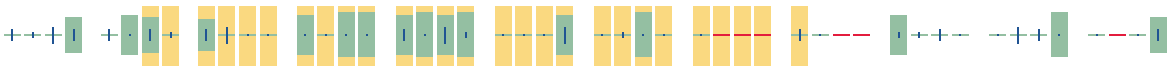
Nuttall's Woodpecker
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



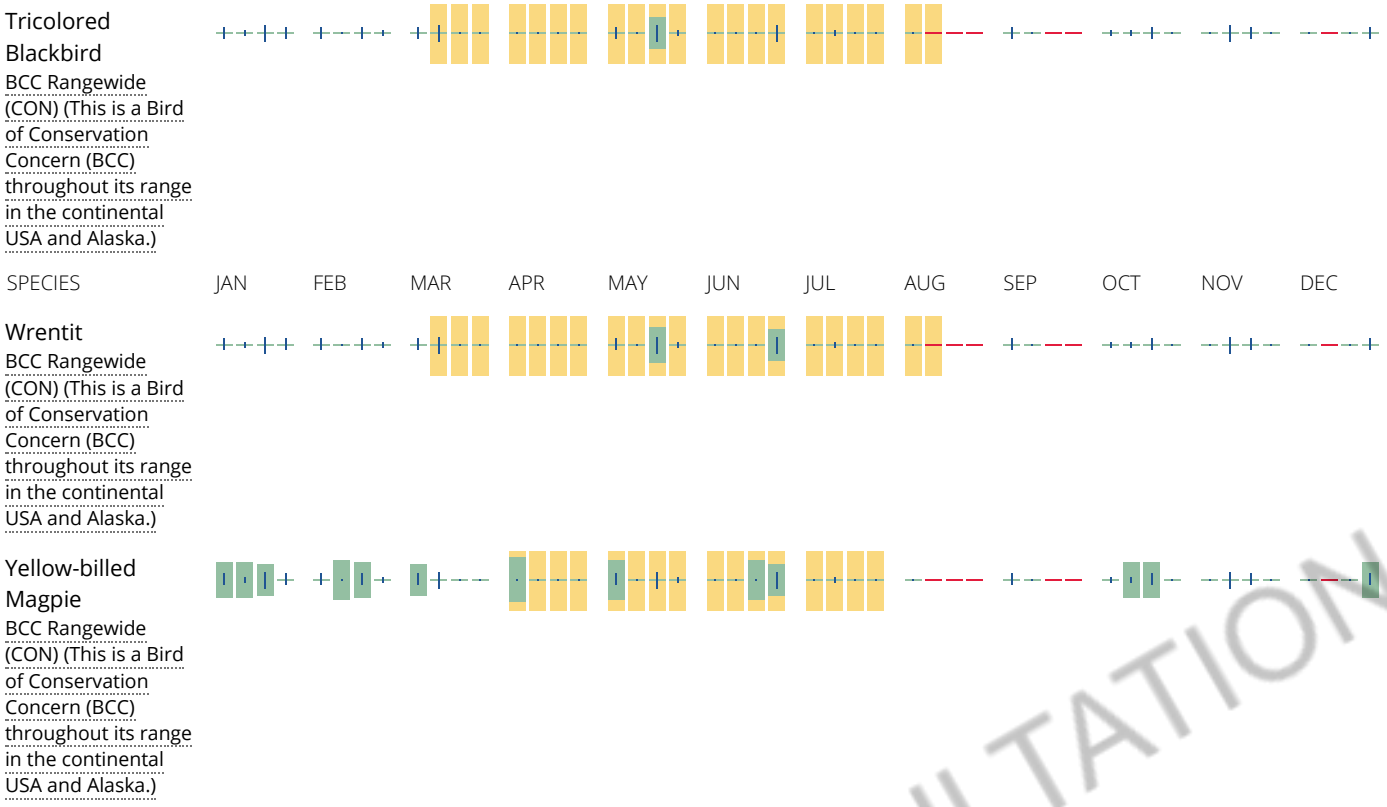
Oak Titmouse
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Song Sparrow
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



Spotted Towhee
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the E-bird Explore Data Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look

carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

- PEM1C
- PEM1Cx
- PEM1A

PEM1F

FRESHWATER FORESTED/SHRUB WETLAND

PFOA
PSSC

FRESHWATER POND

PUBFh
PUSCx

RIVERINE

R2UBH
R3UBH
R4SBCx
R4SBC
R5UBFx
R5UBF

A full description for each wetland code can be found at the National Wetlands Inventory website

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Attachment C

Photographs

Parcel 4, looking northwest along Frymire Road from the south tip of Parcel 4; 12/28/18.

Parcel 2, looking northeast from Frymire Road; 12/28/18.

East edge of the bluff in Parcel 4, looking north; 12/28/18.

Stanislaus River, looking northeast from the edge of the bluff in Parcel 3; 12/28/18.

Seasonal wetland in an area that appears to have been excavated during historical mining in Parcel 3, looking northwest; 12/28/18.

Vernal pool in the southwest part of Parcel 3, looking northwest; 12/28/18.

Seasonal Wetland in the northeast part of Parcel 2, looking northwest; 12/28/18.

Oakdale Irrigation District's Frymire Lateral along the east edge of Parcel 2, looking northwest; 12/28/18.

Edge of the bluff in Parcel 2, looking east down a canyon that continues downslope into the Remainder Parcel; 12/28/18.

Oak woodlands in the central part of the Remainder Parcel, looking southeast; 12/28/19.

Annual grassland in the northwest part of the remainder Parcel, looking northwest; 12/28/18.

Stock pond in the Remainder Parcel, looking northeast; 12/28/18.

Stanislaus River, looking east from the top of the bluff near the boundary of Parcel 3 and Parcel 4; 03/31/05.

Blue elderberry shrub along the Stanislaus River in the Remainder Parcel, looking north; 03/31/05.

Attachment D

Designated Critical Habitat

Steelhead
Colusa grass
Fleshy owl's-clover
Greene's tuctoria
Hoover's spurge
Vernal pool tadpole shrimp

COPPEROPOLIS
MELONES DAM
OAKDALE
KNIGHTS FERRY
KEYSTONE
PAULSELL
COOPERSTOWN

Parcel Boundary

CRITICAL HABITAT

Knight's Ferry Overlook

Stanislaus County, CA

Map Date: 01/10/2019; Source: USFWS

N
0 0.25 0.5
Miles

2005 Archaeological Survey

ON FILE WITH THE DEPARTMENT OF PLANNING &
COMMUNITY DEVELOPMENT

*In accordance with the California Public Records Act (California Government Code Section 6254.10), the Archeological Report is confidential because it includes sensitive information regarding the location of archaeological sites. Therefore, access to Archaeological Report data is restricted.

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

Stanislaus County

Planning and Community Development

Mitigation Monitoring and Reporting Program

Adapted from CEQA Guidelines sec. 15097 Final Text, October 26, 1998

July 12, 2019

1. Project title and location: Vesting Tentative Parcel Map Application No. PLN2018-0090 – Honchariw – Frymire Road

   17442 Cemetery Road, on the southern corner of Cemetery and Frymire Roads, abutting the Stanislaus River, west of the community of Knights Ferry (APNs: 002-044-003 & -004)

2. Project Applicant name and address: Nick Honchariw
   3 Via Paraiso W
   Tiburon, CA 94920

3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Nick Honchariw

4. Contact person at County: Jeremy Ballard, Associate Planner (209) 525-6330

MITIGATION MEASURES AND MONITORING PROGRAM:

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

IV. BIOLOGICAL RESOURCES

No.1 Mitigation Measure: Prior to any construction or ground disturbing activity that will require removal of a healthy oak tree with a diameter of 12 inches or more, an oak tree protection and replacement plan shall be provided by the property owner to the Department of Planning and Community Development and to the California Department of Fish & Wildlife (CDFW) for review and approval.

Who Implements the Measure: Applicant/Developer

When should the measure be implemented: Prior to any construction or grading or any change in farming practices from dry land or irrigated pasture or dryland farming to more intensive agricultural operations such as orchards or irrigated row crops on any newly created parcel

When should it be completed: Prior to commencement of construction or grading or any change in farming practices

Who verifies compliance: Stanislaus County Planning and Community Development Department, Planning Division and California Department of Fish and Wildlife

Other Responsible Agencies: N/A

No.2 Mitigation Measure: All construction and grading on the site shall be designed in such a way to avoid the placement of any fill material within seasonal drainages, wetlands, and other jurisdictional Waters of the United

States occurring within the project site, as identified in Figure 4 of the Biological Assessment conducted by Moore Biological Consultants, dated March 20, 2019. If complete avoidance is infeasible, impacts shall be minimized to the maximum extent practicable, and permits from the U.S. Army Corps of Engineers, the California Department of Fish and Wildlife, and the Central Valley Regional Water Quality Control Board shall be secured prior to the placement of any fill material (e.g., culverts, fill dirt, rock, clean beach sand) within jurisdictional Waters of the U.S.

Who Implements the Measure:	Applicant/Developer
When should the measure be implemented:	Prior to any construction or grading or any change in farming practices from dry land or irrigated pasture or dryland farming to more intensive agricultural operations such as orchards or irrigated row crops on any newly created parcel
When should it be completed:	Prior to commencement of construction or grading or any change in farming practices
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division and Department of Public Works
Other Responsible Agencies:	U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, National Marine Fisheries Service, California Regional Water Quality Control Board, U.S. Army Corps of Engineers

No.3 Mitigation Measure: Prior to any construction or ground disturbing activity, a 100-foot development-free fenced buffer shall be established around any blue elderberry shrub existing on the project site. If full avoidance is not possible, consultation with United States Fish and Wildlife Services shall be undertaken to further assess the potential impacts to valley elderberry longhorn population and determine any needed mitigation. Mitigation usually involves planting replacement shrubs at an approved mitigation site or payment of fees to an approved mitigation bank or in-lieu species fund.

Who Implements the Measure:	Applicant/Developer
When should the measure be implemented:	Prior to any construction or grading or any change in farming practices from dry land or irrigated pasture or dryland farming to more intensive agricultural operations such as orchards or irrigated row crops on any newly created parcel
When should it be completed:	Prior to commencement of construction or grading or any change in farming practices
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division and Department of Public Works

	Other Responsible Agencies:	U.S. Fish and Wildlife Service and California Department of Fish and Wildlife
No.4	Mitigation Measure:	To prevent disturbance to raptors and migratory birds, any on-site vegetation removal shall occur during the non-breeding season (September 1 through January 31). If vegetation removal occurs between February 1 to August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist. If active nests are found within the survey area, vegetation removal should be delayed until the biologist determines nesting is complete.
	Who Implements the Measure:	Applicant/Developer
	When should the measure be implemented:	Prior to any construction or grading or any change in farming practices from dry land or irrigated pasture or dryland farming to more intensive agricultural operations such as orchards or irrigated row crops on any newly created parcel
	When should it be completed:	Prior to commencement of construction or grading or any change in farming practices
	Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division and California Department of Fish and Wildlife
	Other Responsible Agencies:	N/A
No.5	Mitigation Measure:	Prior to any construction or ground disturbance within 200 feet of the Stanislaus River, a pre-construction survey shall be conducted by a qualified biologist to determine if any special-status species occur near the area to be disturbed. If special status species are determined to occur, all work shall cease, and a protection plan shall be developed and implemented.
	Who Implements the Measure:	Applicant/Developer
	When should the measure be implemented:	Prior to any construction or grading or any change in farming practices from dry land or irrigated pasture or dryland farming to more intensive agricultural operations such as orchards or irrigated row crops on any newly created parcel
	When should it be completed:	Prior to commencement of construction or grading or any change in farming practices
	Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division
	Other Responsible Agencies:	U.S. Fish and Wildlife Service, California Department of Fish and Wildlife.

V. CULTURAL RESOURCES

No.6	Mitigation Measure:	Prior to ground-disturbing activities or demolition of the existing on-site features or structures, the sites and isolated features identified within the 2005 Archeological Survey Report, conducted by the Far

Western Anthropological Research Group, shall be evaluated by eligibility to the California Register of Historic Places, and shall be registered if determined to be eligible. Historic-era sites and features shall be evaluated by a historic archaeologist; the prehistoric bedrock mortar features/site shall be evaluated by a prehistoric archaeologist. All recommendations shall be followed.

Who Implements the Measure:	Applicant/Developer
When should the measure be implemented:	Prior to any construction or grading or any change in farming practices from dry land or irrigated pasture or dryland farming to more intensive agricultural operations such as orchards or irrigated row crops on any newly created parcel
When should it be completed:	Prior to commencement of construction or grading or any change in farming practices
Who verifies compliance:	Stanislaus County Planning and Community Development Department, Planning Division
Other Responsible Agencies:	California Register of Historic Places and Central California Information Center, Native American Heritage Commission

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

Signature on File	July 9, 2019
Person Responsible for Implementing Mitigation Program	**Date**