



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

Date: September 10, 2021

To: Distribution List (See Attachment A)

From: Emily Basnight, Assistant Planner, Planning and Community Development

Subject: USE PERMIT APPLICATION NO. PLN2020-0106 – DESHON KENNEL

Comment Period: September 10, 2021 – October 13, 2021

Respond By: October 13, 2021

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

You may have previously received an Early Consultation Notice regarding this project, and your comments, if provided, were incorporated into the Initial Study. Based on all comments received, Stanislaus County anticipates adopting a 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: Debra DeShon, Property Owner

Project Location: 5642 Hinds Road, east of Lambuth Road, in the Valley Home area

APN: 002-057-006

Williamson Act Contract: N/A

General Plan: Agriculture

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

Project Description:

To establish a dog kennel facility to house, train, and care for service dogs, within a new 3,000± square-foot building on a 2.23± acre parcel in the General Agriculture (A-2-10) zoning district. The applicant proposes to construct a 3,000± square-foot building, which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees. The dogs will be offsite during the summer months from April to August inspecting boats for invasive mussels at lakes and reservoirs; during these months, the dogs will live off-site with their handlers. The applicant anticipates only six dogs, to be at the project site from Monday-Thursday during the

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summer months. During the months of September to March, a total of up to 15 dogs will remain at the kennel. The property owner will be the primary caretaker and trainer for the dogs while at the kennel. The kennel has a maximum capacity of up to 25 dogs; however, the applicant does not anticipate the kennel to reach maximum capacity. Up to a maximum of five additional handlers are anticipated on-site once a year. A 6-foot-high chain-link fence will enclose the building along the southern portion of the building to accommodate outdoor exercise space for the dogs. Additionally, a 6-foot-high wood fence is proposed to be constructed around a portion of the parcel's perimeter, excluding a 20-foot-wide easement belonging to OID, located at the southern parcel line of the property. The applicant has requested the proposed wood fence as an alternative from the County's Agricultural Buffer requirements on the rear and northeast portion of the project site. An additional septic system is proposed to be developed to service the new restroom within the animal care facilities. Solid waste from the dogs will be picked up and placed in trash receptacles. The project site is currently developed with a single-family dwelling and two storage buildings. The existing storage buildings will not be used as part of the kennel operation. Additionally, the applicant proposes to extend the existing 20± foot wide gravel driveway to allow for emergency vehicle access to the proposed kennel building. The site is served by private well and septic system, and fronts County-maintained Hinds Road.

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



USE PERMIT APPLICATION NO. PLN2020-0106 – DESHON KENNEL

Attachment A

Distribution List

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

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STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

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

FROM: _____

SUBJECT: USE PERMIT APPLICATION NO. PLN2020-0106 – DESHON KENNEL

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

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

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

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

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

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

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

Response prepared by:

Name	Title	Date
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CEQA INITIAL STUDY

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

1. **Project title:** Use Permit Application No. PLN2020-0106 – DeShon Kennel
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Emily Basnight, Assistant Planner
4. **Project location:** 5642 Hinds Road, east of Lambuth Road, in the community of Valley Home (APN: 002-057-006).
5. **Project sponsor's name and address:** Debra DeShon, 5642 Hinds Road Oakdale, CA 95361
6. **General Plan designation:** Agriculture
7. **Zoning:** A-2-10 (General Agriculture)
8. **Description of project:**

To establish a dog kennel facility to house, train, and care for service dogs, within a new 3,000± square-foot building on a 2.23± acre parcel in the General Agriculture (A-2-10) zoning district. The applicant proposes to construct a 3,000± square-foot building, which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees. The dogs will be offsite during the summer months from April to August inspecting boats for invasive mussels at lakes and reservoirs; during these months, the dogs will live off-site with their handlers. The applicant anticipates only six dogs, to be at the project site from Monday-Thursday during the summer months. During the months of September to March, a total of up to 15 dogs will remain at the kennel. The property owner will be the primary caretaker and trainer for the dogs while at the kennel. The kennel has a maximum capacity of up to 25 dogs; however, the applicant does not anticipate the kennel to reach maximum capacity. Up to a maximum of five additional handlers are anticipated on-site once a year. A 6-foot-high chain-link fence will enclose the building along the southern portion of the building to accommodate outdoor exercise space for the dogs. Additionally, a 6-foot-high wood fence is proposed to be constructed around a portion of the parcel's perimeter, excluding a 20-foot-wide easement belonging to OID, located at the southern parcel line of the property. The applicant has requested the proposed wood fence as an alternative from the County's Agricultural Buffer requirements on the rear and northeast portion of the project site. An additional septic system is proposed to be developed to service the new restroom within the animal care facilities. Solid waste from the dogs will be picked up and placed in trash receptacles. The project site is currently developed with a single-family dwelling and two storage buildings. The existing storage buildings will not be used as part of the kennel operation. Additionally, the applicant proposes to extend the existing 20± foot wide gravel driveway to allow for emergency vehicle access to the proposed kennel building. The site is served by private well and septic system, and fronts County-maintained Hinds Road.

9. **Surrounding land uses and setting:** Scattered single-family dwellings and irrigated pasture in all directions; almond orchards to the northwest; dairy to the east and a fish farm to the south.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** County Animal Services
Stanislaus County Department of Public Works
Department of Environmental Resources
11. **Attachments:** Noise Impact Analysis performed by
FirstCarbon Solutions, FCS International, Inc.,
February 18, 2021

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature on file.
Prepared by Emily Basnight, Assistant Planner

September 10, 2021
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

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

- a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) the significant criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

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

Discussion: The only scenic designation in the County is along Interstate-5, which is not in the vicinity of the project site. The project site itself is not considered to be a scenic resource or unique scenic vista. The project site is considered topographically flat. The surrounding area is composed of single-family dwellings and irrigated farm land in all directions. Ranchettes are to the west and east and walnut orchards are to the north and west of the project site. A wholesale nursery is located southeast of the project site.

The applicant is requesting to establish a dog kennel facility to house, train, and care for service dogs, within a new 3,000± square-foot building on a 2.23± acre parcel. The applicant proposes to construct a 3,000± square-foot building which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees. The project site is currently developed with a single-family dwelling and two storage buildings. The existing storage buildings will not be used as part of the kennel operation.

The 3,000 square-foot building will have a stucco exterior and a 4-foot high cement masonry (CMU) block material extending along the exterior walls around the northeast side of the building. Additionally, the applicant proposes to extend the existing 20± foot-wide gravel driveway for emergency vehicle access to the proposed kennel building.

A 6-foot-high chain-link fencing will enclose the building along the southern portion of the building to accommodate outdoor exercise space for the dogs. Additionally, a 6-foot-high wood fence is proposed to be constructed around a portion of the parcel’s perimeter, excluding a 20-foot-wide easement belonging to OID, located at the southern parcel line of the property. The applicant has requested the proposed wood fence as an alternative from the County’s Agricultural Buffer requirements on the rear (south) and northeast portion of the project site.

The project will not degrade the existing visual character or quality of the site or its surroundings. No new lighting is being proposed for the dog kennel operation; however, standard conditions of approval will be added to this project to address glare from any on-site lighting should any future lighting be installed for the kennel.

No adverse impacts to the existing visual character of the site or its surroundings are anticipated.

Mitigation: None.

References: Application information; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan; and Support Documentation¹.

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

Discussion: The 2.23± acre project site is classified as “Rural Residential” by the California Department of Conservation’s Farmland Mapping and Monitoring Program. The California Revised Storie Index is a rating system based on soil properties that dictate the potential for soils to be used for irrigated agricultural production in California. This rating system grades soils with an index rating of 26 as poor. Grade 1 and 2 soils are deemed prime farmland by Stanislaus County’s Uniform Rules. The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Web Soil Survey indicates that property is primarily comprised of Madera sandy loam, 0 to 2 percent slopes, with an index rating of 26 and grade of 4; this comprises approximately all acres of the project site and is not considered to be prime farmland. The site is not currently enrolled in the Williamson Act.

The project site has general plan designation of Agriculture and Zoning Destination of A-2-40 (General Agriculture). Within the A-2 zoning district, the County has determined that certain uses that are not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area can be permitted under a Tier Three Use Permit. Public stables, including boarding and training, and kennels are permitted in the A-2 zoning district upon approval of a Use Permit as a Tier Three use. Tier Three uses are defined as uses not directly related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area. Some Tier Three uses can be people-intensive and, as a result, have the potential to adversely impact agriculture. Tier Three uses may be allowed when the Planning Commission finds that:

1. The establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.
2. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
3. The parcel on which such use is requested is not located in one of the county's "most productive agricultural areas," as that term is used in the agricultural element of the general plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future.

The project site is not located in one of the most productive agricultural areas of the County. As stated above, the project site is comprised of Madera sandy loam, 0 to 2 percent slopes, with an index rating of 26 and grade of 4; Grade 4 soils are considered poorly suited for agricultural production and are not considered prime farmland. The site is not currently being used for agricultural production. The project site is surrounded by single-family dwellings and irrigated farm land in all directions. Ranchettes are to the west and east and walnut orchards are to the north and west of the project site. A wholesale nursery is located southeast of the project site. The adjacent property to the south of the project site is enrolled under Williamson Act Contract No. 1977-2844, and the parcel located across Hinds Road to the north is enrolled under Williamson Act Contract No. 1977-2725.

To minimize conflicts between agriculture operations and non-agricultural operations Buffer and Setback Guidelines (Appendix A of the Agricultural Element) will be adopted for this project. Policy 1.10, Buffer and Setback Guidelines is applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district. Appendix A states: "All projects shall incorporate a minimum 150-foot-wide buffer setback. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot-wide buffer setback. Permitted uses within a buffer area shall include: landscaping, parking lots, and similar low-people intensive uses." Staff would consider the proposed use is a low people intensive use, requiring a 150-foot-wide buffer, as the majority of the training activities will take place indoors and the project only anticipates up to 6 employees on a maximum shift. An orchard is located across the road approximately 270-feet from the project site, and irrigated pasture abuts the project site to the northeast and south. The applicant has requested an alternative buffer consisting of a 6-foot tall wood fence from the County's Agricultural Buffer requirements on the rear (south) and northeast portion of the project site, due to the low-people intensive nature of the use. An early consultation referral was sent to the Agricultural Commissioner's office, but no referral responses have been received to date.

No impacts to agriculture are anticipated to occur as a result of this project as the project site is currently developed with a single-family dwelling and accessory structures and considered topographically flat.

The project site is located within Oakdale Irrigation District (OID) boundaries, and proposes to handle stormwater drainage overland. The project was referred to OID who responded with comments regarding the 20-foot irrigation easement at the southern portion of the property. The irrigation easement is for a private irrigation ditch. OID stated concerns regarding irrigation tailwater and stormwater flowing offsite into OID facilities. The District recommended that all applicable Regional Water Quality Control Board (RWQCB) waste discharge requirements (WDRs) as applicable to the confined animal operations be met, prior to OID accepting drainage resulting from the project site into its system. An email was received from the District that a condition requiring the property owner contact RWQCB and comply with all applicable rules and regulations would be sufficient to address OID's concerns. A condition of approval reflecting OID's comments will be applied to the project.

The project was referred to Regional Water; however, no response was received to date.

No forest lands exist in Stanislaus County. Therefore, this project will have no impact to forest land or timberland.

Mitigation: None.

References: Application information; United States Department of Agriculture NRCS Web Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Referral

response from Oakdale Irrigation District, dated December 17, 2020; Email received from Oakdale Irrigation District, dated September 7, 2021; Stanislaus County General Plan and Support Documentation¹.

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

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

The dogs will be offsite during the summer months from April to August inspecting boats for invasive mussels at lakes and reservoirs; during these months, the dogs will live off-site with their handlers. The applicant anticipates only six dogs, to be at the project site from Monday-Thursday during the summer months. During the months of September to March, a total of up to 15 dogs will remain at the kennel. The property owner will be the primary caretaker and trainer for the dogs while at the kennel. The kennel has a maximum capacity of up to 25 dogs; however, the applicant does not anticipate the kennel to reach maximum capacity. Up to a maximum of five additional handlers are anticipated on-site once a year.

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

The San Joaquin Valley Air Pollution Control District’s Small Project Analysis Level (SPAL) analysis indicates that the minimum threshold of significance for commercial projects is 1,673 trips/day. The project estimates an average of one vehicle trip per day. This is below the District’s thresholds of significance for emissions. The project was referred to the Air District; however, no response has been received to date.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations a project’s vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. Initial activities for the proposed project would consist primarily of constructing the 3,000± square-foot kennel building, and extending the existing gravel driveway for emergency vehicle access to the proposed kennel building. These activities would not require any substantial use of heavy-duty construction equipment and would require little or no demolition or grading as the site is presently unimproved and considered to be topographically flat. Consequently,

emissions would be minimal. Furthermore, all construction activities would occur in compliance with all SJVAPCD regulations; therefore, construction emissions would be less than significant without mitigation.

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

It appears the project would not be a significant impact to any sensitive receptors.

For these reasons, the proposed project is considered to be consistent with all 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.

Mitigation: None.

References: Application information; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan and Support Documentation¹

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

Discussion: The project is located within the Escalon Quad of the California Natural Diversity Database. There are three Animals, one insect and one plant which are state or federally listed, threatened, or identified as species of special concern or a candidate of special concern within the Escalon California Natural Diversity Database Quad. These species include the California tiger salamander, Swainson's hawk, steelhead – Central Valley DPS, valley elderberry longhorn beetle

and Greene's tuctoria, respectively. There is a very low likelihood that these species are present on the project site as it has already been disturbed for residential purposes and developed with various accessory structures.

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.

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: None.

References: California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Stanislaus County General Plan and Support Documentation¹.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion: It does not appear this project will result in significant impacts to any archaeological or cultural resources. The project site has already been developed with a single-family dwelling, and two storage buildings. However, conditions of approval will be placed on the project, requiring that construction activities shall be halted if any resources are found, until appropriate agencies are contacted and an archaeological survey is completed.

Mitigation: None.

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

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

Discussion: The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as: energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable state or local energy legislation, policies, and standards must be considered.

All construction activities shall be in compliance with all SJVAPCD regulations and with Title 24, Green Building Code, which includes energy efficiency requirements. The applicant proposes to construct a 3,000± square-foot building which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees.

It does not appear this project will result in significant impacts to the wasteful, inefficient, or unnecessary consumption of energy resources. The project as proposed is not requesting any improvements considered to be large generators of energy resources. A condition of approval will be added to this project to address 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.

Mitigation: None.

References: Application information; CEQA Guidelines; Title 16 of County Code; CA Building Code; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County 2016 General Plan EIR; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: According to the United States Department of Agriculture NRCS web soil survey, the site is listed as containing Madera sandy loam soils, 0 to 2 percent slopes. 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 earth moving is subject to Public Works Standards and Specifications which consider the potential for erosion and run-off prior to

permit approval. Likewise, any addition of a septic tank or alternative waste water disposal system would require the approval of the Department of Environmental Resources (DER) through the building permit process, which also takes soil type into consideration within the specific design requirements.

An additional septic system is proposed by the applicant to service the new restroom and animal care facilities. The project was referred to the Stanislaus County Department of Environmental Resources (DER) who stated that onsite wastewater treatment system (OWTS) for the proposed new restroom and animal care facilities, be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X, and that all Local Agency Management Program (LAMP) standards shall be met. Additionally, DER indicated the OWTS may require a pre-treatment system, and that DER will need to review the proposed engineered design for this system prior to building permit issuance. DER's requirements will be applied as conditions of approval to the project.

An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project will be required, subject to Public Works review and Standards and Specifications.

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

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

Mitigation: None.

References: Application information; USDA – NRCS Web Soil Survey; Referral response from the Stanislaus County Department of Environmental Resources, dated December 17, 2020 and as revised on June 30, 2021; Email from the Stanislaus County Department of Environmental Resources, dated March 31, 2021; Referral response from the Stanislaus County Department of Public Works, December 14, 2021; Stanislaus County Zoning Ordinance (Title 21); Stanislaus County General Plan and Support Documentation¹.

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

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

To establish a dog kennel facility to house, train, and care for service dogs, within a new 3,000± square-foot building on a 2.23± acre parcel. The applicant proposes to construct a 3,000± square-foot building which will include a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees. Direct emissions of GHGs

from the operation of the proposed project are primarily due to passenger vehicle trips. Therefore, the project would result in direct annual emissions of GHGs during operation. As required by CEQA Guidelines section 15064.3, potential impacts regarding Green House Gas Emissions should be evaluated using Vehicle Miles Traveled (VMT). The State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The proposed project will generate an average of one vehicle trip per day. The VMT increase associated with the proposed project is less-than significant as the number of vehicle trips will not exceed 110 per-day.

The proposed project will result in short-term emissions of GHGs during construction. These emissions, primarily CO2, CH4, and N2O, are the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (HFCs, PFCs, and SF6) are typically associated with specific industrial sources and are not expected to be emitted by the proposed project. Initial activities for the proposed project would consist primarily of constructing the 3,000± square-foot kennel building, and extending the existing gravel driveway for emergency vehicle access to the proposed kennel building. These activities would not require any substantial use of heavy-duty construction equipment; therefore, the emissions of CO2 from construction would be less-than significant. Additionally, the construction of the proposed kennel building is subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations, Title 24, Part 11). All proposed construction activities associated with this project are considered to be less-than significant as they are temporary in nature and are subject to meeting SJVAPCD standards for air quality control.

The project was referred to the San Joaquin Valley Air Pollution Control District; no response was received. Staff will include a condition of approval on the project requiring that the applicant contact the Air District and comply with any applicable District rules and regulations. Consequently, GHG emissions are considered to be less than significant.

Mitigation: None.

References: Application Information; California Air Resources Board 2019 Edition, California Greenhouse Gas Emission Inventory: 2000 – 2017; Governor’s Office of Planning and Research Technical Advisory, December 2018; CA Building Code; Stanislaus County General Plan and Support Documentation¹.

IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project			X	

result in a safety hazard or excessive noise for people residing or working in the project area?				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Discussion: The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Oakdale Rural Fire Protection District. The project was referred to the District; however, no response was received.

The proposed project will establish a dog kennel facility to house, train, and care for service and detection dogs on a 2.23± acre parcel. As part of this request the applicant proposes to construct a 3,000± square-foot building which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area, including a full bathroom for employees.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure in agricultural areas may potentially include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Additionally, agricultural buffers are intended to reduce the risk of spray exposure to surrounding people. To minimize these conflicts between agriculture operations and non-agricultural operations Buffer and Setback Guidelines (Appendix A of the Agricultural Element) will be adopted for this project. Policy 1.10, Buffer and Setback Guidelines is applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district. Appendix A states: "All projects shall incorporate a minimum 150-foot-wide buffer setback. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot-wide buffer setback. Permitted uses within a buffer area shall include: landscaping, parking lots, and similar low-people intensive uses." Staff would consider the proposed use is a low people intensive use, requiring a 150-foot-wide buffer, as the majority of the training activities will take place indoors and the project only anticipates up to 6 employees on a maximum shift. An orchard is located across the road approximately 270-feet from the project site, and irrigated pasture abuts the project site to the northeast and south. The applicant has requested an alternative buffer consisting of a 6-foot tall wood fence from the County's Agricultural Buffer requirements on the rear (south) and northeast portion of the project site, due to the low-people intensive nature of the use. An early consultation referral was sent to the Agricultural Commissioner's office, but no referral responses have been received to date.

The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The groundwater is not known to be contaminated in this area.

The County Department of Environmental Resources (DER) Hazmat Division is responsible for overseeing hazardous materials. The project was referred to the DER-Hazmat Division; however, no response was received.

The project site is not within the vicinity of any airstrip or wildlands. No significant impacts associated with hazards or hazardous materials are anticipated to occur as a result of the proposed project.

Mitigation: None.

References: Application Information; Safety Element of the Stanislaus County General Plan and Support Documentation¹.

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

Discussion: Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). The project site is located in FEMA Flood Zone X, which includes areas determined to be outside the 0.2% annual chance floodplains. All flood zone requirements will be addressed by the Building Permits Division during the building permit process. The project proposes to handle stormwater drainage overland. A referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project shall be submitted for the proposed 3,000 square-foot kennel building subject to Public Works review and Standards and Specifications, as well as the submittal of a Storm Water Pollution Prevention Plan (SWPPP) prior to the approval of any grading plan. The submittal of the grading, drainage, erosion/sediment control plan and SWPPP will be made conditions of approval for this project. Accordingly, runoff associated with the construction at the proposed project site will be reviewed as part of the grading review process

The project site is located within Oakdale Irrigation District (OID) boundaries. The project was referred to OID who responded with comments regarding the 20-foot irrigation easement at the southern portion of the property. The irrigation easement is for a private irrigation ditch. OID stated concerns regarding irrigation tailwater and stormwater flowing offsite into OID facilities. The District recommended that all applicable Regional Water Quality Control Board (RWQCB) waste discharge requirements (WDRs) as applicable to the confined animal operations be met, prior to OID accepting drainage resulting from the project site into its system. An email was received from the District that a condition requiring the property owner contact RWQCB and comply with all applicable rules and regulation would be sufficient to address OID’s concerns. A condition of approval reflecting OID’s comments will be applied to the project.

The project was referred to Regional Water; however, no response was received to date.

An additional septic system is proposed by the applicant to service the new restroom and animal care facilities. A referral response from DER was received requesting the onsite wastewater treatment system (OWTS) for the proposed new restroom and animal care facilities be by individual Primary and Secondary wastewater treatment units, operated under

conditions and guidelines established by Measure X, and that all Local Agency Management Program (LAMP) standards be met. Additionally, DER indicated the OWTS may require a pre-treatment system, and that DER will need to review the proposed engineered design for this system prior to building permit issuance. DER's requirements will be applied as conditions of approval to the project. The site is currently served by a domestic well, no additional wells are proposed as a part of this project. However, any future proposals for new wells will be subject to review under the County's Well Permitting Program, which will determine whether a new well will require environmental review.

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 with the goal of ensuring the long-term sustainable management of California's groundwater resources. SGMA requires agencies throughout California to meet certain requirements including forming Groundwater Sustainability Agencies (GSA), developing Groundwater Sustainability Plans (GSP), and achieving balanced groundwater levels within 20 years. The site is located in the Oakdale Irrigation District GSA and Eastern San Joaquin Subbasin GSA. The Stanislaus and Tuolumne Rivers Groundwater Basin (STRGBA) GSA is composed of seven agencies within the Modesto Sub-basin who are collaboratively developing one GSP under the Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA. SGMA requires the Modesto Sub-basin to adopt and begin implementation of a GSP by January 31, 2022.

Stanislaus County adopted a Groundwater Ordinance in November 2014 (Chapter 9.37 of the County Code, hereinafter, the "Ordinance") that codifies requirements, prohibitions, and exemptions intended to help promote sustainable groundwater extraction in unincorporated areas of the County. The Ordinance prohibits the unsustainable extraction of groundwater and makes issuing permits for new wells, which are not exempt from this prohibition, discretionary. For unincorporated areas covered in an adopted GSP pursuant to SGMA, the County can require holders of permits for wells it reasonably concludes are withdrawing groundwater unsustainably to provide substantial evidence that continued operation of such wells does not constitute unsustainable extraction and has the authority to regulate future groundwater extraction. If in the future the facility results in the formation of a new Public Water System, then the project site will be subject to all applicable rules, regulations and standards as discussed below.

Public and private water agencies and user groups within each of the four groundwater subbasins underlying the County work together as GSAs to implement SGMA. DER is a participating member in five GSAs. GSPs were adopted in January 2020 for the portions of the County underlain by the Eastern San Joaquin and Delta-Mendota Groundwater Subbasins, and will be adopted for the Turlock and Modesto Subbasins by January 31, 2022. The subject project is located within the Oakdale Irrigation District GSA and Eastern San Joaquin Subbasin GSA.

The California Safe Drinking Water Act (CA Health and Safety Code Section 116275(h)) defines a Public Water System as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

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

The referral response received from DER indicated that the private well on the project site does not currently meet the definition of a Public Water System as defined in California Health and Safety Code Section 116275(h). However, DER requested that the applicant contact DER if the water system ever meets the definition of a public water system. This requirement will be added as a condition of approval for the project.

If the existing well is ever required to become a Public Water System the applicant must submit an application for a water supply permit with the associated technical report to Stanislaus County DER which will determine if the well water meets State mandated standards for water quality and must also obtain concurrence from the State of California Water Resources Control Board (SWRCB), Drinking Water Division, in accordance to CHSC, Section 116527 (SB1263). If the well water does not meet State standards, the applicant may need to either drill a new well or install a water treatment system for the current well.

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

Mitigation: None.

References: Referral response from the Stanislaus County Department of Public Works, December 14, 2021; Referral response received from the Stanislaus County Department of Environmental Resources, dated December 17, 2020, and as revised on June 30, 2021; Referral response from Oakdale Irrigation District, dated December 17, 2020; Email received from Oakdale Irrigation District, dated September 7, 2021; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned A-2-10 (General Agriculture). The applicant is requesting to establish a dog kennel facility to house, train, and care for service dogs, within a new 3,000± square-foot building on a 2.23± acre parcel. The applicant proposes to construct a 3,000± square-foot building which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees. The project site is currently developed with a single-family dwelling and two storage buildings. The existing storage buildings will not be used as part of the kennel operation.

The proposed use is considered a Tier Three use, which are those uses Tier Three uses under Section 21.20.045(B)(3) of the Stanislaus County Zoning Ordinance, are uses that may not directly be related to agriculture but may be necessary to serve the A-2 district or may be difficult to locate in an urban area.

Tier three uses may be allowed when the planning commission finds that:

1. The establishment, maintenance and operation of the proposed use or building applied for is consistent with the general plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.
2. The use as proposed will not be substantially detrimental to or in conflict with agricultural use of other property in the vicinity; and
3. The parcel on which such use is requested is not located in one of the county's "most productive agricultural areas," as that term is used in the agricultural element of the general plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future.

The project site is not located in one of the most productive agricultural areas of the County. In determining most productive agricultural areas, factors to be considered include but are not limited to soil types and potential for agricultural production; the availability of irrigation water; and the existence of Williamson Act contracts. The project site is primarily comprised of Madera sandy loam, 0 to 2 percent slopes, with an index rating of 26 and grade of 4; this comprises approximately all acres of the project site. Grade 4 soils are considered poorly suited for agricultural production and are not considered prime farmland. The project site is not currently enrolled in the Williamson Act.

The project site is surrounded by single-family dwellings and irrigated farm land in all directions. Ranchettes are to the west and east and walnut orchards are to the north and west of the project site. A wholesale nursery is located southeast of the project site.

Policy 1.10, Buffer and Setback Guidelines is applicable to new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district. Appendix A states: "All projects shall incorporate a minimum 150-foot-wide buffer setback. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot-wide buffer setback. Permitted uses within a buffer area shall include: landscaping, parking lots, and similar low-people intensive uses." Staff would consider the proposed use is a low people intensive use, requiring a 150-foot-wide buffer, as the majority of the training activities will take place indoors and the project only anticipates up to 6 employees on a maximum shift. An orchard is located across the road approximately 270-feet from the project site, and irrigated pasture abuts the project site to the northeast and south. The applicant has requested an alternative buffer consisting of a 6-foot tall wood fence from the County's Agricultural Buffer requirements on the rear (south) and northeast portion of the project site, due to the low-people intensive nature of the use. An early consultation referral was sent to the Agricultural Commissioner's office, but no referral responses have been received to date.

The project was referred to the Stanislaus County Animal Services Agency who provided a comment letter specifying the agency had no concerns in regard to the proposal.

With conditions of approval in place there is no indication that, under the circumstances of this particular case, the proposed operation will be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.

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

Mitigation: None.

References: Application information; United States Department of Agriculture NRCS Web Soil Survey; Noise Analysis, Memorandum, prepared by FirstCarbon Solutions, FCS International, Inc., dated February 20, 2021; Referral response from Stanislaus County Animal Services Agency, dated December 9, 2021; Stanislaus County General Plan and Support Documentation¹

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

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

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: The Stanislaus County General Plan identifies noise levels up to 75 dBA (CNEL) as the normally acceptable level of noise for agricultural, industrial, manufacturing and other similar uses. On-site grading and construction resulting from this project may result in a temporary increase in the area’s ambient noise levels; however, noise impacts associated with on-site activities and traffic are not anticipated to exceed the normally acceptable level of noise. The 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. The site is not located within an airport land use plan.

Single-family dwellings are located to northeast and southwest of the proposed kennel. A referral response received from the Stanislaus County Environmental Review Committee (ERC) requested a noise study be conducted to evaluate any potential impacts the project may have related to the generation of permanent increases in ambient noise levels in the vicinity of the project site. A noise analysis performed by FirstCarbon Solutions FCS International, Inc. was submitted on February 20, 2021, which showed that potential noise levels produced by the proposed kennel are below the County’s hourly noise level standards with mitigation. The analysis found that the proposed exterior wall assembly design for the kennel provides mitigation measures to ensure that noise is not a nuisance to surrounding properties. The wall assembly includes 4-foot tall concrete block walls (CMU) on the northwest, northeast and southeast façades; 2-inch by 6-inch wood studs at 16-inches on center; single layer 3/8-inch plywood sheathing on exterior of walls; covered by 7/8-inch exterior stucco plaster on metal lath; single layer 5/8-inch gypsum board on inside of walls; with R-21 batt insulation.

Intermittent noise levels during peak conditions from dogs barking are documented to range from 80 dBA to 90 dBA as measured at a distance of approximately 3 feet. The study found that the proposed exterior wall assembly as a mitigation measure would provide a minimum sound transmission class rating of 35-STC; this would effectively provide an interior to exterior minimum noise reduction of 30 dBA, ensuring resulting sound from dogs barking inside the proposed kennel building would not exceed any of the County’s stationary noise levels.

The closest property line of the residential portion of this nearest receptor is the edge of the residence’s fenced pool area, which is located approximately 100 feet from the nearest façade of the proposed kennel building. The study found that from the kennel building to the nearest property line the resulting hourly average noise level from a worst-case scenario of multiple dogs barking inside the kennel building with the doors and windows closed would be approximately 23 dBA. Assuming the reasonable worst-case hourly average noise level occurred every hour over a 24-hour period, the resulting noise levels would average 30 dBA, as measured at the receiving residential property line, which does not exceed the County’s threshold for stationary noise sources. Therefore, impacts associated with noise are considered to be less than significant with mitigation.

Mitigation: 1. Prior to issuance of a building permit, the final engineering design should include a wall assembly composed as stipulated in the noise study performed by FirstCarbon Solutions FCS International, Inc. dated February 20, 2021. The material should keep the exterior noise levels at or below the County level of 75 dB Ldb (CNEL).

References: Application information; Referral response from Stanislaus County Environmental Review Committee, dated December 28, 2021, and as revised on December 28, 2020; Noise Analysis, Memorandum, prepared by FirstCarbon Solutions, FCS International, Inc., dated February 20, 2021; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The site is currently improved with a single-family dwelling and two storage buildings, and may have the ability to add an accessory dwelling unit in the future as permitted in the A-2 zoning district. However, no housing is proposed in conjunction with the proposed project. The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the county and will therefore not impact the County’s ability to meet their RHNA. No population growth will be induced nor will any existing housing be displaced as a result of this project.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: The County has adopted Public Facilities Fees, as well as Fire Facility Fees on behalf of the appropriate fire district, to address impacts to public services. School Districts also have their own adopted fees. All facility fees are required to be paid at the time of building permit issuance.

The project site is located within Oakdale Irrigation District (OID) boundaries. The project was referred to OID who responded with comments regarding the 20-foot irrigation easement at the southern portion of the property. The irrigation easement is for a private irrigation ditch. OID stated concerns regarding irrigation tailwater and stormwater flowing offsite into OID facilities. The District recommended that all applicable Regional Water Quality Control Board (RWQCB) waste discharge requirements (WDRs) as applicable to the confined animal operations be met, prior to OID accepting drainage resulting from the project site into its system. An email was received from the District that a condition requiring the property

owner contact RWQCB and comply with all applicable rules and regulation would be sufficient to address OID’s concerns. A condition of approval reflecting OID’s comments will be applied to the project.

The project was referred to Regional Water; however, no response was received to date.

The project was referred to the Stanislaus County Animal Services Agency who provided a comment letter specifying the agency had no concerns in regard to the proposal.

The project was referred to the appropriate public service agencies, as well as the Stanislaus County Environmental Review Committee (ERC). The ERC provided a comment letter; however, no comments were received related to public facilities or services.

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.

Mitigation: None.

References: Application information; Referral response from Oakdale Irrigation District, dated December 17, 2021; Email received from Oakdale Irrigation District, dated September 7, 2021; Referral response from Stanislaus County Environmental Review Committee, dated December 28, 2021, and as revised on December 28, 2020; Referral response from Stanislaus County Animal Services Agency, dated December 9, 2021; Stanislaus County General Plan and Support Documentation.¹

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

Discussion: This project will not increase demands for recreational facilities, as such impacts typically are associated with residential development.

Mitigation: None.

References: Stanislaus County General Plan and Support Documentation¹

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

Discussion: The project proposes to establish a dog kennel facility to house, train, and care for service dogs, within a new 3,000± square-foot building on a 2.23± acre parcel. The applicant proposes to construct a 3,000± square-foot building which will consist of a 1,300± square-foot kennel area, and 1,700± square-foot training area including a full bathroom for employees.

As required by CEQA Guidelines Section 15064.3, potential impacts to transportation should be evaluated using Vehicle Miles Traveled (VMT). Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. The CEQA Guidelines identify vehicle miles traveled (VMT), which is the amount and distance of automobile travel attributable to a project, as the most appropriate measure of transportation impacts. According to the same technical advisory from OPR, projects that generate or attract fewer than 110 trips per-day generally may be assumed to cause a less-than significant transportation impact. The proposed project will generate an average of one vehicle trip per day. The VMT increase associated with the proposed project is less-than significant as the number of vehicle trips will not exceed 110 per-day.

The project will receive access via Hinds Road, a County-maintained road identified as a 60-foot wide Local Road. It is not anticipated that the project would substantially affect the level of service on Hinds Road. The project was referred to Public Works, which did not respond with any traffic related comments. All development onsite will be required to pay applicable County PFF fees, which will be utilized for maintenance and traffic congestion improvements to all County roadways.

The proposed project is not anticipated to conflict with any transportation program, plan, ordinance or policy.

Mitigation: None.

References: Application information; Governor’s Office of Planning and Research Technical Advisory, December 2018; Referral response from Stanislaus County Department of Public Works, dated December 14, 2020; Stanislaus County General Plan and Support Documentation¹.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Included	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

Discussion: It does not appear that this project will result in significant impacts to any archaeological or cultural resources. The project site consists of a single-family dwelling and two storage buildings. In accordance with SB 18 and AB 52, this project was not referred to the tribes listed with the Native American Heritage Commission (NAHC) as the project

is not a General Plan Amendment and no tribes have requested consultation or project referral noticing. A development standard regarding the discovery of cultural resources during the construction process will be added to the project.

Mitigation: None.

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

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

Discussion: Limitations on providing services have not been identified. The project proposes to utilize an existing private well and existing private septic facilities.

An additional septic system is proposed by the applicant to service the new restroom and animal care facilities. A referral response from DER was received requesting the onsite wastewater treatment system (OWTS) for the proposed new restroom and animal care facilities be by individual Primary and Secondary wastewater treatment units, operated under conditions and guidelines established by Measure X, and that all Local Agency Management Program (LAMP) standards be met. Additionally, DER indicated the OWTS may require a pre-treatment system, and that DER will need to review the proposed engineered design for this system prior to building permit issuance. DER's requirements will be applied as conditions of approval to the project. The site is currently served by a domestic well, no additional wells are proposed as a part of this project. However, any future proposals for new wells will be subject to review under the County's Well Permitting Program, which will determine whether a new well will require environmental review.

The referral response received from DER indicated that the private well on the project site does not currently meet the definition of a Public Water System as defined in California Health and Safety Code Section 116275(h). However, DER requested that the applicant contact DER if the water system ever meets the definition of a public water system. This requirement will be added as a condition of approval for the project. If in the future the facility results in the formation of a new Public Water System, then the project site will be subject to all applicable rules, regulations and standards as discussed above in the Hydrology and Water Quality Section of this document.

The project was referred to OID who responded with comments regarding the 20-foot irrigation easement for a private irrigation ditch located at the southern portion of the property. OID stated concerns regarding irrigation tailwater and stormwater flowing offsite into OID facilities. The District recommended that all applicable Regional Water Quality Control Board (RWQCB) waste discharge requirements (WDRs) as applicable to the confined animal operations be met, prior to OID accepting drainage resulting from the project site into its system. An email was received from the District that a condition

requiring the property owner contact RWQCB and comply with all applicable rules and regulation would be sufficient to address OID’s concerns. A condition of approval reflecting OID’s comments will be applied to the project.

The project was referred to Regional Water; however, no response was received to date.

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

Mitigation: None.

References: Referral response from the Stanislaus County Department of Environmental Resources, dated December 14, 2020, and as revised on June 30, 2021; Referral response received from Oakdale Irrigation District, dated December 17, 2020; Email received from Oakdale Irrigation District, dated September 7, 2021; Stanislaus County General Plan and Support Documentation¹.

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

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The terrain of the site is relatively flat, and the site has access to a County maintained road, Hinds Road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Oakdale Rural Fire Protection District. The project was referred to the District, and no comments have been received to date. California Building and Fire Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and burning embers. Building permits required as a result of the proposed project will be reviewed the County’s Building Permits Division and Fire Prevention Bureau to ensure all State of California Building and Fire Code requirements are met prior to construction.

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

Mitigation: None.

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

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

Discussion: The 2.23± acre project site is designated Agriculture by the Stanislaus County General Plan land use diagrams and zoned A-2-10 (General Agriculture). The property is primarily comprised of Madera sandy loam, 0 to 2 percent slopes, with an index rating of 26 and grade of 4, and is not considered to be prime farmland. The site is not currently enrolled in the Williamson Act. The requested use will not be located on one of the County’s “most productive agricultural areas.

The surrounding area is composed of single-family dwellings and irrigated farm land in all directions. Ranchettes are to the west and east and walnut orchards are to the north and west of the project site. A wholesale nursery is located southeast of the project site. The proposed establishment of a dog kennel facility will be secondary to the use of the property for dwelling purposes. The project site may reasonably be returned to agricultural use in the future.

Any development of the surrounding parcels would be subject to the permitted uses included in the A-2 Zoning Ordinance or would require additional land use entitlements and environmental review. Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Initial Study; Stanislaus County General Plan and Support Documentation¹.

¹Stanislaus County General Plan and Support Documentation adopted in August 23, 2016, as amended. **Noise Element** adopted on April 18, 2006.



Stanislaus County

Planning and Community Development

Mitigation Monitoring and Reporting Program

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

September 10, 2021

1. Project title and location: Use Permit Application No. PLN2020-0106 – DeShon Kennel
5642 Hinds Road, east of Lambuth Road, in the Community of Valley Home. APN: 002-057-006
2. Project Applicant name and address: Debra DeShon, Property Owner
5642 Hinds Road
Oakdale, CA 95361
3. Person Responsible for Implementing Mitigation Program (Applicant Representative): Debra DeShon, Property Owner
4. Contact person at County: Emily Basnight, Assistant 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.

XII. NOISE

- No. 1 Mitigation Measure: Prior to issuance of a building permit, the final engineering design should include a wall assembly composed as stipulated in the noise study performed by FirstCarbon Solutions FCS International, Inc. dated February 18, 2021. The material should keep the exterior noise levels at or below the County level of 75 dB Ldb (CNEL).

- Who Implements the Measure: Property Owner
- When should the measure be implemented: Prior to issuance of a building permit
- When should it be completed: Prior to issuance of a building permit
- Who verifies compliance: Planned Department
- Other Responsible Agencies: Stanislaus County Planning and Community Development Department

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.
Person Responsible for Implementing
Mitigation Program

09/10/2021
Date

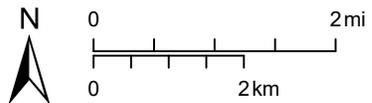
DeSHON KENNEL

UP PLN2020-0106

AREA MAP

LEGEND

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



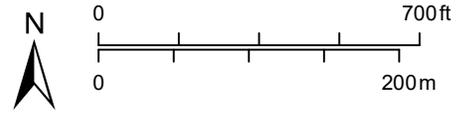
DeSHON KENNEL

UP
PLN2020-0106

GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal
- General Plan**
-  Agriculture



DeSHON KENNEL

UP
PLN2020-0106

ZONING MAP

LEGEND

 Project Site

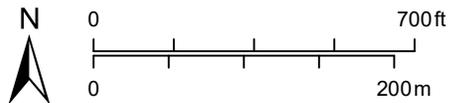
 Parcel

 Road  Canal

Zoning Designation

 General Agriculture 10 Acre

 General Agriculture 40 Acre



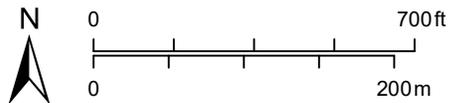
DeSHON KENNEL

UP
PLN2020-0106

2017 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  Canal



DeSHON KENNEL

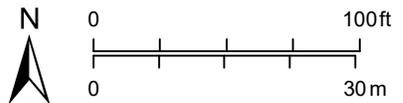
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PLN2020-0106

2017 AERIAL SITE MAP

LEGEND

 Project Site

 Road



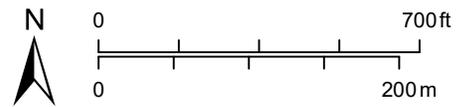
DeSHON KENNEL

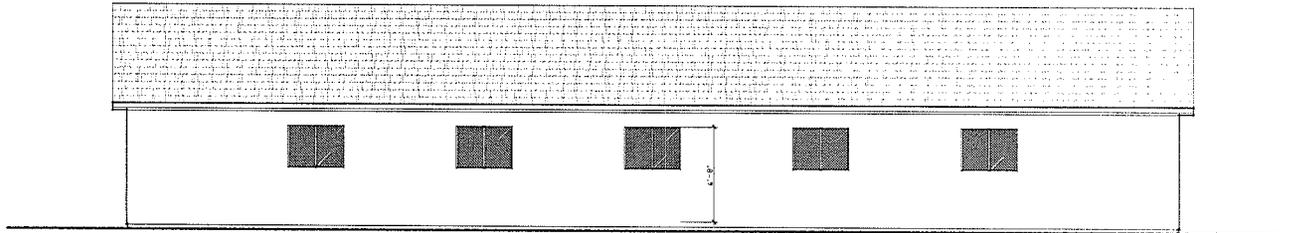
UP PLN2020-0106

ACREAGE MAP

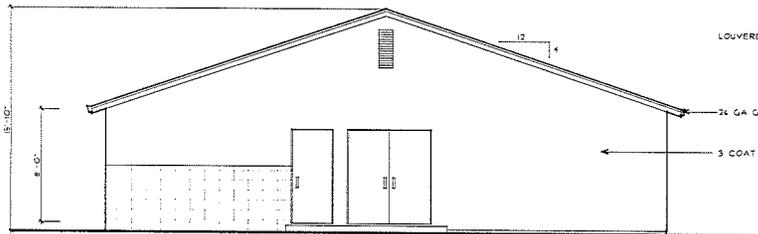
LEGEND

-  Project Site
-  Parcel/Acres
-  Road
-  Canal

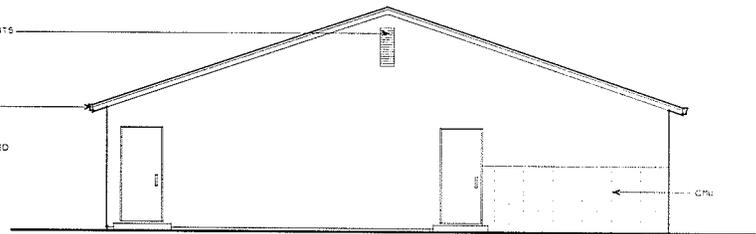




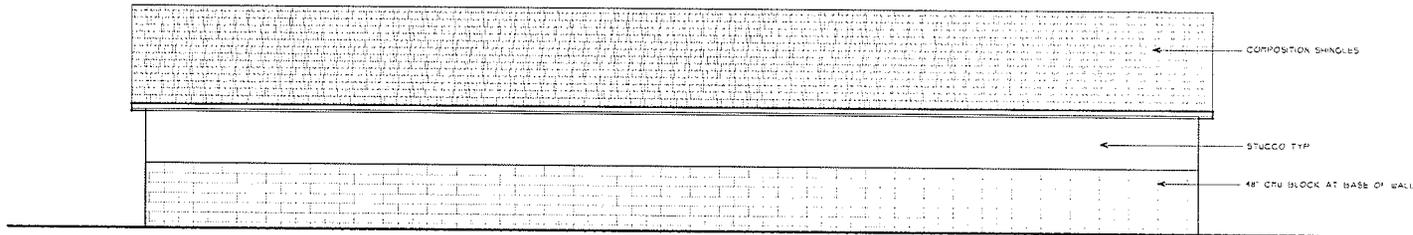
RIGHT SIDE ELEVATION



FRONT (STREET SIDE)



REAR ELEV



LEFT SIDE ELEVATION

California at Home
 Custom Residential Design & Drafting
 PO BOX 1525 OAKDALE CA 95341
 (209) 848-0848 (3738)
 FAX: 209-848-0848

NEW RESIDENCE
 PROJECT SCOPE:
 CONDITIONED AREA: 3,000 SQ FT
 GARAGE AREA: 1,000 SQ FT
 COVERED PORCHES: 1,000 SQ FT
 PROPERTY: 5442 HINDS RD.
 ADDRESS: 5442 HINDS RD.
 OAKDALE, CA 95341
 APN: 002-051-004
 5-1-1-1-1-5 CC-1-1

OWNER: JAMES & DEBRA DESHON
 1000 10th St
 Oakdale, CA 95341
 (209) 848-0848
 FAX: 209-848-0848

DATE: OCT 2010
 EXTERIOR ELEVATIONS

SCALE: 1/4"=1'-0"
A3.1



Memorandum

Date: February 18, 2021

To: Debi DeShon, Dogs With Jobs, LLC

From: Philip Ault, Senior Noise Scientist, FirstCarbon Solutions, Inc.

Subject: Noise Ordinance Compliance Analysis for the DeShon Kennels Development Project a 5642 Hinds Road, Stanislaus County, California

This acoustical analysis is prepared to satisfy the noise impact analysis requirements of Stanislaus County. The purpose is to assess potential operational noise impacts of the DeShon Kennels Development Project (proposed project) on adjacent rural-residential sensitive receptor land uses. In particular, this analysis evaluates whether the proposed project design would sufficiently reduce interior operational noise levels from the proposed dog kennel so as to ensure that the County's noise performance standards are not exceeded, as measured at adjacent sensitive receptors.

PROJECT UNDERSTANDING

The project site is located at 5642 Hinds Road in Stanislaus County, California. The property is located between two existing single-family residences and is across the street from an existing almond orchard. The lot area is 97,248 square feet and includes three existing buildings, which would remain unaltered during construction of this project.

The proposed project involves the construction of a 3,000-square-foot facility that will be used as a dog kennel. The facility will be a single-story enclosed building, with a maximum height of 15 feet, 10 inches. Adjacent to the kennel, on the proposed project's north-eastern boundary, a 6-foot-tall fence will be constructed. The proposed kennel would have four outdoor entrances with a total of five doors, three single-door entrances, and one double door entrance. The building will include a large open training room, a bathroom with a shower, a dog bath, and a room for a maximum of 17 dog kennels at 4 feet by 8 feet each. There is an option for a double door entrance connecting the training room and the room for the kennels.

REGULATORY FRAMEWORK

The Stanislaus County Municipal Code¹ establishes the following noise performance standards related to the proposed project:

¹ Stanislaus County, 2021. Stanislaus County Code. <https://qcode.us/codes/stanislauscounty/>. Accessed on February 17, 2021.

Chapter 7.16 Animal Control

7.16.020 Loud noises—Prohibited acts defined.

Keeping or maintaining, or permitting to be kept or maintained, upon any premises owned, occupied, or controlled by any person, any animal which, by any frequent or long continued noise, shall cause annoyance or discomfort to two or more reasonable persons of normal sensitiveness who reside in separate residences (including apartments and condominiums). However, the animal services authorized staff may proceed on the basis of a complaint of only one person if circumstances are determined to exist whereby a noise disturbance caused by an animal affects only one individual. Any noise, such as howling, yelping, whining, barking or otherwise, that is audible continuously for ten minutes or intermittently for thirty minutes shall be prima facie evidence of such annoyance or discomfort. (Ord. CS 1136 § 2, 2013).

Chapter 10.46 Noise Control

10.46.050 Exterior noise level standards.

- A. It is unlawful for any person at any location within the unincorporated area of the county to create any noise or to allow the creation of any noise which causes the exterior noise level when measured at any property situated in either the incorporated or unincorporated area of the county to exceed the noise level standards as set forth below:
1. Unless otherwise provided herein, the following exterior noise level standards shall apply to all properties within the designated noise zone:

Table A: EXTERIOR NOISE LEVEL STANDARDS

Designated Noise Zone	Maximum A-Weighted Sound Level as Measured on a Sound Level Meter (L_{MAX})	
	7:00 a.m.—9:59 p.m.	10:00 p.m.—6:59 a.m.
Noise Sensitive	45	45
Residential	50	45
Commercial	60	55
Industrial	75	75

2. Exterior noise levels shall not exceed the following cumulative duration allowance standards:

Table B: CUMULATIVE DURATION—ALLOWANCE STANDARDS

Cumulative Duration	Allowance Decibels
Equal to or greater than 30 minutes per hour	Table A plus 0 dB
Equal to or greater than 15 minutes per hour	Table A plus 5 dB
Equal to or greater than 5 minutes per hour	Table A plus 10 dB
Equal to or greater than 1 minute per hour	Table A plus 15 dB
Less than 1 minute per hour	Table A plus 20 dB

3. Pure Tone Noise, Speech and Music. The exterior noise level standards set forth in Table A shall be reduced by five dB(A) for pure tone noises, noises consisting primarily of speech or music, or reoccurring impulsive noise.
4. In the event the measured ambient noise level exceeds the applicable noise level standard above, the ambient noise level shall become the applicable exterior noise level standard.

B. Noise Zones Defined.

1. Noise Sensitive. Any public or private school, hospital, church, convalescent home, cemetery, sensitive wildlife habitat, or public library regardless of its location within any land use zoning district.
2. Residential. All parcels located within a residential land use zoning district.
3. Commercial. All parcels located within a commercial or highway frontage land use zoning district.
4. Industrial. All parcels located within an industrial land use zoning district.
5. The noise zone definition of any parcel not located within a residential, commercial, highway frontage, or industrial land use zoning district shall be determined by the director of Stanislaus County planning and community development department, or designee, based on the permitted uses of the land use zoning district in which the parcel is located. (Ord. CS 1070 §2, 2010).

CHARACTERISTICS OF NOISE

Noise is generally defined as unwanted or objectionable sound. Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm, or when it has adverse effects on health. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in the extreme, hearing impairment. Noise effects can be caused by pitch or loudness. *Pitch* is the number of complete vibrations or cycles per second of a wave that result in the range of tone from high to low; higher-pitched sounds are louder to humans than lower-pitched sounds. *Loudness* is the intensity or amplitude of sound.

The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. Audible increases in noise levels generally refer to a change of 3 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Only audible changes in existing ambient or background noise levels are considered potentially significant.

The human ear is not equally sensitive to all frequencies within the audible sound spectrum, so sound pressure level measurements can be weighted to better represent frequency-based sensitivity of average healthy human hearing. One such specific “filtering” of sound is called “A-weighting.” A-weighted decibels (dBA) approximate the subjective response of the human ear to a broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies that are audible to the human ear.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) based on dBA. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). The noise adjustments are added to the noise events occurring during the more sensitive hours.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis are specified in terms of maximum levels denoted by L_{max} for short-term noise impacts. L_{max} reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level. Noise levels diminish or attenuate as distance from the source increases based on an inverse square rule, depending on how the noise source is physically configured. Noise levels from a single-point source, such as a single piece of construction equipment at ground level, attenuate at a rate of 6 dB for each doubling of distance (between the single-point source of noise and the noise-sensitive receptor of concern).

IMPACT ANALYSIS

The proposed dog kennel building would be located approximately 315 feet from the edge of Hinds Road. The kennel would include two doors facing Hinds street (front facade) and two doors on the rear of the building. There would be no windows on the left side (northeast façade), and up to five windows on the right side (southwest façade). Based on the current preliminary design plans, the exterior wall-assembly design would include the following features:

- Concrete block walls (CMU) up to 4-feet in height (for the northwest, northeast and southeast façades);
- 2-inch by 6-inch wood studs at 16-inches on center (above the 4-foot CMU wall up to the proposed 8-foot wall height for the northwest, northeast and southeast façades);
- Single layer 3/8-inch plywood sheathing on exterior of walls; covered by
- 7/8-inch exterior stucco plaster on metal lath;
- Single layer 5/8-inch gypsum board on inside of walls; with
- R-21 batt insulation.

Based on these design specifications, this exterior wall assembly would provide a minimum sound transmission class (STC) rating of 35-STC. Conservatively, this would effectively provide an interior to exterior minimum noise reduction of 30 dBA.

The County's most restrictive exterior noise level standard restricts stationary noise sources, including animal noise, from exceeding 50 dBA L_{eq} and 45 dBA L_{eq} , for more than 30 minutes in any hour during daytime and nighttime hours respectively, as measured at any receiving residential property. The County's maximum exterior noise level standard is 50 dBA L_{max} and 45 dBA L_{max} , during daytime and nighttime hours respectively, as measured at any receiving residential property.

Noise levels from dogs barking are documented to range from 80 dBA to 90 dBA L_{max} as measured at a distance of approximately 3 feet. A reasonable worst-case scenario analysis would be to assume multiple dogs barking simultaneously at the highest end of the range of noise levels for barking dogs, with the barking reaching the maximum noise level for each dog for up to 75-percent of the hour.

The closest sensitive receptor to the proposed kennel building is a single-family residence located north of the proposed building footprint. The closest property line of the residential portion of this nearest receptor is the edge of the residence's fenced pool area, which is located approximately 100 feet from the nearest façade of the proposed kennel building. At this distance, the resulting hourly average noise level from the reasonable worst-case scenario of multiple dogs barking inside the kennel building with doors and windows closed would be approximately 23 dBA L_{eq} . The combined maximum noise level would be approximately 33 dBA L_{max} , as measured at the receiving residential property line. Assuming these reasonable worst-case hourly average noise levels occurred every hour over a 24-hour period, the resulting noise levels would average 30 dBA CNEL, as measured at the receiving residential property line. All the referenced noise and distance calculations are included in Attachment A.

These noise levels would not exceed the County's most restrictive exterior noise level standard of 50 dBA L_{eq} and 45 dBA L_{eq} , for more than 30 minutes in any hour during daytime and nighttime hours respectively, as measured at the nearest receiving residential property line. They would also not exceed the County's maximum exterior noise level standard of 50 dBA L_{max} and 45 dBA L_{max} , during daytime and nighttime hours respectively, as measured at the nearest receiving residential property line.

SUMMARY

Based on the project's preliminary design plans, as described above, the proposed project design would ensure that sound resulting from dog barking inside the proposed kennel building would not exceed any of the County's stationary noise source noise performance thresholds.

Sincerely,



Philip Ault, Senior Noise and Air Quality Scientist

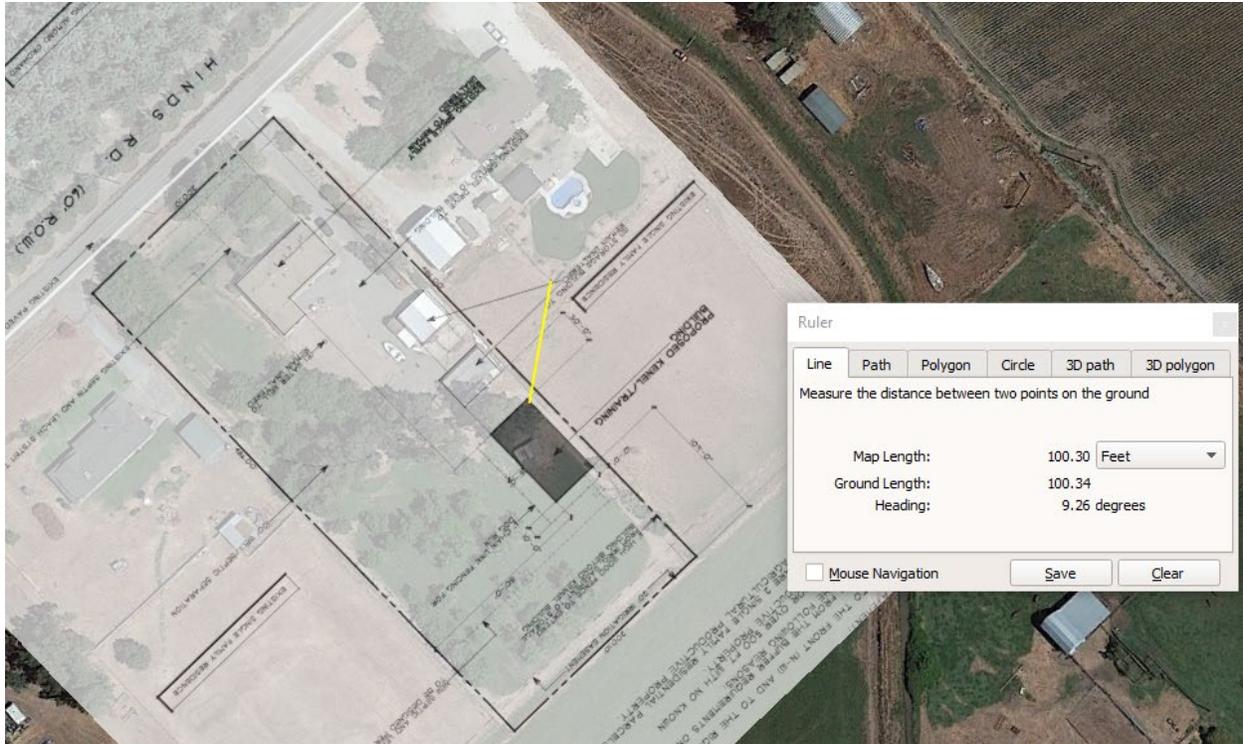
FirstCarbon Solutions

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Encl. Attachment A: Noise and Distance Calculations

**Attachment A:
Noise and Distance Calculations**



Measurement from proposed dog kennel building to nearest residential property boundary.

Dog Barking Noise Level Calculation

Receptor: Closest Residence - northeast of Project

No.	Equipment Description	Reference (dBA) 3 ft	Quantity	Usage factor[1]	Distance to Receptor	Ground Effect[2]	Shielding (dBA)[3]	Calculated (dBA)		Energy
		Lmax						Lmax	Leq	
1	Dog barking	90	6	75	100	1	30	29.5	20.8	121.5
2	Dog Barking	90	6	75	125	1	30	27.6	17.9	62.208
3	Dog Barking	90	5	75	150	1	30	26.0	14.8	30
4										
5										
6										
7										
8										
9										
10										
Lmax[4]								32.6	Leq	23

Notes:

- [1] Percentage of time activity occurs each hour
- [2] Soft ground terrain between project site and receptor.
- [3] Shielding due to terrain or structures
- [4] Calculated Lmax is the sum of the Lmax values.

CNEL Calculations	Time	Hourly Leq	Leq'	0.1*Leq	antiLog
	1:00 AM	23.3	33.3	3.32982078	2137.08
	2:00 AM	23.3	33.3	3.32982078	2137.08
	3:00 AM	23.3	33.3	3.32982078	2137.08
	4:00 AM	23.3	33.3	3.32982078	2137.08
	5:00 AM	23.3	33.3	3.32982078	2137.08
	6:00 AM	23.3	33.3	3.32982078	2137.08
Day	7:00 AM	23.3	23.3	2.32982078	213.708
	8:00 AM	23.3	23.3	2.32982078	213.708
	9:00 AM	23.3	23.3	2.32982078	213.708
	10:00 AM	23.3	23.3	2.32982078	213.708
	11:00 AM	23.3	23.3	2.32982078	213.708
	12:00 PM	23.3	23.3	2.32982078	213.708
	1:00 PM	23.3	23.3	2.32982078	213.708
	2:00 PM	23.3	23.3	2.32982078	213.708
	3:00 PM	23.3	23.3	2.32982078	213.708
	4:00 PM	23.3	23.3	2.32982078	213.708
	5:00 PM	23.3	23.3	2.32982078	213.708
	6:00 PM	23.3	23.3	2.32982078	213.708
Evening	7:00 PM	23.3	28.3	2.82982078	675.8040342
	8:00 PM	23.3	28.3	2.82982078	675.8040342
	9:00 PM	23.3	28.3	2.82982078	675.8040342
Night	10:00 PM	23.3	33.3	3.32982078	2137.08
	11:00 PM	23.3	33.3	3.32982078	2137.08
Sum					23825.6281
Sum/24					992.7345043
Log10(Sum/24)					2.996833117
10*Log10(Sum/24)					29.96833117
24 Hour CNEL					30