



Jennifer Jolley, Director

Eric Merlo, Assistant Director

Tim Burns, Code Enforcement Chief

Corinne King, Deputy Director of Planning

Jeff Niemeyer, Deputy Director of Building Inspection

October 21, 2025

DLJ Properties LLC
9895 Double R Blvd
Reno, NV 89521

Dear Owners:

Re: Administrative Use Permit No. PA-2500010 of DLJ Properties LLC (c/o Jensen Precast)
(APN[s]/Address: 051-320-06 / 12405 E. Brandt Road, Lockeford)

ACTION: On October 21, 2025, the San Joaquin County Community Development Department approved Administrative Use Permit No. PA-2500010 subject to the enclosed Conditions of Approval.

APPEAL PERIOD: This action can be appealed to the Planning Commission by any interested party. Appeals must be filed with this Department within 10 days of the action with an appeal fee of \$782.91. The 10-day appeal period ends at 4:30 p.m. on October 31, 2025. If this date falls on a weekend or holiday, the appeal period will expire on the next regular business day at 4:30 p.m.

EXPIRATION: This action requires you to comply with all Conditions of Approval within the next thirty-six (36) months (by October 31, 2028). If you have not complied with the Conditions of Approval by that date, this approval will expire, and the project cannot proceed.

NEXT STEP: Prior to the expiration date, you must comply with all Conditions of Approval, including the securing of building permits and any other permits specified in the Conditions of Approval.

Please contact me if you have questions regarding the Community Development Department Conditions (Phone: [209] 468-3140 or via email at jleal@sjgov.org). Questions regarding the building permit process should be directed to the counter staff (Phone: [209] 468-2098).

Sincerely,

A handwritten signature in cursive script that reads "J Leal".

Jessica Leal
Assistant Planner

JL/sc

Enclosure(s): Conditions, Mitigation Monitoring and Reporting Program, Site Plan, Informational Letters, Findings

c: Jensen Precast
San Joaquin County Building Inspection Division
San Joaquin County Environmental Health
San Joaquin County Public Works

CONDITIONS OF APPROVAL

PA-2500010

DLJ PROPERTIES LLC / JENSEN PRECAST

Administrative Use Permit Application No. PA-2500010 was approved by the Community Development Department on October 21, 2025. The effective date of approval is October 31, 2025. This approval will expire on October 31, 2028, which is thirty-six (36) months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to the establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Contact: [209] 468-2193)

- a. **BUILDING PERMIT:** Submit an "APPLICATION-COMMERCIAL BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). Foundation and soils investigation shall be conducted in conformance with Chapter 18 of the California Building Code at the time of permit application. A fee is required for the Site Plan review. (Development Title Section 9-802.110[a][2])
- b. **APPROVED USE:** This approval is for the expansion of an existing concrete production facility including the construction of a new 33,750 square foot building with new manufacturing equipment and the expansion of an existing stormwater retention system, as shown on the site plan dated May 13, 2025. (Use Type: Industry – General)

This approval supersedes UP-4300 and DP-74-0089.

Existing:

- Manufacturing Building: 49,680 square feet

Proposed:

- Manufacturing Building: 33,750 square feet with installation of new equipment

- c. **CAPITAL FACILITY FEE:** This project may be subject to the Capital Facility Fee. If the Capital Facility Fee is applicable, the County shall collect the fees before the issuance of any building permits. (Development Title Section 9-610.070)
- d. **SURFACING:** All permanent parking areas, including driveways and maneuvering areas, shall be surfaced and permanently maintained with asphalt concrete or Portland cement concrete. Bumper guards and/or wheel stops shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-406.060[i], Development Title Section 9-406.080[g][5])
- e. **VEHICLE PARKING:** Off-street parking shall be provided and comply with the following:
 1. A minimum of 42 permanent off-street vehicle parking spaces shall be provided (Development Title Section 9-406.040).

2. Each vehicle parking stall shall be an unobstructed rectangle, minimum 9 feet wide and 19 feet long. (Development Title Section 9-406.060)
 3. All parking stalls and directional arrows shall be delineated with paint or similar distinguishable material. (Development Title Section 9-406.060 [e])
 4. Two parking space intended for the exclusive use of a Disabled Person permitted vehicle and provision of access for disabled persons shall be provided. Such spaces will be counted towards the parking requirements (Development Title Section 9-406.030)
- f. **LOADING:** A minimum of 9 loading spaces shall be provided. Each space shall be a minimum of 25 feet in length and 15 feet in width and shall have a minimum height clearance of 14 feet. On-site driveways and maneuvering areas may be used in lieu of one of the loading spaces as long as maneuvering areas for delivery vehicles are provided (Development Title Section 9-406.100)
- g. **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:
1. Access driveways shall have a width of no less than 25 feet for two-way aisles and 16 feet for one-way aisles, except that in no case shall driveways designated as fire department access be less than 20 feet wide. (Development Title Section 9-406.060 [n][1])
 2. Vehicle access gates shall be recessed from the property line a minimum of 10 feet unless there are at least 16 feet between the property line and the edge of the travelled roadway, in which case the setback is waived. (Development Title Section 9-400.040 [a][4])
- h. **LIGHTING:** Lighting shall be provided and comply with the following:
1. The equivalent of one foot of candle illumination shall be provided throughout the parking area. (Development Title Section 9-9-406.060 [m][1])
 2. All lighting shall be on a time clock or photo-sensor so as to be turned off during daylight hours and during any hours when the parking area is not in use. This requirement does not apply to security lighting. (Development Title Section 9-406.0609[m][2])
 3. All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted, except onto public roads, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-406.060[m][3])
- i. **SIGNS:** Sign details shall be consistent with Chapter 9-408 of the Development Title and be included on the Site Plan. All portions of any sign shall be set back a minimum of 5 feet from any future right-of-way line, including any corner cut-off (snipe). (Development Title Section 9-408.070.3 [p])
- j. **LANDSCAPING:** Landscaping shall be provide and comply with the following:
1. This project will be required to comply with the Model Water Efficient Landscape Ordinance Requirement per California Code of Regulations, Title 23, Division 2, Chapter 2.7.
 2. A 10-foot-wide landscaped strip shall be installed and maintained between the parking areas and adjacent to East Brandt Road. (Development Title Section 9-402.030[c][2])

- k. **MITIGATION MONITORING AND REPORTING PROGRAM (MMRP):** The project shall comply with all required mitigations included in the MMRP dated September 2, 2025.
2. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000) See letter dated June 13, 2025.
 3. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420) See letter dated September 16, 2025.
 4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact: [209] 235-0600) See letter dated June 6, 2025.
 5. SAN JOAQUIN COUNTY MOSQUITO & VECTOR CONTROL DISTRICT (Contact: [209] 982-4675) See letter dated September 15, 2025.
 6. SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT CONTROL DISTRICT (Contact: [559] 230-5931) See letter dated September 15, 2025.

NOTES AND INFORMATION ONLY:

See California Department of Conservation response dated September 16, 2025.

See California Department of Fish & Wildlife response dated September 26, 2025.

See Central Valley Regional Water Quality Control Board response dated October 6, 2025.



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 COUNTY
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Department of Public Works

Fritz Buchman, Director

Alex Chetley, Deputy Director - Development

Kristi Rhea, Deputy Director - Administration

David Tolliver, Deputy Director - Operations

Najee Zarif, Deputy Director - Engineering

June 13, 2025

MEMORANDUM

TO: Community Development Department
 CONTACT PERSON: Jessica Leal

FROM: Shayan Rehman, Engineering Services Manager
 Development Services Division

SUBJECT: PA-2500010 (A); A Administrative Use Permit application to expand (E) site. Project involves (N) 33,750 square foot building to include (N) manufacturing equipment and expansion of (E) stormwater retention system. Public water and sewer provided. Access from East Brandt Road. Parcel is not under a Williamson Act Contract; located on the north side of East Brandt Road, 1,400 feet west of State Route 88, Lockeford. (Supervisorial District 4)

OWNER: DLJ Properties LLC

APPLICANT: Jensen Precast

ADDRESS: 12405 E. Brandt Road, Lockeford

APN: 051-320-06

INFORMATION:

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area.

Brandt Road has an existing right-of-way width of 60 feet and a planned right-of-way width of 84 feet.

RECOMMENDATIONS:

- 1) An encroachment permit shall be required for all work within road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-607.020 and 9-607.040)
- 2) The driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. 17 [return radii for truck-trailer egress shall be designed to prevent encroachment onto opposing lanes of traffic] prior to issuance of the occupancy permit. (Development Title Section 9-607.040)

- 3) The owner shall execute an Irrevocable Offer to Dedicate Road to result in a forty-two (42') foot wide right-of-way from the centerline of Brandt Road to the property line across the parcel's frontage. (A fee based on the current fee schedule is required for processing in addition to a copy of the Grant Deed and a legal description of the parcel to be offered for dedication.) (Development Title Section 9-608.060)
- 4) The Traffic Impact Mitigation Fee shall be required for any incremental traffic resulting from this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
- 5) The Regional Transportation Impact Fee shall be required for any incremental traffic resulting from this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- 6) The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-606)
- 7) A copy of the Final Site Plan shall be submitted prior to release of building permit.
- 8) This project is subject to the NPDES Region-Wide Permit requirements and shall comply with the following conditions. Prior to release of the building permit, plans and calculations shall be submitted and approved by the Public Works Department – Water Resources Division (209-468-9360):
 - a) Treatment: A registered professional engineer shall design the site to treat the 85th percentile storm as defined in the County's 2023 Storm Water Quality Control Criteria Plan (SWQCCP).
 - b) Hydromodification: A registered professional engineer shall design the site to comply with the volume reduction requirement outlined in the County's 2023 SWQCCP
 - c) Trash: A registered professional engineer shall design the site to comply with the trash control requirement outlined in the County's 2023 SWQCCP.
- 9) Prior to release of the building permit, the owner shall enter into an agreement with San Joaquin County for post-construction maintenance of stormwater quality facilities.
- 10) Prior to release of the building permit the applicant shall submit a Storm Water Quality Control Plan (SWQCP) to Public Works that complies with all requirements of the 2023 SWQCCP
- 11) Prior to release of the building permit the applicant shall submit the Storm Water Pollution Prevention Plan (SWPPP) to Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request.

- 12) Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". The Waste Discharge Identification Number (WDID), issued by SWRCB, shall be submitted to Public Works prior to release of the building permit. Contact the SWRCB at 1-866-563-3107 for further information.

SR:GM



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Environmental Health Department

Jasjit Kang, REHS, Director

Munlappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

September 16, 2025

To: San Joaquin County Community Development Department
Attention: Jessica Leal

From: Aaron Gooderham (209) 616-3062 *AG*
Senior Registered Environmental Health Specialist

RE: **PA-2500010 (A), Referral, SU-2500501**
12405 E. Brandt Road, Lockeford

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

- 1) The new source, Well 2, has not yet been permitted to serve the DLJ Properties LLC. Water System. Submit a permit amendment application and associated forms to amend the operating permit to include Well 2. Refer to the permit amendment letter that was issued in March 2025 for the list of requirements.
- 2) Prior to final occupancy, submit to the Environmental Health Department revised site plans showing the location and configuration of any existing and proposed sewage disposal systems, along with the area required to be reserved for future sewage disposal repair/replacement (area for 100% sewage disposal replacement). The plans shall include the design calculations, including the maximum number of persons the sewage disposal system is proposed to serve. In addition, show on revised plans that the disposal field area will be barricaded so it cannot be driven over, parked on, or used as a storage area. This disposal field area must be used for that specific purpose only, and it cannot contain any underground utility lines (San Joaquin County Development Title, Section 9-605.010(c)(3)(5)).
- 3) Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).
- 4) Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at cers.calepa.ca.gov/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Elena Manzo (209) 953-7699, with any questions.
 - a) Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – Hazardous Waste Program (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)

- b) Onsite treatment of hazardous waste – Hazardous Waste Treatment Tiered Permitting Program (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
- c) Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – Hazardous Materials Business Plan Program (HSC Sections 25508 & 25500 et sec.)
- d) Any amount of hazardous material stored in an Underground Storage Tank – Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.)
 - i) If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.
 - ii) Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
- e) Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – Aboveground Petroleum Storage Program (HSC Sections 25270.6 & 25270 et sec.)
 - i) Spill Prevention, Countermeasures and Control (SPCC) Plan requirement
- f) Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.)
 - i) Risk Management Plan requirement for covered processes



S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: boyd@sjcog.org

*San Joaquin County Multi-Species Habitat Conservation &
Open Space Plan (SJMSCP)*

**Precast Expansion Project (PA-2500010)
SJMSCP Incidental Take Minimization Measures
(APN: 051-320-06)**

Date: June 6, 2025

Findings: No SJMSCP covered species on site

Total Disturbed Acres Anticipated: 20.0 acres

Habitat Types to be Disturbed: Urban (U) Habitat Land
(Community of Lockeford Compensation Map)

Project Jurisdiction: San Joaquin County

Advisory Statements

After inspecting the project site, and project site conditions, the San Joaquin Council of Governments (SJCOG) provides the following *advisory statements* to the applicant. No further action is required with the SJCOG with respect to the following statements. SJCOG does not accept any liability for the accuracy of these statements since each regulatory agency discussed below must determine the extent of its own regulatory authority with respect to the proposed project.

It should be noted that two important federal and state agencies (U.S. Army Corps of Engineers and the California Regional Water Quality Control Board) and California Department of Fish and Wildlife Streambed Alteration requirements have not issued permits to the SJCOG and so payment of the fee to use the SJMSCP will not modify requirements (1600/1602) now imposed by these agencies. **If potential waters of the United States [pursuant to Section 404 Clean Water Act] may occur on the project site**, it therefore may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would likely be required from each of these resource agencies prior to impacting these features on the project site.

The SJMSCP covers lawful activities which must comply with all federal, state and local laws for coverage. The **Migratory Bird Treaty Act (MBTA)** is a federal act which protects many birds and their habitats. Those species go beyond the listed SJMSCP species but are included as protective measures for compliance with the federal MBTA measures. The measures will be stated under **MBTA Compliance** in the prescribed ITMM.

The ITMM is not deemed complete until finalized by SJCOG, Inc. staff and provided back to the project.

Conditions

Prior to ground disturbance:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Pay appropriate SJMSCP 2025 fees based on habitat categories and rates to **SJCOG, Inc.:**

- Urban (U) Habitat – 20.0 acres x \$0.00 per acre = **\$0.00**

Total Fee due: \$0.00

Note: If fees are not paid prior to January 1, 2026 this project will be subject to the subsequent fee change, and the fee above will no longer be applicable.

Project Proponent Must Initial Here As to Understanding the Note Above:



During project construction:

All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from the construction site.

In reliance on the Section 10(a)(1)(B) Permit issued by the United States Fish and Wildlife Service and the Section 2081(b) Incidental Take Permit issued by the California Department of Fish and Wildlife, San Joaquin County has consulted with and agreed to allow coverage pursuant to the SJMSCP for the *Precast*

Expansion Project (PA-2500010) its successors, agents and assigns pursuant to the "Implementation Agreement for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan" which will allow the Precast Expansion Project (PA-2500010), its successors, agents and assigns to construct, operate and maintain the Project commonly known as the Precast Expansion Project (PA-2500010) and located on Assessor Parcel Numbers 051-320-06 which could result in a legally permitted Incidental Take of the SJMSCP Covered Species in accordance with and subject to the terms and conditions of the Precast Expansion Project (PA-2500010) approved by San Joaquin County. This Certification applies only to activities on the subject parcel(s) which are carried out in full compliance with the approved plans for the Precast Expansion Project (PA-2500010) Section 10(a)(1)(B) Permit, and Section 2081(b) Incidental Take Permit conditions.

I have read, acknowledge, and agree to the preceding conditions:



 Project Proponent for the Precast Expansion Project (PA-2500010)

6/6/2025

 Date

GY THOMSON

 Please Print Name Here

FOR SJCOG, Inc. Use Only:	
<u>Laurel Boyd</u>	<u>06/06/2025</u>
SJCOG, Inc. Staff Signature	Official Date of Issuance
<u>Laurel Boyd</u>	<u>12/06/2025</u>
SJCOG, Inc. Staff Print Name Here	Mitigation Due Date



September 15, 2025

San Joaquin County
Community Development Department
Development Services Division
Attn: Jessica Leal
1810 East Hazelton Avenue
Stockton, CA 95205

OMAR KHWEISS
MANAGER

BOARD OF
TRUSTEES

RICHARD SILVERMAN
PRESIDENT
CITY OF MANTECA

CRAIG WATANABE
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SAN JOAQUIN COUNTY

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MIKE MANNA
SAN JOAQUIN COUNTY

JOHN STROH
CITY OF LODI

MARC WARMERDAM
SAN JOAQUIN COUNTY

SUSAN ZACA
CITY OF LATHROP

LEGAL ADVISOR
ANDY PINASCO

Re: PA-2500010

San Joaquin County Mosquito and Vector Control District has reviewed the listed application referral(s) and provides the following comment(s):

1. PA-2500010

- Applicant must incorporate mosquito prevention best management practices for the design, construction, operations and maintenance of the proposed expanded stormwater retention basin (copy of mosquito prevention/stormwater management guidelines attached).

Do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

Do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

John Fritz
Assistant Manager

General Stormwater Management Mosquito Control BMPs

- Ensure Mosquito Control Agencies have access to infrastructure to inspect or make appropriate treatments when necessary.
- Manage sprinkler and irrigation systems to minimize runoff entering stormwater infrastructure.
- Avoid intentionally running water into stormwater systems by not washing sidewalks and driveways, washing cars on streets or driveways, etc.
- Inspect facilities weekly during warm weather for the presence of standing water or immature mosquitoes.
- Remove emergent vegetation and debris from gutters and channels that accumulate water.
- Consider mosquito production during the design, construction, and maintenance of stormwater infrastructure.
- Design and maintain systems to fully discharge captured water in 96 hours or less.
- Include access for maintenance in system design.
- Design systems with permanent water sources such as wetlands, ponds, sumps, and basins to minimize mosquito habitat and plan for routine larval mosquito inspection and control activities with the assistance of a local mosquito control program.

Stormwater Treatment Ponds

- Whenever possible, stock stormwater ponds and constructed wetlands with mosquito-eating fish available from local mosquito control programs.
- Design and maintain accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes. Emergent plant density should be routinely managed so mosquito predators can move throughout the vegetated areas and are not excluded from pond edges.
- Whenever possible, design and maintain deep zones in excess of four feet (1.2 m) to limit the spread of invasive emergent vegetation such as cattails. The edges below the water surface should be as steep as practicable and uniform to discourage dense plant growth that may provide immature mosquitoes with refuge from predators and increased nutrient availability.
- Use concrete or liners in shallow areas to discourage plant growth where vegetation is not necessary.
- Whenever possible, provide a means for easy dewatering if needed.
- Manage the spread and density of floating and submerged vegetation that encourages mosquito production (i.e., water hyacinth, water primrose, parrot's feather, duckweed, and filamentous algal mats).

Reference:

Best Management Practices for Mosquito Control in California (July 2012)
Vector-Borne Disease Section
California Department of Public Health
<http://www.westnile.ca.gov/resources.php>



September 15, 2025

Jessica Leal
County of San Joaquin
Community Development Department
1810 E. Hazleton Avenue
Stockton, CA 95205

Project: PA-2500010 – Mitigated Negative Declaration

District CEQA Reference No: 20251039

Dear Ms. Leal:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration (MND) from San Joaquin County (County) for the project described above. Per the MND, the project consists of the construction of a 33,750 square foot building to include new manufacturing equipment and the expansion of the existing stormwater retention system (Project). The Project is located at 12405 E. Brandt Road in Lockeford, CA 95237.

The District offers the following comments at this time regarding the Project:

1) Project Related Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

2) Electric On-Site Off-Road and On-Road Equipment

Since the Project includes industrial uses, the Project may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials). The District recommends that the MND include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

3) Clean Lawn and Garden Equipment in the Community

Since the Project includes industrial uses, gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

4) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the County consider incorporating solar power systems as an emission reduction strategy for the Project.

5) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

5a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (209) 557-6446.

5b) District Rule 9510 - Indirect Source Review (ISR)

Per District Rule 9510 section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.

5c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>

5d) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and

labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

5e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at:
<https://ww2.valleyair.org/dustcontrol>

5f) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

6) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Matt Crow by e-mail at Matt.Crow@valleyair.org or by phone at (559) 230-5931.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs

A handwritten signature in black ink, appearing to read 'Mark Montelongo', with a stylized flourish at the end.

For: Daniel Martinez
Program Manager

Mitigation Monitoring Reporting Plan-PA-2500010

Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions		
		Monitoring	Reporting			By	Date	Remarks
IV. Biological Resources	Participation in the SJMSCP	X		San Joaquin Council of Governments	The developer shall apply to the San Joaquin Council of Governments (SJCOG) for coverage under the San Joaquin County Multi-Species Open Space and Habitat Conservation Plan (SJMSCP). The project site shall be inspected by the SJMSCP biologist, who will recommend which Incidental Take Minimization Measures set forth in the SJMSCP should be applied to the project and implemented. The project applicant shall pay the required SJMSCP fee, if any, and be responsible for the implementation of the specified Incidental Take Minimization Measures.			



California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
Jennifer Lucchesi, Director
715 P Street, MS 1803
Sacramento, CA. 95814
T: (916) 445-5986

9/16/2025

VIA EMAIL

San Joaquin County Community Development Department
Ms. Jessica Leal
1810 E. Hazelton Ave, CA 95205
jleal@sjgov.org

Assessor Parcel Number(s): 051-320-06
Property Owner(s): DLJ Properties LLC
Project Location Address: North Jack Tone Road, East Locke Road

PROJECT TITLE: *SCH2025090235 - Administrative Use Permit No.
PA-2500010*

Public Resources Code (PRC) section 3208.1 establishes re-abandonment responsibility when previously plugged and abandoned oil, gas or geothermal wells will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near previously abandoned oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received the above-referenced project dated 9/5/2025. To assist local permitting agencies, property owners, and developers in making safe and practical land use decisions regarding potential development near oil, gas, or geothermal wells, CalGEM provides a table in the attached enclosure of the wells within the parcel boundary or in its vicinity, based on CalGEM's Well Finder database (<https://maps.conservation.ca.gov/doggr/wellfinder/>).

CalGEM categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking at the landowner's expense if there is a need to access a well. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment (consisting of well servicing rig, pumping equipment, pipe trailer) to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Impermeable barriers such as asphalt, concrete, and plastic may trap hazardous gases and liquids underneath and could create a safety hazard if built over a well that later develops a leak.

CalGEM recommends that any well for which access is impeded or built over, against CalGEM's

advice, should be evaluated by a qualified petroleum professional for compliance with the statutory objectives of isolating all hydrocarbon-bearing strata; protecting underground and surface waters; prevention of subsequent damage to life, health, property, and other resources; and prevention of loss of oil, gas, or reservoir energy. CalGEM recommends that wells that do not meet these standards are abandoned or re-abandoned prior to construction. The well information can be accessed through CalGEM's Well Finder database mentioned above. PRC section 3208, subdivision (a), provides the primary statutory authority for CalGEM to oversee adequate abandonment of wells. Additionally, CalGEM has developed the regulatory guidance for operators to be followed during well abandonment, which are listed within California Code of Regulation, title 14 (CCR) section 1723 and associated sub-sections (for onshore wells), and section 1745 and associated sub-sections (for offshore wells).

There is no guarantee that a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. Due to the inability to predict all subsurface conditions or changes, it always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. CalGEM acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantee that such abandoned wells will not leak.

CalGEM advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations in Latitude and Longitude, NAD 83 decimal format, and leak testing results should be provided to CalGEM. CalGEM expects any wells found leaking to be reported to CalGEM immediately.

PRC section 3208.1 gives CalGEM the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake construction that impedes access, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an

affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

Should any wells require abandonment or re-abandonment, the responsible party must submit a Notice of Intention (NOI) to CalGEM through WellSTAR. The NOI form can be accessed in the 'Plugging and Abandonment' section of the following link:

https://www.conservation.ca.gov/calgem/for_operators.

No well work may be performed on any oil, gas, or geothermal well without written approval from CalGEM. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. CalGEM also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR section 1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below the surface of the ground. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from CalGEM is required before work can start.

CalGEM makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, CalGEM recommends that information regarding the below identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. CalGEM recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC section 3106, CalGEM has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to CalGEM's authority to order work on wells pursuant to PRC sections 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC sections 3236, 3236.5, and 3359 for violations within CalGEM's jurisdictional authority. CalGEM does not regulate grading, excavations, or other land use issues.

Should you have any questions, or if any wells are encountered that were not part of this letter, contact CalGEM at 916-322-1110 or via email at CalGEMNorthern@conservation.ca.gov.

Sincerely,

May Soe

May Soe
Supervising Oil and Gas Engineer – Northern District

Enclosure

cc: *Jessica Leal* – Associate Planner, jleal@sigov.org

Enclosure: The wells listed below are reported to be located within and nearby the parcel boundary and may have future access impeded.

API No.	Well Name
No wells in project area	

Leal, Jessica [CDD]

From: Donaldson, Hailey@Wildlife <Hailey.Donaldson@Wildlife.ca.gov>
Sent: Friday, September 26, 2025 2:49 PM
To: Leal, Jessica [CDD]
Cc: Wood, Dylan@Wildlife; Sheya, Tanya@Wildlife; Kilgour, Morgan@Wildlife
Subject: CDFW Comments on the PA-2500010 (A) / (SCH#2025090235) - MND

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jessica Leal:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Intent to Adopt an MND from the San Joaquin County Community Development Department for the Administrative Use Permit Number PA-2500010 (A) (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located in San Joaquin County; Latitude: 38.14778, Longitude: -121.16474 (WGS 84 datum, decimal degrees); 12405 East Brandt Road, Lockeford, CA 95237; Assessor's Parcel Number 051-320-06.

The Project consists of an Administrative Use Permit to expand an existing pre-cast concrete facility. The project involves the construction of a new 33,750 square feet (0.77 acre) building to include new manufacturing equipment and the expansion of the existing stormwater retention system.

The Project description should include the whole action as defined in the CEQA Guidelines section 15070 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment staging areas, spoils areas, adjacent infrastructure development, and access and haul roads if applicable.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the San Joaquin County Community Development Department in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW is primarily concerned with the project impacts to Swainson's hawk (*Buteo swainsoni*), and nesting birds protected under the Migratory Bird Treaty Act (MBTA)

COMMENT 1: Swainson's Hawk (*Buteo swainsoni*) Protocol Level Survey Recommendation, Initial Study: Biological Resources, Page 9.

Issue: The surrounding area of the Project Site consists of agricultural fields which may be providing foraging habitat for Swainson's hawks, and since construction activities are planned on land that is adjacent to potential nesting habitat for Swainson's hawks. Within a 3-mile radius of the project site, there are 8 CNDDDB occurrence records for Swainson's Hawk (CDFW 2018; California Natural Diversity Database (CNDDDB) layer in Biogeographic Observation and Information System (BIOS)). CDFW recommends that an assessment of Swainson's hawk habitat is included in the MND and a pre-construction Swainson's hawk nesting survey be conducted within a minimum 0.5-mile radius around the project area.

The MND defers mitigation to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and does not include specific analysis or surveys that will adequately minimize identify project impacts by assessing impacts to the species and detecting breeding behaviors of the species. Swainson's hawk is listed as a *threatened* species under CESA and has additional protection under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code sections 3503 and 3503.5, therefore, the omission of potential impacts is inconsistent with CEQA Guidelines requirements to disclose and evaluate effects of special-status species (CEQA Guidelines §15380; see also Comment 2 below). Although the Project Proponent is seeking coverage under the SJMSCP, the environmental documents provided do not specify whether Swainson's hawk will be included as the applicability of this species. This lack of specificity indicates that species impacts have not yet been adequately assessed for this project. If the Project Proponent chooses to cover Swainson's hawk through the SJMSCP, it is the Lead Agency's responsibility to incorporate analysis and mitigation for listed species that will reduce impacts to a less than significant level.

Recommendation or Recommended Mitigation Measure: CDFW recommends that a Qualified Biologist conduct Swainson's hawk protocol-level surveys during all survey periods throughout the nesting season prior to the commencement of all construction activities, regardless of potential vegetation removal. Protocol-level surveys should be conducted within a minimum 1/2-mile radius around the Project area in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee, 2000) as follows:

BIO 1 - Swainson's hawk Protocol Survey. A qualified biologist shall conduct a Swainson's hawk survey within a minimum 0.5-mile radius around the project area. Prior to the start of construction activities and in each subsequent year in which project activities occur. Surveys shall be conducted according to the following the five-period schedule in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Tech. Advis. Comm., 5/2000):

- January to March 20- One (1) Survey, All Day
- March 20 to April 5- Three (3) Surveys, Sunrise to 1000 / 1600 to Sunset
- April 5 to April 20- Three (3) Surveys, Sunrise to 1200 / 1630 to Sunset
- April 21 to June 10- Monitoring
- June 10 to July 30- Three (3) Surveys, Sunrise to 1200 / 1600 to Sunset

If Swainson's Hawk breeding activity is identified during any of the surveys or during construction activities, compliance with CESA shall be demonstrated.

Swainson's Hawk Nest Avoidance. During the nesting season (approximately March 1 to September 1), ground-disturbing activities within a 1,320-foot buffer of occupied nests or nests under construction shall be prohibited to minimize the potential for nest abandonment. While the nest is occupied or under construction, projects activities outside the buffer can take place provided that they do not stress the breeding pair. If project activities are to occur within 0.5 mile of an active nest, the area should be monitored by a qualified biologist prior to and during project activities. If the nesting pair's behavior suggests agitation or disturbance by project activities, all activities in the area shall immediately stop pending consultation with the San Joaquin Council of Governments (SJCOG) if seeking coverage under the San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP) for project activities, otherwise, consult CDFW and demonstrate compliance with CESA. Following a review of the breeding pair's behavior, the qualified biologist, in coordination with CDFW/SJCOG will determine whether project activities in the area may continue to comply with CESA. The qualified biologist shall monitor project activities to ensure that activities do not occur within the buffer. Any modifications to this buffer shall be implemented in coordination with the SJCOG or CDFW as appropriate. The qualified biologist will be required to monitor the nest and determine that the reduced buffer does not cause nest abandonment.

COMMENT 2: Nesting and Migratory Bird Surveys, Initial Study: Biological Resources, Page 9.

Issue: Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) (16 U.S.C., §§ 703-712). CDFW implemented the MBTA by adopting the Fish & G. Code section 3513. Fish & G. Code sections 3503, 3503.5 and 3800, which provide additional protection to nongame birds, birds of prey, their nests and eggs. Suitable foraging and nesting habitat for birds and birds of prey is present on and adjacent to the Project area. Ground disturbance and other construction activities could result in the take of migratory native bird species, including ground nesting species such as Killdeer (*Charadrius vociferus*) and California Quail (*Callipepla californica*). Currently the Initial Study does not mention any potential impacts that the Project Activities may have on nesting birds nor does the MND include analysis of how construction activities may have direct or indirect, short-term or long-term adverse impacts which does not effectively reduce or avoid impacts from Project Activities, which the lead agency is required to disclose, for all special-status and common species (CEQA Guidelines §15126.2). Failure to address potentially significant impacts to nesting birds will not effectively reduce or avoid impacts to birds and their nests if work takes place between February 1 and August 31 which is inconsistent with CEQA requirements. The MND also does not include avoidance procedures if active nests are found in the

Project Area both of which could be considered significant impacts unless mitigation measures are incorporated. The MND refers to seeking coverage under the SJMSCP to compensate for impacts to all Biological Resources potentially impacted by Project Activities, however, the SJMSCP does not cover non-listed species that are protected by the MBTA, and therefore deferring to coverage under the SJMSCP to mitigate for all Biological Resources is not adequate to reduce impacts to birds potentially nesting adjacent to the Project Site.

Recommendation or Recommended Mitigation Measure: CDFW recommends appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the environmental document. Measures to avoid the impacts should include annual preconstruction surveys, species specific work windows, biological monitoring, installation of noise attenuation barriers, etc. Specifically, CDFW recommends implementing the following nesting bird survey measure prior to the initiation of construction activities:

BIO 2 - Nesting Bird Survey. If project-related activities are scheduled between February 1 to August 31 (the typical nesting season), a focused survey for nests shall be conducted by a qualified biologist within no greater than fifteen (15) calendar days prior to the beginning of Project-related activities. A qualified biologist shall survey a minimum radius of 500-feet for migratory birds and 1/2-mile for raptors around the Project area that can be accessed by the project proponent. The results of the survey shall be provided to the City of Jackson upon completion. If no active nests are found, project activities may proceed as scheduled.

Active Nests. If an active nest is found, active nests should be avoided, and a no disturbance or destruction buffer shall be determined and established by a qualified biologist. The buffer shall be kept in place until after the breeding nesting season or the qualified biologist confirms the young have fledged, are foraging independently, and the nest is no longer active for the season. The extent of these buffers shall be determined by the qualified biologist and will depend on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.

Project Delay. If a lapse in project-related work of fourteen (14) calendar days or longer occurs, the qualified biologist shall complete another focused survey before Project work can be reinitiated.

Project Proponent Responsibility. It is the Project Proponent responsibility to comply with Fish and Game Code Sections 3503, 3503.5, and 3513, regardless of the time of year.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

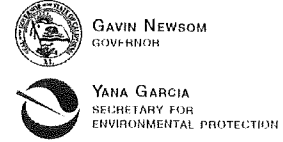
CDFW appreciates the opportunity to comment on the MND for the Administrative Use Permit Number PA-2500010 (A) to assist the San Joaquin County Community Development Department in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Hailey Donaldson, Environmental Scientist at (916) 216-6253 or hailey.donaldson@wildlife.ca.gov.

Sincerely,

Hailey Donaldson

California Department of Fish and Wildlife
Environmental Scientist
Cell: (916) 216-6253
1701 Nimbus Rd.
Rancho Cordova, CA 95670

**CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE** 



Central Valley Regional Water Quality Control Board

6 October 2025

Jessica Leal
San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205
jleal@sjgov.org

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, ADMINISTRATIVE USE PERMIT NO. PA-2500010 PROJECT, SCH#2025090235, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 5 September 2025 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Administrative Use Permit No. PA-2500010 Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the

State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources

Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

Administrative Use Permit
No. PA-2500010 Project
San Joaquin County

- 5 -

6 October 2025

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Cy Thomson
Jensen Precast
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FINDINGS FOR ADMINISTRATIVE USE PERMIT

PA-2500010

DLJ PROPERTIES LLC / JENSEN PRECAST

1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Specific Plan, and Special Purpose Plan, and any other applicable plan adopted by the County.
 - **This finding can be made because the Industry – General may be conditionally permitted in the I-G (General Industrial) zone with an approved Administrative Use Permit application. The I-G zone implements the General Plan’s I/G (General Industrial) designation. The subject parcel has a General Plan designation of I/G (General Industrial) and is zoned I-G. Therefore, the proposed use for Pipe Production Plant is consistent with the goals, policies, standards, and maps of the General Plan. There are no Master Plans, Specific Plans, and/or Special Purpose Plans adopted by San Joaquin County in the project vicinity.**
2. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways.
 - **This finding can be made because adequate utilities, access roads, sanitation, drainage, and other necessary facilities have been provided or are proposed, and the improvements are properly related to existing and proposed streets and highways. The project site will be served by public water and sewer, and on-site storm drainage. As an ordinance requirement, the property is required to keep all storm drainage on site and follow all San Joaquin County Public Works rules and requirements pertaining to storm drainage.**
3. The site is physically suitable for the type of development and for the intensity of development.
 - **This finding can be made because the 19.93-acre parcel is of adequate size and shape to accommodate the proposed use, and all yards, building coverage, setbacks, parking areas and other requirements of the Development Title, as depicted on the Site Plan.**
4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
 - **This finding can be made because the proposed use is allowed in the I-G zone with an approved Administrative Use Permit application and the adjacent parcels are industrial, commercial, residential and agricultural properties. As a result, the project is anticipated to be compatible with and not adversely affects the livability or appropriate development of abutting properties and the surrounding neighborhood.**
 -
5. The proposed use will not create any nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding ambient conditions.
 - **This finding can be made because the proposed use is not anticipated to create any nuisances related to the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding ambient conditions with the inclusion of the proposed Conditions of Approval. Requirements from the Planning Division and Building Division will address noise, vibration, and glare. Requirements from these departments along with the recommended conditions from the Department of Public Works, Environmental Health Department, and the San Joaquin Council of Governments will ensure that the project is developed to the appropriate standards to avoid creating a nuisance.**

6. The site of the proposed use is adequately served by highways, streets, water, storm drainage, and other public facilities and services.
 - **This finding can be made because the project offers access to East Brandt Road. East Brandt Road provides easy access to the project site. The Department of Public Works has provided Conditions of Approval that will ensure the proposed use is adequately served by highways and streets. The subject parcel will be served by public water and sewer, and on-site storm drainage as required by the General Plan. The storm drainage will be subject to the rules and regulations of the Public Works Department.**
7. The proposed use complies with all applicable provisions of this Title.
 - **This finding can be made because the proposed use, Industry – General, can be conditionally permitted in the I-G zone with an approved Administrative Use Permit. The Site Plan depicts required utilities, adequate parking, and landscaping that meets the provisions of the Development Title.**