Planning Commission Staff Report
Item # 1, November 5, 2026
Flood Variance No. PA-2500408
Prepared by: Kimberly Hernandez-Munoz

PROJECT SUMMARY

Applicant Information
Property Owner: Joaquin Diaz Garcia & Lorena S Garcia
Project Applicant: Jason Toste

Project Site Information
Project Address: 6185 W. Lucerne Avenue, Tracy
Project Location: On the north side of West Lucerne Avenue, 1,935 feet east of Paradise Road, Tracy.

Parcel Number (APN):	213-090-30	**Water Supply:**	Private (On-site Well)
General Plan Designation:	A/G	**Sewage Disposal:**	Private (On-site Septic)
Zoning Designation:	AG-40	**Storm Drainage:**	Private (Natural Storm Drainage)
Project Size:	2,400-square-feet	**100-Year Flood:**	Yes
Parcel Size:	3.57 acres	**Williamson Act:**	No
Community:	None	**Supervisorial District:**	5

Environmental Review Information
CEQA Determination: Notice of Exemption (Attachment D)

Project Description

This is a Flood Variance application to reduce the elevation requirements of County Code of Ordinances Title 9, Section 9-703.130(c) to authorize a large (i.e., >600 sq. ft.) accessory structure to be constructed with its lowest floor elevation 7 feet below the Base Flood Elevation (BFE, which represents the 100-year, or 1% annual chance, flood level). The proposed barn would be constructed on a concrete foundation with wet floodproofing techniques up to the Regulatory Flood Elevation (RFE), which is the BFE plus one foot of freeboard, and which represents the lowest floor elevation requirement. This Flood Variance application is proposed to allow the structure to be constructed at grade to alleviate substantial hardship on the property owner having to otherwise elevate the structure by 9 feet above existing grade.

Recommendation

It is recommended that the Planning Commission:

1. Adopt the Notice of Exemption (Attachment D);
2. Approve the Findings for Flood Variance pursuant to the County's Development Title (Attachment E);
3. Approve the Findings for a Flood Variance pursuant to the Code of Federal Regulations (Attachment F); and
4. Approve the Flood Variance No. PA-2500408, subject to the Conditions of Approval (Attachment H).

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NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices
Legal ad for the public hearing published in the Stockton Record: October 16, 2026.
Number of Public Hearing notices: 64
Date of Public Hearing notice mailing: October 16, 2026.

Referrals and Responses

- **Early Consultation Date:** March 3, 2026
- **Project Referral with Environmental Determination Date:** May 22, 2026

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
County Departments		
Ag Commissioner		
Assessor		
Community Development		
Building Division		
Fire Prevention Bureau		
Code Enforcement		
Public Works	3/25/2026	
Environmental Health	3/19/2026	05/28/2026
Sheriff Office		
Supervisor: District 5		
State Agencies		
CA Native American Heritage Commission		
Delta Stewardship Council		
CA Tribal TANF Partnership		
CA Valley Miwok Tribe		
Fish & Wildlife, Division: Region 3		
CA Water Board		
Federal Agencies		
F.E.M.A.		
US Fish & Wildlife		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
Local Agencies		
City of Lathrop - CDD		
City of Tracy - CDD		
Reclamation District No. 2058 (Pescadero)		
Mosquito & Vector Control		
S.J.C.O.G.		
San Joaquin Farm Bureau		
San Joaquin Air Pollution Control District		
Tracy Rural Fire District		
Banta Unified School District		
Miscellaneous		
B.I.A.		
Builders Exchange		
Carpenters Union		
P.G.&E.	3/26/2026	05/25/2026
Sierra Club		
North Valley Yokuts Tribe		
Buena Vista Rancheria		
United Auburn Indian Community		

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ANALYSIS

Background

On May 30, 2025, the property owner applied for an Accessory Structure Building Permit, RES-ACC-BP-2502001, for a 2,400 square-foot barn, which consists of a prefabricated steel building that would be assembled on site on a concrete slab foundation. It is located within a Federal Emergency Management Agency (FEMA)-designated Special Flood Hazard Area (SFHA, aka 100-year, or 1% annual chance, floodplain), in Flood Zone AE, with a BFE of 22 feet in reference to North American Vertical Datum) of 1988 (NAVD 1988). County Code requires the lowest floor elevation for new construction to be elevated to the RFE. Alternatively, non-residential structures such as the proposed barn may be dry floodproofed to the RFE.

Inasmuch as the existing site grades at the location of the proposed structure are generally 14 feet, NAVD 1988, 9 feet of fill, or 9 feet of dry floodproofing, would be required to construct the building at Elevation 23 feet, NAVD 1988. This is quite impractical, particularly due to substantial ingress and egress challenges for large agricultural equipment. Consequently, the applicant applied for a Flood Variance Application No. PA-2500408, to request an exception to the adopted code, subject to the Conditions of Approval found in Attachment H, due to their substantial hardship.

These Conditions of Approval include executing a Declaration of Restrictions with the following provisions (among others), paraphrasing:

1. The structure shall not be habitable, public, or commercial in use.
2. The structure shall be wet-floodproofed, which consists of construction with flood-resistant materials below the RFE, and installing adequately sized flood openings to automatically equalize hydrostatic forces across the structure's walls, which shall be maintained by the owner to keep them clear of debris.
3. The structure shall be anchored to resist flood loads.
4. All machinery and equipment servicing the building shall be elevated to, or dry floodproofed to, the RFE.
5. Hazardous materials shall not be stored below the RFE.
6. The structure will not be converted to a structure insurable by the National Flood Insurance Program, nor shall it be eligible for federal disaster relief funds in the case of flood damage. The structure is also restricted from use as collateral for a federally insured mortgage.
7. The property owner acknowledges and assumes the risk that the structure may be subject to property damage caused by flooding.
8. The property owner or successors-in-interest unconditionally waive any liability against San Joaquin County.
9. The property owner or successors-in-interest shall indemnify, defend, and hold harmless San Joaquin County.

If this flood variance is approved, the Declaration of Restrictions will be officially recorded. The provisions contained therein run with the land and will be binding on all parties having or acquiring any right, title, or interest in the property, including any future owners.

In summary, this Declaration of Restrictions serves to minimize the risk of damage to the structure and to others in the event of a flood and protects the county from exposure to liability should a variance be approved.

The property owner submitted plans for a wet-floodproofed structure with a finished floor of 15 feet NAVD 1988, which is below the RFE of 23 feet. They applied for this application on December 15, 2025, for an exception to the adopted code due to their substantial hardship. These hardships are described in the Required Findings section below.

Flood Variance Findings

Pursuant to Development Title Section 9-811.060, the Planning Commission must confirm certain Findings prior to approving an application for a Flood Variance. The Department of Public Works, Water Resources Division has made the required Findings, as shown in Attachments E and F, and the Community

Development Department is recommending that these Findings can be made in the affirmative, subject to the Conditions of Approval shown in Attachment H.

Environmental Review

Pursuant to CEQA Guidelines Section 15061(b)(3), the “Common Sense Exemption,” a project may be exempt from CEQA when it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment. The proposed project was routed for preliminary review on March 3, 2026. No referral agencies stated environmental concerns, and the Department of Public Works review the project and its potential for environmental impacts in depth. Ultimately, County staff determined that the project qualified for the Common Sense Exemption due to the limited scope and accessory nature of the project. If approved, the Community Development Department will file a Notice of Exemption pursuant to CEQA Guidelines Section 15061(b)(3) (Attachment D).

RECOMMENDATION

Action

It is recommended that the Planning Commission:

1. Adopt the Notice of Exemption (Attachment D);

2. Approve the Findings for Flood Variance pursuant to the County's Development Title (Attachment E);

3. Approve the Findings for a Flood Variance pursuant to the Code of Federal Regulations (Attachment F); and

4. Approve the Flood Variance No. PA-2500408, subject to the Conditions of Approval (Attachment H).

Attachments:

Attachment A –Site Plan
Attachment B – Agency Response Letters
Attachment C – Other Comment Letters
Attachment D – Environmental Document
Attachment E – Findings for Flood Variance Pursuant to County Development Title
Attachment F – Findings for Flood Variance Pursuant to Code of Federal Regulations
Attachment G – Applicant's Findings for a Flood Variance
Attachment H – Conditions of Approval

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Attachment A
Site Plan

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SITE PLAN
OVERALL SITE NOTES
BUILDING CODE
LOADING CRITERIA
PROPERTY DATA
PROJECT TEAM
PROJECT SHEET SET
SURVEY DATA
VICINITY MAP
PROJECT LOCATION
APN 213-060-30 3.57 ACRES
PROPOSED BMPs TF = 1,500
EXISTING GROUND ELEV. = 88.0' (NAVD 88)
(E) DOMESTIC WELL APPROX. LOC.
(E) RES.
(E) SEPTIC PER L.A. RECORDS
(E) DRIVEWAY
(E) DRAINAGE CANAL
PRIVATE DRIVE / ACCESS EASEMENT
LUCERNE AVENUE
(E) 65' PUBLIC UTILITY EASEMENT
(E) 20' IRRIGATION/ACCESS EASEMENT
APPROX. PROPERTY LINE / RIGHT-OF-WAY (TYP.)
FIELD VERIFY SETBACK FROM EXISTING SEPTIC LEACH LINE
FEMA FLOOD ZONE AE (CENTRE LOCATED OF THIS MAP) SITE = 22' FIRM MAP # 06077C0656F EFFECTIVE 10-16-2009
N
0
30'
60'

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Attachment B
Agency Response Letters

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PUBLIC WORKS
San Joaquin County
Working for YOU

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

March 25, 2026

MEMORANDUM

TO: Public Works Department
CONTACT PERSON: Ashley Couch

FROM: Shayan Rehman, Engineering Services Manager SR
Development Services Division

SUBJECT: PA-2500408 (VR); A Flood Variance application to facilitate the construction of a 2,400 square foot agricultural building. The project site is not under a Williamson Act Contract. This permit application is in conjuncture with Building Permit Application number RES-ACC-BP-2502001; on the north side of West Lucerne Avenue, 1,935 feet east of Paradise Road, Tracy.
(Supervisorial District 5)

OWNER: Joaquin Diaz & Lorena S Garcia APPLICANT: JTOSTE Engineering

ADDRESS: 6185 Lucerne Avenue, Tracy APN: 213-090-30

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE. The 100-Year Flood Elevation is approximately 22 feet NAVD 1988.

RECOMMENDATIONS:

1) Prior to release of the building permit, the structure shall be floodproofed in accordance with San Joaquin County Ordinance Code Section 9-703. Plans and calculations shall be submitted and approved by the Public Works Department – Water Resources Division (209-953-7948)

Informational Notes:

(i.) The flood variance may be approved by the Planning Commission if the required findings in the San Joaquin County Ordinance Code Section 9-811 and the Code of Federal Regulations Title 44, Section 60.6 are met.

SR:GM

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Environmental Health Department

Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, *Assistant Director*

PROGRAM COORDINATORS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Elena Manzo, REHS
Natalia Subbotnikova, REHS

March 19, 2026

EMAILED 3/19/26 GM

To: San Joaquin County Community Development Department
Attention: Ashley Couch

From: Sastina Thammavongsa; (209) 616-3068
Registered Environmental Health Specialist

RE: **PA-2500408 (VR), Early Consultation, SU-2601127**
6185 Lucerne Avenue, Tracy, APN: 213-090-30

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

1) Submit Water Provision Declaration form to the Environmental Health Department for review. If the EHD determines that the facility classifies as a Small Public Water System (SPWS), the applicant shall submit a Preliminary Technical Report to the California State Water Resources Control Board, Division of Drinking Water (Water Board) prior to issuance of building permits and at least six months before initiating construction of any water related improvement, as defined. The issuance of a permit to operate a small public water system by the local primacy agency, EHD, is prohibited without the concurrence of the Water Board. Please contact Gena Farley at Gena.Farley@waterboards.ca.gov or 209-948-7488 with the SWRCB Division of Drinking Water concerning the requirements for preliminary technical report submittal prior to issuance of building permits.

2) Applicant shall uncover and expose existing leach lines to verify that leach lines are not being driven over or parked on and minimum 10 feet setback from new barn is met. **This shall be completed under a consultation permit and inspection with the Environmental Health Department. The fee will be based on the current schedule at the time of payment.**

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.

1868 E. Hazelton Avenue | Stockton, California 95205 | **T** 209 468-3420 | **F** 209 468-3877 | www.sjgov.org/ehd

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**

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Environmental Health Department

Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, *Assistant Director*

PROGRAM COORDINATORS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Elena Manzo, REHS
Natalia Subbotnikova, REHS

May 28, 2026

To: San Joaquin County Community Development Department
Attention: Venki Narasimhalu

From: Sastina Thammavongsa; (209) 616-3068
Registered Environmental Health Specialist

RE: **PA-2500408 (VR), Referral, SU-2601127**
6185 Lucerne Avenue, Tracy APN: 213-090-30

All conditions of approval shall be complied with as stated in the EHD conditions of approval, dated March 19, 2026.

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 468-3877 | www.sjgov.org/ehd

SOUTH SAN JOAQUIN COUNTY
FIRE AUTHORITY

+209-831-6707
fire.plancheck@sjcfire.org
www.sjcfire.org
835 N Central Ave Tracy, CA

Date:	6/14/2026
Fire Project:	FC26-0023 PC-1
County Project:	PA-2500408 (VR) – Agency Referral.
Project Description:	AG BARN 2,400 sq ft.
Project Address:	6185 W LUCERNE AVE TRACY, CA 95304
Jurisdiction:	SAN JOAQUIN COUNTY

Acceptance Letter

At this time, this project is conditionally accepted by SSJCFA Fire. The following requirements are required to be met prior to any construction or demolition of the property:

1. Prior to construction, applicant shall submit construction documents to the SJC Building Department and to South San Joaquin County Fire Authority for review and approval.

    a. Construction documents shall be designed to the current edition of the California Code of Regulations, Title 24, as amended by the South San Joaquin County Fire Authority.

2. Engineering and building permit applications received by our offices are subject to the current fee schedule for South San Joaquin County Fire Authority. Contact our offices for additional information.
    a. Application processing fees, along with minimum plan review and fire inspection fees, shall be paid at the time construction documents are submitted.
    b. If plan review time takes longer than the minimum, additional plan review fees will be calculated on approval of project and shall be paid prior to issuance of permit
    c. Permit holder is responsible for any additional inspection fees incurred and shall be paid prior to final inspection.

SOUTH SAN JOAQUIN COUNTY
FIRE AUTHORITY

+209-831-6707
fire.plancheck@sjcfire.org
www.sjcfire.org
835 N Central Ave Tracy, CA

3. Prior to construction, all-weather fire apparatus access roads shall be installed. Fire apparatus access roads during construction shall have a minimum 20' unobstructed width in accordance with 2025 California Fire Code §503.2.1.

4. Additional comments may occur upon submittal of construction documents.

Sincerely,
Daniel Stowe
Plans Examiner II

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

May 25, 2026

County of San Joaquin
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear San Joaquin County Planning,

Thank you for submitting the **PA-2500408 (VR)** plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en/account/service-requests/building-and-renovation.html.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Pacific Gas and Electric Company

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

Pacific Gas and Electric Company

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

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Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

Pacific Gas and Electric Company

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

Attachment C
Other Comment Letters

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None.

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Attachment D
Environmental Document

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SAN JOAQUIN COUNTY
Community Development Department

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

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

NOTICE OF EXEMPTION

TO: ☒ Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk, County of San Joaquin

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

Project Title: Flood Variance No. PA-2500408

Project Location - Specific: The project site is on the north side of West Lucerne Avenue, 1,935 feet east of Paradise Road, Tracy. (APN/Address: 213-090-30 / 6185 Lucerne Ave, Tracy) (Supervisorial District: 5)

Project Location – City: Tracy

Project Location – County: San Joaquin County

Project Description: Flood Variance application to facilitate the construction of a 2,400 square foot agricultural building. The project site is not under a Williamson Act Contract. This permit application is in conjuncture with Building Permit Application number RES-ACC-BP-2502001.

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

Project Proponent(s): Joaquin Diaz & Lorena S Garcia / JTOSTE Engineering

Name of Public Agency Approving Project: San Joaquin County Planning Commission

Name of Person or Agency Carrying Out Project: Venki Narasimhalu, Engineer V
San Joaquin County Community Development Department

Exemption Status:
General Exemptions. (Section 15061(b)(3))

Exemption Reason:
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA. This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
Venki Narasimhalu Phone: (209) 953-7611 Email: vnarasimhalu@sjgov.org

Signature: _____ Date: _____

Name: Sean Cardenas Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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Attachment E
Findings for Flood Variance Pursuant to Development Title

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FINDINGS FOR FLOOD VARIANCE

PA-2500408
JOAQUIN DIAZ GARCIA & LORENA S GARCIA/ JASON TOSTE

9-811.60 Required Findings per the San Joaquin County Development Title:

a. There is good and sufficient cause for the Flood Variance.

- **The BFE in this floodplain is 22 feet, NAVD 1988, and thus the county requires new construction to have the lowest floor elevation at or above the RFE of 23 feet, NAVD 1988, or be dry floodproofed to that elevation. The approximate ground elevations on the parcel are 14 feet, NAVD 1988, meaning the agricultural barn would have to be raised approximately 9 feet to meet current floodplain management requirements. The usable space on the lot is limited, and having a 9-foot mound of fill with side slopes for an agricultural barn to be founded on would be a hardship for the property owner, given the agricultural barn is intended to store farming equipment. Aside from the difficulty of placing the fill mound with appropriate sloping on the property and ensuring there is compensatory storage to offset the amount of fill being placed in the SFHA, adding this fill mound creates an additional steep access slope for any equipment move in or out of the barn, which is not practical.**

  Besides applying for and obtaining this Flood Variance, the only other way to construct this structure at grade is to dry floodproof the structure. Dry floodproofed structures must be substantially impermeable to the passage of water, must be capable of resisting hydrostatic and hydrodynamic flood forces and the effects of buoyancy, and they must be constructed from flood-resistant materials to the RFE. In addition, a Floodproofing Certificate must be submitted with a Flood Emergency Operations Plan and an Inspection and Maintenance Plan. The proposed structure is a 2,400 square foot, 12- to 19-foot tall, prefabricated building intended for storage of agricultural equipment. It is only meant to keep this equipment safe from being tampered with, vandalized, or stolen. The owner purchased a prefabricated structure for the presumed ease of installation, lower price, and a faster permitting process to protect his agricultural equipment and other storage. Dry floodproofing such a structure would make ingress and egress extremely difficult for large agricultural equipment and would be prohibitively expensive.

  Thus, the property owner has good and sufficient cause for a Flood Variance, subject to the Conditions of Approval and provisions contained in the required Declaration of Restrictions, including the requirement that the building be wet-floodproofed.

b. Failure to grant the Flood Variance would result in exceptional hardship to the applicant.

- **This accessory structure is to be used for storage of agricultural equipment, and the parcel is zoned AG-40 and has General Plan land use designation A/G. A reasonable use for the property, then, is to have easily accessible structures to fulfill productive agricultural operations. Without an agricultural barn, the equipment is exposed to the elements and to the public. Thieves and vandals have stolen parts from or damaged other similar agricultural equipment in other areas within the Delta, so the ability to house this equipment indoors is essential to the applicant to greatly reduce the risk of theft or vandalism. This Flood Variance would bring safety and accessibility to the property owner, and failure to grant it would result in exceptional hardship.**

c. The Flood Variance will not result in increased flood heights, create additional threats to public safety, produce extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- **Granting this flood variance would not result in increased flood heights. The property is located within a wide and expansive floodplain that is over 4,000 acres. The agricultural barn is 2,400 square feet in floor area and accounts for less than 0.055% of the area of the floodplain in this general area. Since the building will be adequately anchored to its foundation and since it will be wet floodproofed, it will not generate debris. Moreover, no hazardous materials may be stored below the RFE, so it will not create additional threats to public safety or nuisances. The structure is a private barn to be used for the storage of agricultural equipment. If a flood were to occur, it would be due to the failure of the Paradise Cut Bypass Levee, which would not be sudden. Therefore, there would be adequate time to evacuate. The structure cannot be covered by flood insurance, nor can it be used as collateral for a federally insured mortgage, due to a Declaration of Restrictions that must be executed and recorded if this variance is approved. The barn will be constructed following current local ordinances and codes.**

d. The Flood Variance is the minimum necessary, considering the flood hazard, to afford relief.

- **The RFE at the proposed structure is 23 feet, NAVD 1988. The average ground elevation is approximately 14 feet on the parcel. Considering the use of the structure and the costs, substantial geometric design challenges, and impracticality of raising the structure to the RFE, allowing wet floodproofing at grade would be the minimum necessary to afford relief.**

e. Granting of the Flood Variance will not constitute a grant of special privileges inconsistent with the limitations on similarly situated properties subject to the County's flood regulations.

- **County staff agree that granting of the Flood Variance will not constitute a grant of special privileges inconsistent with the limitations on similarly situated properties subject to the County's flood regulations. County staff would consider similar future development applications equally.**

Attachment F
Findings for Flood Variance Pursuant to Code of Federal Regulations

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FINDINGS FOR FLOOD VARIANCE

PA-2500408
JOAQUIN DIAZ GARCIA & LORENA S GARCIA/ JASON TOSTE

Required Findings per the Code of Regulations, Title 44, Section 60.6, Variances and Exceptions:

1. Is the Flood Variance located in a regulatory floodway? [44 CFR 60.6(A)(1)]
   - **No, the proposed agricultural barn is not located within a regulatory floodway.**
2. Is the Flood Variance on a lot of one-half acre or less? [44 CFR 60.6(A) and (A)(2)]
   - **No, the property contains 3.57 acres. The surrounding area is undeveloped for the most part. However, the usable portion of the property is quite limited.**
3. Is there good and sufficient cause for the Flood Variance? [44 CFR 60.6(A)(3)(I) and SJC Code § 9-811.060(a)]
   - **The BFE in this floodplain is 22 feet, NAVD 1988, and thus the county requires new construction to have the lowest floor elevation at or above the RFE of 23 feet, NAVD 1988, or that it be dry floodproofed to that elevation. The approximate ground elevations on the parcel are 14 feet, NAVD 1988, meaning the agricultural barn would have to be raised or dry floodproofed approximately 9 feet to meet current floodplain management requirements. The usable space on the lot is limited, and having a 9-foot mound of fill with side slopes for an agricultural barn to be founded on would be a hardship for the property owner, given that the agricultural barn is intended to store farming equipment. Aside from the difficulty of placing the fill mound with appropriate sloping on the property and ensuring there is compensatory storage to offset this fill placement within the SFHA, adding this fill mound creates an additional steep access slope for any equipment move in or out of the barn, which is not practical. Wet floodproofing of this non-residential structure would be appropriate with a variance according to *Technical Bulletin 7-93, Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas*. The parcel is located to the south of the Paradise Cut levee, which is not accredited by FEMA. The protection granted by the Paradise Cut levee, the design of the structure to minimize the risk of flood damage, and the limited use of the proposed structure provide good and sufficient cause for the Flood Variance.**
4. Would failure to grant the Flood Variance result in exceptional hardship to the applicant? [44 CFR 60.6(A)(3)(II) and SJC Code § 9-811.060(b)]
   - **Absent an approved flood variance, the only alternatives for the applicant are to elevate or dry floodproof the structure 9 feet. It is not practical for a 2,400 square foot structure meant for storing agricultural equipment to be elevated on such a large fill mound. Alternatively, dry floodproofing this non-residential structure meant for storage is both extremely costly and completely impractical for the intended use, particularly considering the extreme challenges of ingress and egress for large agricultural structures across watertight dry floodproofing barriers, which would be at least 9 feet high.**
5. Will the Flood Variance result in increased flood heights? [44 CFR 60.6(A)(3)(III) and SJC Code § 9-811.060(c)]
   - **The 2,400 square-foot structure will be located within a wide, expansive, over 4000-acre floodplain. Since the structure makes up less than 0.055% of the general floodplain area, it will not increase flood heights.**

6. Will the Flood Variance result in increased threats to public safety or create nuisances? [44 CFR 60.6(A)(3)(III) and SJC Code § 9-811.060(c)]

    - **No. The structure will be used solely to store agricultural equipment. No hazardous materials may be kept below the RFE, nor will there be debris generation. There will be no threats to public safety or nuisances.**

7. Will the Flood Variance result in extraordinary public expense? [44 CFR 60.6(A)(3)(III) and SJC Code § 9-811.060(c)]

    - **No. The required Declaration of Restrictions precludes the property owner from purchasing a National Flood Insurance Program policy for the building, so any flood claims would need to be paid by the property owner or a private flood insurance company—not the public.**

8. Will the Flood Variance result in increased fraud and victimization? [44 CFR 60.6(A)(3)(III) and SJC Code § 9-811.060(c)]

    - **The structure will be constructed with wet floodproofing techniques to minimize potential flood damage. Granting the Flood Variance will not result in fraud or victimization.**

9. Will the Flood Variance conflict with existing local laws or ordinances? [44 CFR 60.6(A)(3)(III) and SJC Code § 9-811060(c)]

    - **The structure will comply with all current existing local laws and ordinances.**

10. Is the Flood Variance the minimum necessary to afford relief? [44 CFR 60.6(A)(4) and SJC Code § 9-811.060(d)]

    - **Yes. The required Declaration of Restrictions ensures that the relief sought by the property owner in this application for a Flood Variance is the minimum necessary relief provided.**

11. Will approving the Flood Variance constitute a grant of special privileges inconsistent with the limitations on similarly situated properties subject to the county's flood regulations? [44 CFR 60.6(A)(5) and SJC Code § 9-811.060(e)]

    - **No. Other similar situated properties could also pursue a similar variance.**

12. Is this Flood Variance for a building with a functionally dependent use? [44 CFR 60.6(A)(7)]

    - **This Flood Variance application is for an agricultural barn located in land zoned AG-40 with land use A/G. The use is functionally dependent on being built at grade to have reasonable access for farming.**

13. Is the Flood Variance for a historic structure? [44 CFR 60.6(A)]

    - **No.**

Attachment G
Applicant's Findings for a Flood Variance

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FINDINGS FOR FLOOD VARIANCE

PA-2500408
JOAQUIN DIAZ GARCIA & LORENA S GARCIA/ JASON TOSTE

Applicant's Findings for a Flood Variance per the Code of Regulations, Title 44, Section 60.6, Variances and Exceptions:

•3.3.1 FLOODWAYS

The project site is not in a floodway.

•3.3.2 LOTS ON ONE-HALF ACRE OR LESS

The parcel is more than one-half acre in size. The property is zoned General Agriculture, with a 40-acre minimum (AG) and contains 3.57 acres. The owner does not have the benefit of the parcel containing 40 acres, in which case it would be more feasible to build a 9-ft high pad. The property has access/drainage/irrigation easements, which limits the actual usable space to about 2 acres. Agricultural storage barns are meant to be relatively low-budget, and the amount of soil that would have to be trucked in would likely cost about $200,000 (for a building that has a $30,000 value)

•3.3.3 GOOD AND SUFFICIENT CAUSE

A wet-floodproofed steel-frame 2400-sf agricultural storage barn is proposed to be built at-grade below the Base Flood Elevation (BFE). It is to have engineered flood vents to allow equalization of hydrostatic loads in the event of a flood, which is prescribed in FEMA technical bulletins. The pre-engineered building has already been purchased by the owner, and JToste Engineering (JTE) has already been paid for services to apply for a building permit. The owner had reasonable assurance that this proposal would be granted a building permit due to the fact that JTE obtained building permits for similar work in the vicinity and same floodplain in the past. The existing ground is at elevation of approximately 14-ft. The BFE is at elevation 22-ft. The option to build a 9ft (includes +1-ft above BFE) high earth pad for this type of building is costly and not economically reasonable. The option to build at grade and dry-floodproof is also not reasonable for this type of building, as dry-floodproofing required extravagant automatic flood doors and/or walls etc. which are meant for high-hazard public projects which have high monetary budgets. The property is zoned AG-40 but it is only 3.57 acres. So the owner does not get the benefit of actually being on 40 acres, in which case it would be more feasible to build a 9-ft high pad. The property has access/drainage/irrigation easements, which limits the actual usable space to about 2 acres. Agricultural storage barns are meant to be relatively low-budget, and the amount of soil that would have to be trucked in would likely cost about $200,000. (Assuming a 30-ft perimeter around the building so you can actually use it, that would be 12,000-sf of pad area, times 9-ft / 27cy/cf = 4,000 cubic yards of dirt "in-place"; plus an assumed +50% to compact the loose dirt = 6,000 cubic yards; assuming $500 to truck in a load of 20 cubic yards, that would be 300 truck loads; $500 x 300 = $150,000; that is just to have the dirt dropped off; grading and compacting likely to cost another $50,000). The area north of Tracy is generally in the same situation with extremely high BFE's because the FEMA Flood Insurance Study considers the Old River levee "unstable" (SJ Co FEMA FIS volume 1 of 3, page 32). The cost of a pre-engineered building kit like this is about $30,000 conservatively, and the owner can build the kit himself which also makes this type of work relatively low-budget. The good and sufficient cause for a variance is that a non-residential low-hazard agricultural storage barn building of this size does not warrant such a high cost to construct. It's not a house and would not be used for habitation. It is low-risk and low-value and has low damage potential. Also, there are many existing ag buildings built at-grade in the area that likely pose no flood threat. The property is zoned Agricultural, thus the owner has a right to build an agricultural barn. . Also, FEMA Bulletin P-2140 (figure 2, page 10) clearly states that an ag building can meet the requirements of Section 3.2 in the document, which is wet-floodproofing, as prescribed in the submitted building plans.

This project meets the Key Steps depicted in Figure 28 of FEMA Bulletin P-2140 leading to the "grant variance" box.

•3.3.4 EXCEPTIONAL HARDSHIP

The right to build an agricultural storage structure on agriculturally zoned land should be exercised without unreasonable expectations. As listed in FEMA Bulletin P-993, section 2.2, a variance is needed for the owner to make reasonable use of the property. Adding a 9-ft tall dirt mound in the 2 acres of usable land on the parcel is not reasonable. Without the variance, the owner would not be able to build the agricultural barn due to enormously high costs (that's another hardship). The possibility of tractor and agricultural equipment theft is also in play, which should be enough of an exceptional hardship. Locking up valuable property in a building (versus not being able to) is also an exceptional hardship. Agricultural land has less value if it's cost-prohibitive to use the land with agricultural infrastructure, such as buildings. The parcel does not have enough available dirt to build up a 9-ft pad. It would require a massive hole in the ground, which is not environmentally safe.

•3.3.5 INCREASED FLOOD HEIGHTS

The project site is located in the middle of an approximately 4,000-acre general area between Old River, Paradise Cut, Union Pacific Railroad, and Tom Paine Slough. This vast area is extremely undeveloped, about 99% farmland. The entire area is under the 22-ft BFE, with a conservative average of 12-ft ground elevation per Google Earth approximation. The theoretical 10-ft deep wall of water over the 4,000 acres would not be affected by the 2,400-sf building we propose. Flood heights would not increase.

•3.3.6 PUBLIC SAFETY AND NUISANCES

If the 10-ft flood ever happens, it would terribly devastate most of the older buildings in the area. FEMA technically allows wet-floodproofing to mitigate damage to the building in question. Flood vents, as proposed, would relieve hydrostatic pressure so the building could resist flotation; thus not causing a safety issue. This project would not create any threats to public safety nor create any nuisances. There are no hazardous materials stored (such as pesticides, radioactive materials, explosives, and other materials which may be hazardous to life, limb, or property when inundated; ref. San Joaquin County code 9-703.180), nor threats of floodwater contamination from the building.

•3.3.7 PUBLIC EXPENSE

The site is located in a sparsely populated area. This project would not produce any public expense. There is not any public facility nor public infrastructure out there that would be at risk.

•3.3.8 FRAUD AND VICTIMIZATION

This project would not cause fraud nor create any victimization of the public. It is very clear what the building is for, an agricultural barn. There is nothing "devious" about that.

•3.3.9 EXISTING LOCAL LAWS OR ORDINANCES

We believe there are no conflicts with existing local laws and ordinances. JTE already permitted two buildings in the exact same situation in San Joaquin County in the past with nonconversion agreements attached, formally titled "Declaration of Restrictions". The engineered plans follow local/state building codes and FEMA requirements.

•3.3.10 MINIMUM NECESSARY TO AFFORD RELIEF

It is the minimum necessary and of the same basis (ag building wet-floodproofed with vents and built below the BFE with nonconversion agreements) that JTE recently obtained building permits for in the vicinity. Considering the flood hazard, we are asking for equal treatment of the rules under the same conditions. If this were a house or occupied building, we would not be asking for a variance.

•3.3.11 DISCLOSURE

The property owner likely will not purchase flood insurance for this building. The owner would record the nonconversion agreement with the Office of the Recorder, as required by Floodplain Management for a structure built below the BFE.

3.3.12 FUNCTIONALLY DEPENDENT USES

Not applicable

•3.3.13 HISTORIC STRUCTURES

Not applicable.

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Attachment H
Conditions of Approval

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CONDITIONS OF APPROVAL

PA-2500408
JOAQUIN DIAZ GARCIA & LORENA S GARCIA/ JASON TOSTE

Flood Variance No. PA-2500408 was approved by the Planning Commission on … 2026. The effective date of approval is … 2026. This approval will expire on, …2029, 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] 468-3121)

   a. COMMERCIAL BUILDING PERMIT SUBMITTAL REQUIREMENTS:

   (1) Application Submittal Policy

   i. Permit Scope: A Building Permit is required for all proposed new structures.
   ii. Professional Credentials: All Plans must be prepared, signed, and stamped by a California-registered civil engineer or licensed architect.
   iii. Construction Documents: Comprehensive construction plans must be provided.

   (2) Mandatory Site Plan Elements (See Site Plan Checklist for required information)

   i. Civil Engineering: Comprehensive storm drainage systems and grading details.
   ii. Access & Parking Infrastructure: Detailed parking and paths of travel layouts, including standard and code-compliant accessible vehicle parking stalls.
   iii. Utilities & Landscaping: On-site electrical distribution, all existing and proposed utility services, and required landscaping.

   (3) Architectural & Systems Plan Criteria - Architectural designs must verify compliance with current California building codes. Plans must illustrate all interior and exterior spaces, including:

   i. Spatial Classifications: Occupiable and habitable rooms, hallways, courtyards, assembly spaces, and storage areas.
   ii. Life-Safety & Accessibility: Site amenities, public/private restroom facilities, emergency paths of travel for egress, and accessibility features.
   iii. Mechanical, Electrical, & Plumbing (MEP): Fully integrated designs for HVAC, plumbing, and electrical systems engineered to support all proposed spaces.

   (4) Geotechnical Documentation

   i. Soils & Foundation Investigation: foundation and soils investigation reports shall comply with Chapter 18 of the California Building Code.

1. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000. See memo dated March 25, 2026)

   a. Prior to release of the building permit, the structure shall be floodproofed in accordance with San Joaquin County Ordinance Code Section 9-703. Plans and calculations shall be submitted and approved by the Public Works Department – Water Resources Division (209-953-7948) (Development Title Sections 9-703)

2. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420.)

a. Submit Water Provision Declaration form to the Environmental Health Department for review. If the EHD determines that the facility classifies as a Small Public Water System (SPWS), the applicant shall submit a Preliminary Technical Report to the California State Water Resources Control Board, Division of Drinking Water (Water Board) prior to issuance of building permits and at least six months before initiating construction of any water related improvement, as defined. The issuance of a permit to operate a small public water system by the local primacy agency, EHD, is prohibited without the concurrence of the Water Board. Please contact Gena Farley at Gena. Farley@waterboards. ca.gov or 209- 948-7488 with the SWRCB Division of Drinking Water concerning the requirements for preliminary technical report submittal prior to issuance of building permits.

b. Applicant shall uncover and expose existing leach lines to verify that leach lines are not being driven over or parked on and minimum 10 feet setback from new barn is met. This shall be completed under a consultation permit and inspection with the Environmental Health Department. The fee will be based on the current schedule at the time of payment.

c. 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)).

d. 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.

    (1) 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.).

    (2) 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.)

    (3) 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.)

    (4) 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.

    (5) 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

(6) 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

3. SOUTH SAN JOAQUIN FIRE AUTHORITY (Contact: [209] 831-6707)

a. Prior to construction, applicant shall submit construction documents to the SJC Building Department and to South San Joaquin County Fire Authority for review and approval.

(1) Construction documents shall be designed to the current edition of the California Code of Regulations, Title 24, as amended by the South San Joaquin County Fire Authority.

b. Engineering and building permit applications received by our offices are subject to the current fee schedule for South San Joaquin County FIre Authority. Contact our offices for additional information.

(1) Application processing fees, along with minimum plan review and fire inspection fees, shall be paid at the time construction documents are submitted.
(2) If plan review time takes longer than the minimum, additional plan review fees will be calculated on approval of project and shall be paid prior to issuance of permit
(3) Permit holder is responsible for any additional inspection fees incurred and shall be paid prior to final inspection.

c. Prior to construction, all-weather fire apparatus access roads shall be installed. Fire apparatus access roads during construction shall have a minimum of 20’ unobstructed width in accordance with 2025 California Fire Code Section 503.2.1

d. Additional comments may occur upon submittal of construction documents

Planning Commission Staff Report
Item # 2, November 5, 2026
Revisions of Approved Actions No. PA-2500385 for Quarry Excavation No. QX-84-0002
Prepared by: Giuseppe Sanfilippo

PROJECT SUMMARY

Applicant Information

Property Owner: George Reed, Inc.
Project Applicant: George Reed, Inc.

Project Site Information

Project Address: 17288 East Jahant Road, Acampo CA, 95220
Project Location: At the southern terminus of North Linn Road, On the south side of East Jahant Road, 2,670 feet east of North Peltier Road, northwest of the town of Clements

Parcel Number (APN):	021-130-05, -11	**Water Supply:**	Private (Well)
General Plan Designation:	OS/RC & A/G	**Sewage Disposal:**	Private (Natural)
Zoning Designation:	AG-40	**Storm Drainage:**	Private (Septic)
Project Size:	21.5 acres	**100-Year Flood:**	Yes (Portion)
Parcel Size:	226.35 acres	**Williamson Act:**	No
Community:	None	**Supervisorial District:**	4

Environmental Review Information

CEQA Determination: Categorical Exemption Section 15061(b)(3) (Attachment C, Environmental Document)

Project Description

A Revisions of Approved Actions for Quarry Excavation No. QX-84-0002 to amend the Conditions of Approval to allow nighttime operations at an existing quarry for the purpose of utilizing the accessory asphalt batch plant between the hours of 9:00 P.M. to 5:00 A.M. for a maximum 100 nights per year. No construction or other changes to the on-site operations are proposed. The project site is not under a Williamson Act contract.

Recommendation

It is recommended that the Planning Commission:

1. Accept the Notice of Exemption (Attachment C), and
2. Approve Revisions of Approved Actions No. PA-2500385 to Quarry Excavation No. QX-84-0002 with the revised Conditions of Approval (Attachment F).

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NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices
Legal ad for the public hearing published in the Stockton Record: October 16, 2026
Number of Public Hearing notices: 98
Date of Public Hearing notice mailing: October 16, 2026

Referrals and Responses

- **Project Referral with Environmental Determination Date:** May 4, 2026

Agency Referrals	Response Date - Referral
County Departments	
Ag Commissioner	
Assessor	
Community Development	
Building Division	
Fire Prevention Bureau	
Code Enforcement	
Public Works	August 6, 2026
Environmental Health	May 13, 2026
General Services	
Sheriff Office	
Surveyor	
Board of Supervisors, District 4	
State Agencies	
A.B.C.	
CA Office of Mine and Reclamation	
CA Mines & Geology	
C.H.P.	
C.R.W.Q.C.B.	
C.V.F.P.B.	
Fish & Wildlife, Division:	
CA Natural Resources Agency	
CA Department of Fish and Wildlife	June 2, 2026 October 8, 2026
Federal Agencies	
F.E.M.A.	May 14, 2026
Army Corps of Engineers	
U.S.D.A	

Agency Referrals	Response Date - Referral
Local Agencies	
A.L.U.C.	
NSJWCD	
Sierra Club	
Clements Fire District	
Mosquito & Vector Control	
S.J.C.O.G.	May 18, 2026
San Joaquin Farm Bureau	
San Joaquin Air Pollution Control District	
S.E.W.D. Irrigation District	
Lodi Unified School District	
Miscellaneous	
A.T.&T.	
B.I.A.	
Builders Exchange	
Carpenters Union	
California Valley Miwok Tribe	
North Valley Yokuts Tribe	
Buena Vista Rancheria	
P.G.&E.	
Precissi Flying Service	
Sierra Club	
CA Native American Heritage Commission	

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ANALYSIS

Background

On December 20, 1984, the Planning Commission approved Quarry Excavation No. QX-84-0002 for a quarry operation that included processing and sorting machinery for aggregate material, and an accessory asphalt batch plant to make asphalt for paving contracts with Caltrans and other local governments. The project is subject to all applicable mining ordinances, including the Development Title's prohibition of overnight operations (operations occurring between the hours of 9:00 P.M. to 5:00 A.M). However, the quarry's contracts with government agencies occasionally require the quarry to produce asphalt pavement for nighttime paving projects, and the asphalt pavement cannot be made in advance because the working time of asphalt concrete is typically between 30 to 120 minutes. Pursuant to Development Title Section 9-704.040(b)(6)(D), the quarry operator may submit a written request to the Community Development Director for an extension of normal operating hours to include nighttime operations. Such extension requests must be deemed necessary to meet the operational needs of the project and not a nuisance. If the request is approved, a written notice must be sent to all property owners within a 2,600-foot radius. George Reed, Inc. has historically requested overnight operations for the accessory asphalt batch plant an average of 100 nights per year spanning more than a decade. The Community Development Department has no record of any complaints filed for noise or other nuisances as a result of these annual requests.

Revisions of Approved Actions

The project proposes to amend the Conditions of Approval to extend the allowable hours of operation for the accessory asphalt batch plant to allow operations to occur between the hours of 9:00 P.M. to 5:00 A.M. for a maximum 100 nights per year, consistent with the past temporary annual extension requests. This request only proposes to utilize the accessory batch plant and does not include any other portion of the site. If the hours are extended for the accessory batch plant, the site will also be accessed by heavy trucks during this time to transport the asphalt to and from paving sites.

Pursuant to Development Title Sections 9-704.040(b)(19) states that the Review Authority may grant an exception to any operating condition contained in the Development Title with the exception of the requirement for a reclamation plan. In order to grant an exception, the request much be necessary to meet the operational needs of the project and the exception will not result in a hazardous condition, the cost of strict compliance would be unreasonable in view of all the circumstances, and such exceptions will not adversely affect the environment, property, or persons in the area. The applicant has submitted a report (Attachment E) explaining that granting the exception will not result in a hazardous condition or adverse affect because the site has operated overnight a minimum of 100 nights of the year for at least the last 5 years with no impacts, and an Environmental Noise Assessment determined that there are no noise impacts as a result of nighttime operations. The report also explains that the cost of strict compliance is unreasonable because it puts this facility at a disadvantage to other operations in the geographical region that do not have the same limitation in operating hours. The Community Development Department has confirmed that there are other quarry operations in the County approved for 24-hour operations. Additionally, the Community Development Department is proposing a CEQA Exemption for this project because there are no anticipated potential impacts to the environment. As a result, the Community Development Department recommends that it is appropriate to grant the exception. Pursuant to Development Title Section 9-513.020 (c), the Review Authority for the Revisions of Approved Actions is the same as the original approving body for the quarry, which was the Planning Commission. Therefore, staff recommends the Planning Commission approve the Revisions of Approved Actions with the recommended Conditions of Approval contained in Attachment F.

As stated previously, the Community Development Department has never received a complaint regarding the utilization of the asphalt batch plant during nighttime hours, and the project Conditions of Approval will remain in full force. As a result, the Community Development Department does not anticipate the permanent 100 nights of nighttime operations will result in adverse affects on the environmental, property, or persons and is recommending approval of the Revisions of Approved Actions application. Additionally, ii more than 100 nights per year or additional operational areas are needed, the quarry operator must apply for a new Revisions of Approved Actions.

Noise Study

The project applicant submitted an Environmental Noise Assessment (ENA) prepared by Bollard Acoustical Consultants, dated June 8, 2025. The ENA evaluated potential noise impacts from the use of the accessory asphalt batch plant during overnight hours, and related noise generation from heavy truck accessing the site to transport the asphalt to and from paving sites. The ENA concluded that the noise generated during nighttime plant operations complies with San Joaquin County noise standards, and did not identify any adverse noise impacts related to nighttime operations of the accessory batch plant, including the use of heavy trucks to transport asphalt. The ENA is included in this Staff Report as Attachment D.

California Department of Fish and Wildlife

On May 4, 2026, the Community Development Department (CDD) sent a project referral to responsible agencies with a Notice of Intent to adopt a Notice of Exemption because the project would not result in any significant effects on the environment. On July 2, 2026, the California Department of Fish and Wildlife (CDFW) . submitted a response with recommendations to mitigate potential impacts to species identified by CDFW as occurring on or near the project site. On August 25, 2026, CDD staff, the applicant team, and CDFW met to discuss the scope of the project. CDD staff and the applicant team clarified that the project only serves to make the 100 days of overnight operations per year a permanent part of the land use permit as opposed to temporary special requests. As a result of the clarification, CDFW submitted a response dated October 8, 2026 stating that the project does not need to accept the recommendations that were made by CDFW on June 2, 2026.

Environmental Document

As noted above, the proposed project was reviewed for compliance with the California Environmental Quality Act (CEQA), and CDD staff proposes that the project qualifies for an exemption. Pursuant to CEQA Guidelines Section 15061(b)(3), commonly referred to as the “common sense” exemption, projects are exempt if it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment.

As previously stated, this request proposes continued use of the accessory asphalt batch plant for nighttime operations for a maximum of 100 nights per calendar year as a permanent part of project operations rather than as an annual request. The project does not propose new development, a change in land use, new access roads, or any new infrastructure. As a result, there is no possibility that the project would have a significant effect on the environment, and the project is exempt from CEQA pursuant to Section 15061(b)(3).

RECOMMENDATION

It is recommended that the Planning Commission:

1. Accept the Notice of Exemption (Attachment C), and

2. Approve Revisions of Approved Actions No. PA-2500385 to Quarry Excavation No. QX-84-0002 with revised Conditions of Approval (Attachment F).

Attachments:

Attachment A – Site Plan
Attachment B – Agency Response Letters
Attachment C – Environmental Determination
Attachment D – Environmental Noise Assessment
Attachment E – Operating Exception Report
Attachment F – Revised Conditions of Approval

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Attachment A
Site Plan

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GEORGE REED INC.
GENERAL ENGINEERING CONTRACTORS
SINCE 1944
George Reed, Inc.
Clements Plant
17300 E. Jahant Rd.
Clements, CA 95227
Site Map
Drafted by: Hayden Lee
Environmental Specialist II
Reed Family Companies
Property Boundary
Facility Entrance
Jahant Rd.
Paved Driveway
Wash Plant
Recycled Asphalt Stockpile
Concrete Plant
Shop
Office & Scales House
Truck Scales
Aggregate Stockpile
Asphalt Hot Plant
Aggregate Stockpile
Mokelumne River
Mackville Rd
N
0
200
400
800
Scale 1" = 400'

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Attachment B
Agency Response Letters

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Najee Zarif, Director
Alex Chetley, Deputy Director / Development
Sam Chrun, Deputy Director / Engineering
Kristi Rhea, Deputy Director / Administration
David Tolliver, Deputy Director / Operations

August 6, 2026

M E M O R A N D U M

TO: Community Development Department
CONTACT PERSON: Giuseppe Sanfilippo

FROM: Shayan Rehman, Engineering Services Manager SR
Development Services Division

SUBJECT: PA-2500385 (RAA, QE); A Revision of Approved Action application for Quarry Operation Application number QX-84-0002 to amend condition 5, which limits plant operations to the hours of 5:00 A.M. to 9:00 P.M. The applicant is seeking an amendment to allow up to 100 nights of extended hours of operation. No changes to the on-site operations are being proposed. This property is not under a Williamson Act contract; located south of East Jahant Road, 2,670 ft southeast of East Peltier Road, northwest of the town of Clements.
(Supervisorial District 4)

OWNER: Claude C. Wood

APPLICANT: George Reed Sand and Gravel

ADDRESS: 17300 E. Jahant Road, Acampo

APN: 021-130-05, -11

INFORMATION:

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

RECOMMENDATIONS:

1) None. All previous conditions shall apply.

SR:GG

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Environmental Health Department
Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, Assistant Director
PROGRAM COORDINATORS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Elena Manzo, REHS
Natalia Subbotnikova, REHS

May 13, 2026

To: San Joaquin County Community Development Department
Attention: Giuseppe Sanfilippo

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

RE: **PA-2500385 (RAA, QE), Referral, SU-2601178**
17300 E. Jahant Road, Acampo

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

1. No excavations are permitted into the ground water table without specific approval from the Regional Water Quality Control Board, Central Valley Region (California Water Code, Chapter 4, Article 3, Section 13240).
2. The materials from an excavation shall not be deposited into any watercourse or in any way contribute to the pollution thereof (California Water Code, Section 13376).
3. An approved potable water supply must be provided for all employees (San Joaquin County Development Title, Section 9-601.030).
4. Approved sanitary facilities must be provided for all employees and patrons (San Joaquin County Development Title, Section 9-605.050).
5. No structures are proposed for this project. Any installations of structures including restrooms, or any plumbing fixtures subsequent to approval of this project, shall require the construction of an approved onsite wastewater disposal system and an approved potable water supply well for all employees (San Joaquin County Development Title, Sections Section 9-605.010 & 9-601.030). Should the number of non-resident individuals exceed 24 for at least 60 days per year, or the number of service connections exceed four, a yearly permit to operate a public water system will be required by the Environmental Health Department (San Joaquin County Development Title, Section 9-602.010 and 9-601.030.).
6. Any imported fill shall be free of contaminants and meet the California Regional Water Quality Control Board and Department of Toxic Substances Control standards prior to grading. Please contact Todd DelFrate by email at todd delfrate@waterboards.ca.gov or by phone at (916) 464-4737 at the State of California Water Board, Region 5, to obtain approval prior to grading.

1868 E. Hazelton Avenue | Stockton, California 95205 | **T** 209 468-3420 | **F** 209 464-0138 | www.sjgov.org/ehd

From: Laurel Boyd <boyd@sjcog.org>
Sent: Monday, May 18, 2026 9:23 AM
To: Planning Clerical [CDD] <planningclerical@sjgov.org>
Subject: RE: PA-2500385 (RAA, QE) – Neighborhood Referral.

Good morning SJC Planning Clerical,

The Habitat Plan will not be responding to PA-2500385 (RAA, QE) due to the original application predating the Plan.

Sincerely,

Laurel K. Boyd
Associate Habitat Planner

Phone 209-235-0574
Email boyd@sjcog.org
Web www.sjcog.org

555 East Weber Avenue
Stockton, CA 95202

Please note, SJCOG offices are closed to the public on Monday's and Friday's. SJCOG, Inc. staff works from home on Monday's and Friday's.

Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Wood, Dylan@Wildlife <Dylan.Wood@wildlife.ca.gov>
Subject: CDFW Comments on the PA-2500385 (RAA, QE) Project

You don't often get email from hailey.donaldson@wildlife.ca.gov. Learn why this is important

Dear Giuseppe Sanfilippo,

The California Department of Fish and Wildlife (CDFW) received and reviewed the Request for Comments from the San Joaquin County Community Development Department for the PA-2500385 (RAA, QE) (Project) in San Joaquin County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. 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. (*Id.*, § 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.) 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.), related authorization as provided by the Fish and Game Code will be required. CDFW also administers the Native Plant Protection Act, Natural Community Conservation Program, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

PROJECT DESCRIPTION SUMMARY

The Project site is located at 17300 East Jahant Road, Acampo, CA 95220 at Assessor's Parcel Numbers: 021-130-05 and 021-130-11.

The Project consists of a Revision of Approved Action Application for Quarry Operation, application number: QX-84-0002 to amend condition 5, which limits plant operations to the hours of 5:00 A.M. to 9:00 P.M. The applicant is seeking an amendment to allow up to 100 nights of extended hours of operation. No changes to the on-site operations are being proposed.

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, recommending avoidance and minimization measures to mitigate the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Request for Comments CDFW concludes that a Mitigated Negative Declaration (MND) is appropriate for this update to the Quarry's hours of mining operations.

CDFW is primarily concerned with the increased risk of take of multiple species with nocturnal life history components such as California tiger salamander - Central California Distinct Population Segment (*Ambystoma californiense*), western spadefoot toad (*Spea hamondii*), northwestern pond turtle (*Actinemys marmorata*) which may traverse the project site before and after sunset. Additionally, CDFW offers comments on general impacts that increasing the allowable hours of mining operations will have on other fish and wildlife species such as Central Valley steelhead (*Oncorhynchus mykiss*), nesting and migratory, other State-listed birds, and bats.

Overall Issue: While the proposed Revision of Approved Action application focuses on widening the allowable daily work window for mining operations, amending condition 5 would allow for mining operations to occur before sunrise and after sunset in an area where presence of California tiger salamander (CTS), western spadefoot toad (WST), and northwestern pond turtle (NWPT) are likely to be present based on occurrence data in the California Natural Diversity Database (CNDDB), thus potentially having environmental consequences on all three species.

California Tiger Salamander

CTS is both federally and State-listed as threatened under Fish & G. Code § 86 which defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project (including operational Project impacts). Thus, amending the allowable hours of operation without properly identifying impacts and implementing appropriate avoidance or minimization measures to offset those potential impacts may not sufficiently reduce impacts to CTS and WST to a less than significant level as required under CEQA.

Based on CDFW review of the project area, it appears that the mine is nearby suitable breeding pools and other wetland features which may be indicative of potential upland habitat that is potentially suitable for CTS. CTS spend most of their life underground in burrows or deep cracks in dried up wetland features and therefore, CTS can be present underground, residing in upland habitat within a radius of approximately 2,000 meters of a breeding pool (Shafer & Fisher 1991; Orloff 2007). Individual, adult salamanders do not require a breeding pool to live aside from the short window of time in which they breed (1-14 days out of their approximately 12-year lifespan).

Within the surrounding 3 miles of the Mining Area there are 7 documented observations in the California Natural Diversity Database (CNDDB), the closest being just under a mile away from the Mining Area, and 3 of which were documented within the last 15 years. A three-mile radius was used to prevent over-inflation of this number and avoids identifying occurrences associated with the Fitzgerald Ranch Conservation Bank which has breeding pools and upland habitat used by both CTS and WST and where there are many occurrences of both species are documented in CNDDB. However, additional occurrences are known outside of the 3-mile radius used.

CTS are known to leave pools and migrate upland after egg laying and, on average, individuals travel approximately 1.16 or up to 1.5 miles between breeding pools (Searcy & Shaffer, 2011) to use small mammal burrows (Loredo et al. 1996) where they continue to emerge at night, when humidity is high, and where they feed for the next two months, following breeding season (Stebbins & McGinnis, 2012). Because of its listing-status the Project Proponent should notify CDFW and likely USFWS each time that a CTS is encountered. Therefore, CDFW recommends all mining activities be restricted to a daily construction timeframe of 30 minutes after sunrise and 30 minutes before sunset. Typically, breeding and migration occur from October 15 – July 31, so CDFW recommends that the amendment to allowable mining operations be confined to August 1 – October 14 and encourages consultation with CDFW and USFWS to ensure that any adjustments will either adequately avoid "take" of this species, or ensure that the appropriate coverage for "take" is obtained through the appropriate permits.

Western Spadefoot Toad

WST is a federally listed as threatened under the Endangered Species Act and is currently a California species of special concern. A CNDDB query of the surrounding 3-mile radius of the Mining Area identifies 2 occurrences of this species. Being that this species shares similar habitat with CTS and has a similar life history to CTS, there is an equally high likelihood of this species traversing the Mining Area and the areas that surround it before sunrise and after sunset. The measures that CDFW recommends implementing as mitigation for CTS are expected to also avoid and/or minimize impacts to WST according to more recent literature (Alvarez & Woodall, 2024) which has concluded that WST are most active and observable during early spring and summer at nighttime.

Northwestern Pond Turtle

NWPT is a CDFW California species of special concern, CDFW recommends avoidance of this species to the maximum extent feasible. There is currently 1 occurrence in CNDDB for this species within the surrounding 3-mile radius of the Mining Area suggesting this species is the least likely to be found within the Mining Area and its surrounding areas. CDFW also notes that the recommendations being applied to CTS are likely to effectively reduce impacts to this species.

Recommendations or Recommended Mitigation Measures: CDFW recommends the additional avoidance measures which can be applied to all species as having potential to traverse the Mining Area and its surrounding areas at night:

CDFW recommends that the San Joaquin County Community Development Department evaluate the risk level of encountering CTS, WST, and NWPT within the Mining Area to determine if further consideration of the plan to amend of the hours of allowable mining operations should be made to focus on avoiding potential encounters with CTS and WST given their protections under CESA (**Species Avoidance**), or if take authorization and/or if the installation of permanent exclusion fencing around the Mining Area would be beneficial (**Authorized Take Minimization Measures**).

Species Avoidance: CDFW highly recommends avoiding impacts to listed species and recommends the following measures which are expected to achieve full-avoidance.

> Limit work to Low-Rainfall. Project Proponent shall limit mining activities to periods of low rainfall (less than 0.08 inches16 per 24-hour period and less than 40 percent chance of rain). The Project Proponent or qualified biologist(s) shall consult the 72-hour weather forecasts from the National Weather Service (NWS) prior to the start of any phase of the Project. Any work outside of the Dry Season shall be subject to approval of CDFW.

Construction activities shall cease 24 hours prior to a 40 percent or greater forecast of rain from the NWS. Mining operations may continue 24 hours after the rain ceases and there is no precipitation in the 24-hour forecast.

If work must continue when rain is forecast (greater than 40 percent chance of rain), a qualified biologist (s) shall survey the Project site before construction begins EACH day rain is forecast. If rain exceeds 0.5 inches during a 24-hour period, work shall cease until NWS forecasts no further rain. This restriction is not applicable for areas within 1.3 miles of potential or known CTS breeding sites once the Project Proponent encircles the sites with CTS exclusion fencing. However, even after CTS exclusion fencing is installed, this condition would still apply to construction-related traffic moving through areas within 1.3 miles of potential or known CTS breeding sites but outside of the CTS exclusion fencing (e.g., on roads).

Daily Construction Schedule. During the breeding and dispersal season (July 31 to October 15), mining activities shall not start until 30 minutes after sunrise and must be complete 30 minutes prior to sunset.

IMPACT ANALYSIS AND MITIGATION MEASURES

The plan to amend of the hours of allowable mining operations within the Mining Area could result in the direct "take" of State-listed species because after the amendment, mining operations would be allowed to occur when nocturnal CTS and WST are migrating and within suitable habitat for both species.

CDFW recommends that the updated environmental documentation provide a discussion of how the amended mining operation hours will affect the function and value of the habitat, and provide scientifically supported discussion of the significance of the project's impacts and any proposed avoidance, minimization, and/or mitigation measures to address the Project's increased impact upon fish and wildlife and their habitat. The updated environmental document should incorporate mitigation performance standards that would ensure that any significant impacts are reduced as expected. Mitigation measures proposed in the updated environmental document should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral.

The environmental document should clearly identify and describe all short-term, long-term, permanent, or temporary impacts to biological resources under CDFW's jurisdiction, including all direct and foreseeable indirect impacts caused by the proposed Project. The environmental document should define the threshold of significance for each impact and describe the criteria used to determine each threshold (CEQA Guidelines, § 15064, subd. (f)).

Additional Wildlife Disruption

Additionally, the Request for Comments does not specify if there is a limit to the number of trucks allowed in a given day, or if widening the hours of allowable mining operations will potentially increase the volume, frequency, and scale of daily mining activities. If this is true, this raises environmental concerns that may not have been previously addressed. The Project Proponent should clearly define any additional parameters that may be adjusted to offset the modified window of allowable mining operations and how it will monitor any mitigation measures that it proposes to address the increased impacts to fish and wildlife resources. Impacts that may result from widening the allowable hours of operation within the Mining Area may include, but are not limited to: increased noise, light, and vibration all of which can disturb wildlife, namely birds and bats which may be nesting or roosting in the old

oak woodland corridor lining the Mokelumne River adjacent to the Mining Area and salmonids which are known to migrate through the Mokelumne River from the ocean to their spawning habitat located in the upper reaches of the Mokelumne River, below the Camanche dam.

The MND should provide a thorough discussion the project's potential direct, indirect, and cumulative impacts that the altered hours of allowed mining operations are likely to have on fish and wildlife. To ensure the Project's impacts on biological resources are fully analyzed, the following information should be included in the MND:

1. The MND should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The MND must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed, and it must permit the significant effects of the Project to be considered in the full environmental context.

2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The MND should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

    a. CDFW strongly recommends reducing artificial light outputs within the Project limits to avoid potentially significant impacts from light pollution. Light pollution has the potential to significantly and adversely affect biological resources, where unlike the natural brightness created by the monthly cycle of the moon, permanent and continuously powered lighting fixtures create an unnatural light regime that produces a constant light output. Continuous light output for 365 days a year can have a cumulatively significant impact on fish and wildlife populations.

    b. Night lighting can disrupt the circadian rhythms of many species. Many wildlife species use photoperiod cues for communication (e.g., bird song; Miller, 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger, 1977), and migration (Longcore and Rich, 2004). Artificial night lighting has also been found to impact juvenile salmonid overwintering success by delaying the emergence of salmonids from benthic refugia and reducing their ability to feed during the winter (Contor and Griffith, 1995).

    c. CDFW recommends analyzing light source outputs as described below and recommends reducing or removing the number of light sources proposed within the Mining Area or over the Mokelumne River. In addition, utilizing light shielding, light output restrictions, and measures discussed in detail below may reduce the potentially significant impacts created by artificial lighting sources within the Mining Area.

3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Mining Area footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a conservation or Recovery Plan, or other conserved lands).

Nesting Birds

Please note that it is the Project Proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests, and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that is it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Mining Area and its adjacent parcels. The Project should disclose all operational activities that may incur a direct or indirect take to nongame nesting birds within the Mining Area footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the MND.

CDFW recommends the MND include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: phasing and timing or usage of heavy-machinery near potential nesting trees, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The MND should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site.

Swainson's Hawk

The Project is located within suitable foraging, and suitable nesting habitat for Swainson's hawk, a state threatened species, also protected under Fish and Game Code section 3503, 3503.5 and the federal Migratory Bird Treaty Act (MBTA). CDFW recommends surveys should be conducted according to the Swainson's Hawk Technical Advisory Committee's (TAC) *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline). CDFW strongly recommends the MND specify that the TAC survey method should be strictly followed by starting early in the nesting season (late March to early April) in order to maximize the likelihood of detecting an active nest. Surveys should be conducted within a minimum 0.25-mile radius of the proposed Project area and should be completed for at least the two survey periods immediately prior to initiating any Project-related construction work. Raptor nests may be very difficult to locate during egg-laying or incubation, or chick brooding periods (late April to early June) if earlier surveys have not been conducted. These full-season surveys may assist with Project planning, development of appropriate avoidance, minimization and mitigation measures, and may help avoid any Project delays. However, CDFW recommends the San Joaquin County Community Development Department perform these surveys during the recommended survey periods for multiple years, in advance of Project initiation, in order to assist the San Joaquin County

Community Development Department in accurately evaluating the potential for significant impacts to the species.

In order to avoid "take" (including nest abandonment), or adverse impacts to Swainson's hawk, CDFW recommends that the MND address suitable habitat for Swainson's hawk. If San Joaquin County Community Development Department or Project-biologist determine that the additional disturbance from mining activities continuing into the night will potentially impact Swainson's hawk, then either take coverage must be obtained, and/or avoidance and minimization measures should be included in the MND. These measures should be appropriate given the site-specific conditions. Early consultation with CDFW and other natural resource agencies on Swainson's hawk take avoidance, minimization measures, and mitigation measures are strongly recommended.

Bats

The Mokelumne River is primarily lined with mature oak trees which may provide suitable roosting habitat for bats. There is reason to believe that bats would be attracted to the areas surrounding the mine for routine foraging near wetlands located nearby the mine and which are well-known mosquito attractants. Bats can occupy trees year-round and are particularly susceptible to disturbance during the maternity season and during hibernation.

Disturbance of roost sites during the maternity and hibernation seasons are considered primary factors that may negatively impact bats and have the potential to result in take. During the hibernation period, bats are very slow to respond to disturbance during torpor and can lose fat stores needed to survive the winter while pups in the maternity colony may not have the ability to fly.

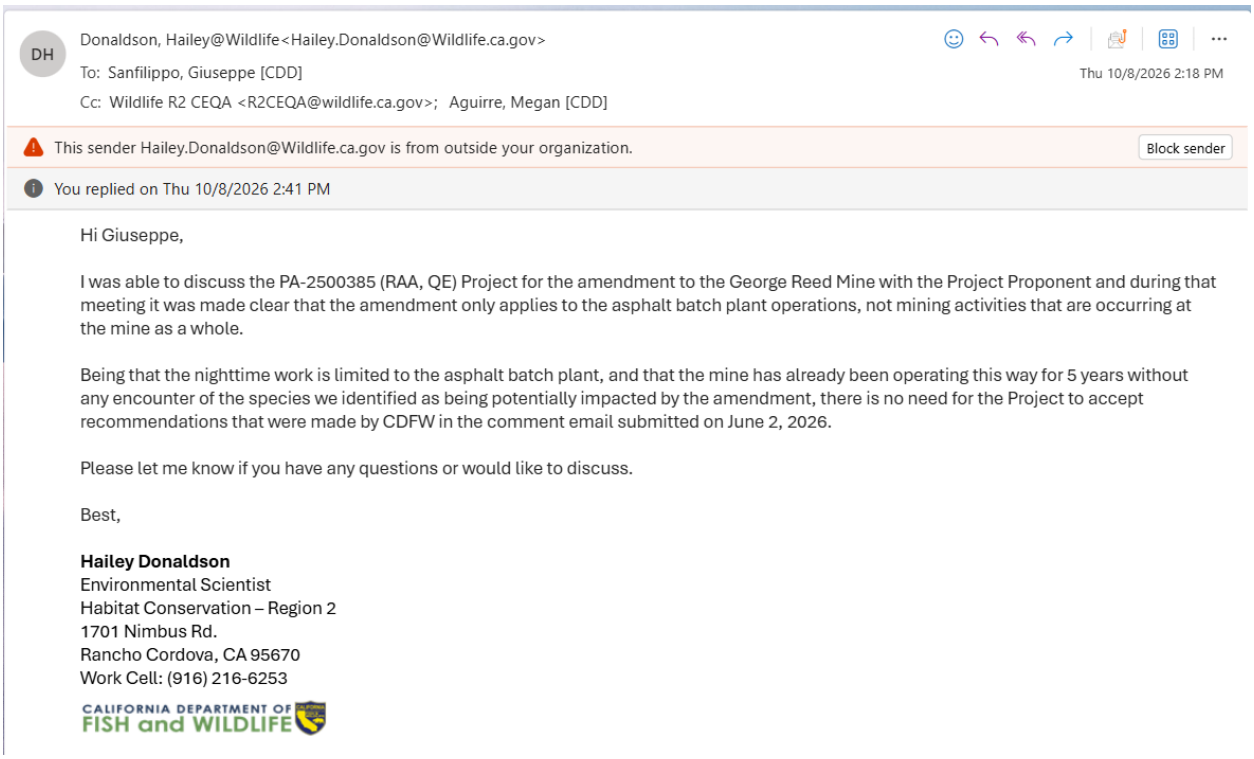
Artificial light implemented to support the mining activities may not only directly increase disturbance to roosting bats near the Mining Area, but may also attract insects, encouraging bats to forage in the roads where they may be hit by cars and trucks.

Being that suitable habitat exists within and around the Mining Area, the increased disturbance from Mining operations at night, including artificial lighting, increased noise and truck traffic, may have significant adverse effects to bats. CDFW recommends the following to reduce impacts to a less than significant level:

- Habitat Assessment: A qualified biologist with education and experience in bat biology and identification, should conduct a habitat assessment for potentially suitable bat habitat within six months of the modification to the allowable hours of mining operations. The habitat assessment shall include a visual inspection of features within the work area for potential roosting features including trees, crevices, portholes, expansion joints and hollow areas (bats need not be present). A report should be provided by the qualified bat biologist and incorporated into the MND that includes a section discussing the locations of suitable bat habitat and if any bats or signs of bats (feces or staining at entry/exit points) are discovered.

Threatened, Endangered, Candidate Species

While CDFW has made recommendations for specific species that are likely to be impacted by the extended allowable hours of operation within the Mining Area, additional Special-Status Species have known occurrences within and around the Mining Area. CDFW recommends that each species be evaluated independently to determine if impacts from this amendment may result in additional impacts or take of a listed species not addressed in the original environmental document. If during the environmental analysis for the Project, it is determined



DH

Donaldson, Hailey@Wildlife<Hailey.Donaldson@Wildlife.ca.gov>

To: Sanfilippo, Giuseppe [CDD]

Thu 10/8/2026 2:18 PM

Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Aguirre, Megan [CDD]

This sender Hailey.Donaldson@Wildlife.ca.gov is from outside your organization. Block sender

You replied on Thu 10/8/2026 2:41 PM

Hi Giuseppe,

I was able to discuss the PA-2500385 (RAA, QE) Project for the amendment to the George Reed Mine with the Project Proponent and during that meeting it was made clear that the amendment only applies to the asphalt batch plant operations, not mining activities that are occurring at the mine as a whole.

Being that the nighttime work is limited to the asphalt batch plant, and that the mine has already been operating this way for 5 years without any encounter of the species we identified as being potentially impacted by the amendment, there is no need for the Project to accept recommendations that were made by CDFW in the comment email submitted on June 2, 2026.

Please let me know if you have any questions or would like to discuss.

Best,

Hailey Donaldson
Environmental Scientist
Habitat Conservation – Region 2
1701 Nimbus Rd.
Rancho Cordova, CA 95670
Work Cell: (916) 216-6253

CALIFORNIA DEPARTMENT OF FISH and WILDLIFE

that the Project may have the potential to result in "take", as defined in the Fish & G. Code, section 86, of a State-listed species, the environmental document shall disclose an Incidental Take Permit (ITP) or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) may be required prior to starting construction activities. The environmental document must include all avoidance and minimization to reduce the impacts to a less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures shall be proposed to fully mitigate the impacts to State-listed species (Cal. Code Regs., tit. 14, § 783.2, subd.(a)(8)).

CDFW encourages early coordination to determine appropriate measures to offset Project impacts and facilitate future permitting processes and to coordinate with the U.S. Fish and Wildlife Service to coordinate specific measures if federally-listed species are present within the Project limits.

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 (CNDDB). The CNNDB field survey form can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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 provide early comments on the Project and to assist in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize 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

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200 Oakland,
CA. 94607-4052

FEMA

May 14, 2026

Giuseppe Sanfilippo, Project Planner
San Joaquin County, Community Development Department
1810 E. Hazelton Avenue
Stockton, California 95205

Dear Mr. Sanfilippo:

This is in response to your request for comments regarding Application Referral, Application Number PA 2500385 (RAA, QE), Revision of Approved Action application for Quarry Operation Application, (APN/Address; 021-130-05, -11/17300 E. Jahant Road, Acampo) (Supervisorial District 4).

Please review the current effective Flood Insurance Rate Maps (FIRMs) for and San Joaquin County (Community Number 060299), Maps revised October 20, 2016. To locate FIRMs online, visit the Map Service Center (MSC) at https://msc.fema.gov. Please note that San Joaquin County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at https://www.fema.gov/flood-maps/change-yourflood-zone/paper-application-forms.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The San Joaquin County floodplain manager can be reached by calling V. Venki Narasimhalu, Senior Water Resources Engineer at (209) 953-7611.

If you have any questions or concerns, please do not hesitate to contact Gabriel Riggle of the Mitigation staff at gabriel.riggle@fema.dhs.gov.

Sincerely,

XING LIU Digitally signed by XING LIU
Date: 2026.05.19 11:45:18 -07'00'

Xing Liu, Branch Chief
Floodplain Management and Insurance Branch

cc:
V. Venki Narasimhalu, Senior Water Resources Engineer, San Joaquin County
Alex Acosta, State of California, Department of Water Resources, North Central Region Office
Anntonette Duncan, DWR NFIP Coordinator. State of California, Sacramento Headquarters Office
Gabriel Riggle, Emergency Management Specialist, DHS/FEMA Region IX
Jeffrey Smyly, Environmental Officer, DHS/FEMA Region IX

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

May 6, 2026

County of San Joaquin
44 N. San Joaquin Street
Stockton, CA 95202

Ref: Gas and Electric Transmission and Distribution

Dear San Joaquin County Planning,

Thank you for submitting the **PA-2500385 (RAA, QE)** project plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en/account/service-requests/building-and-renovation.html.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Pacific Gas and Electric Company

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

Pacific Gas and Electric Company

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Pacific Gas and Electric Company

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING.**"

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

Pacific Gas and Electric Company

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

Pacific Gas and Electric Company
PGEPlanReview@pge.com
Land Management
300 Lakeside Drive
Oakland, CA 94612

June 3, 2026

Re: Gas and Electric Transmission and Distribution

Dear San Joaquin County Planning,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2500385 (RAA, QE). Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: Sign In (yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding this response, please contact me at (877) 259-8314 or pgeplanreview@pge.com

Sincerely,

PG&E Plan Review Team
Land Management

Attachment C
Environmental Determination

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SAN JOAQUIN COUNTY
Community Development Department

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

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

NOTICE OF EXEMPTION

TO: ☒ Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk, County of San Joaquin

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

Project Title: Revisions of Approved Actions No. PA-2500385

Project Location - Specific: The project site is location south of East Jahant Road, 2,670 ft southeast of East Peltier Road, northwest of the town of Clements. (APN/Address: 021-130-05, -11 / 17300 E. Jahant Rd., Acampo) (Supervisorial District: 4)

Project Location – City: Acampo
Project Location – County: San Joaquin County

Project Description: Revisions of Approved Actions application for Quarry Excavation No. QX-84-0002 to amend the Conditions of Approval to allow the accessory asphalt batch plant to be utilized between the hours of 9:00 P.M. to 5:00 A.M. for a maximum 100 nights of nighttime operations per year. No changes to the on-site operations, and no construction is being proposed.

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

Project Proponent(s): Claude C. Wood / George Reed Sand and Gravel

Name of Public Agency Approving Project: San Joaquin County Planning Commission

Name of Person or Agency Carrying Out Project: Giuseppe Sanfilippo, Senior Planner
San Joaquin County Community Development Department

Exemption Status:
General Exemptions. (Section 15061[b][3])

Exemption Reason:
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA. This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
Giuseppe Sanfilippo Phone: (209) 468-0227 Fax: (209) 468-3163 Email: gsanfilippo@sjgov.org

Signature: _____ Date: _____

Name: Sean Cardenas Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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Attachment D
Environmental Noise Assessment

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Environmental Noise Assessment

George Reed Clements Plant Extended Hours of Operation

San Joaquin County, California

BAC Job # 2025-004

Prepared For:

George Reed, Inc.

Mr. Tom Ferrell
140 Empire Avenue
Modesto, CA 95354

Prepared By:

Bollard Acoustical Consultants, Inc.

Paul Bollard, President

June 8, 2025

BOLLARD
Acoustical Consultants

2025

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Executive Summary

George Reed, Inc., (GRI), operates an aggregate processing facility, including an asphalt plant, at 17300 Jahant Road, in San Joaquin County, California. The Site is referred to as the "Clements" plant due to its proximity to the town of Clements, California.

Bollard Acoustical Consultants, Inc. (BAC) was retained by George Reed to conduct an evaluation of the noise generation of the continued operation of the Clements plant during nighttime hours. This analysis concludes that noise generated during nighttime plant operations would be similar to that which has occurred on numerous occasions in the past when individual approvals for such operations have been granted by the County, that noise generated during nighttime plant operations is within compliance of the San Joaquin County noise standards, and that no adverse noise impacts are identified for ongoing nighttime operations of the Clements plant when such operations are necessary to fulfil nighttime paving contracts.

Introduction

George Reed, Inc., (GRI), operates an aggregate processing facility, including a 400 ton/hour asphalt plant, at 17300 Jahant Road, in San Joaquin County, California. The Site is referred to as the "Clements" plant due to its proximity to the town of Clements, California. Figure 1 shows the project vicinity. Figure 2 shows the location of the Clements plant-area equipment, including the locations of the asphalt plant and processing equipment, within the George Reed Clements site.

Objectives of this Analysis

Bollard Acoustical Consultants, Inc. (BAC) was retained by George Reed to conduct an evaluation of the noise generation of the Clements asphalt plant during nighttime hours. The objectives of this evaluation are as follows:

- To provide background information pertaining to noise fundamentals and effects.
- To identify existing noise-sensitive land uses in the immediate project vicinity.
- To quantify existing ambient noise levels in the immediate project vicinity.
- To use the guidelines of the California Environmental Quality Act (CEQA), with local San Joaquin County noise standards and measured existing noise levels to develop appropriate standards of significance for this project.
- To predict project-related noise levels at the nearest residences and to compare those levels against the applicable standards of significance.

Project Area
George Reed, Inc. Clements Plant
San Joaquin County, California
Figure 1
BOLLARD
Acoustical Consultants
Legend
: Clements Plant Site Area (Approximate)
: Processing and Asphalt Plant Location
N
Scale (Feet)
0
1,000
2,000
E Jahant Rd
E Peltier Rd
Mackville Rd
Clements Rd
CLEMENTS
Atkins Rd
Main St
Highway 12

Legend
: Asphalt Plant Location
: Recycle Plant Location
: Processing Plant Location (not in use)
: Short-Term Asphalt Plant Noise Measurement Locations
A
B
C
D
E
F
G
H
Image © 2026 Airbus
N
Scale (Feet)
0
200
400
Processing Area Equipment & Asphalt Plant Noise Survey Sites
George Reed, Inc. Clements Plant
San Joaquin County, California
Figure 2
BOLLARD
Acoustical Consultants

Fundamentals and Background on Noise

Noise/Sound

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that human hearing can detect. If the pressure variations occur frequently enough (i.e., at least 20 times per second) they can be identified as sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second or Hertz (Hz). Please see Appendix A for definitions of terminology used in this report.

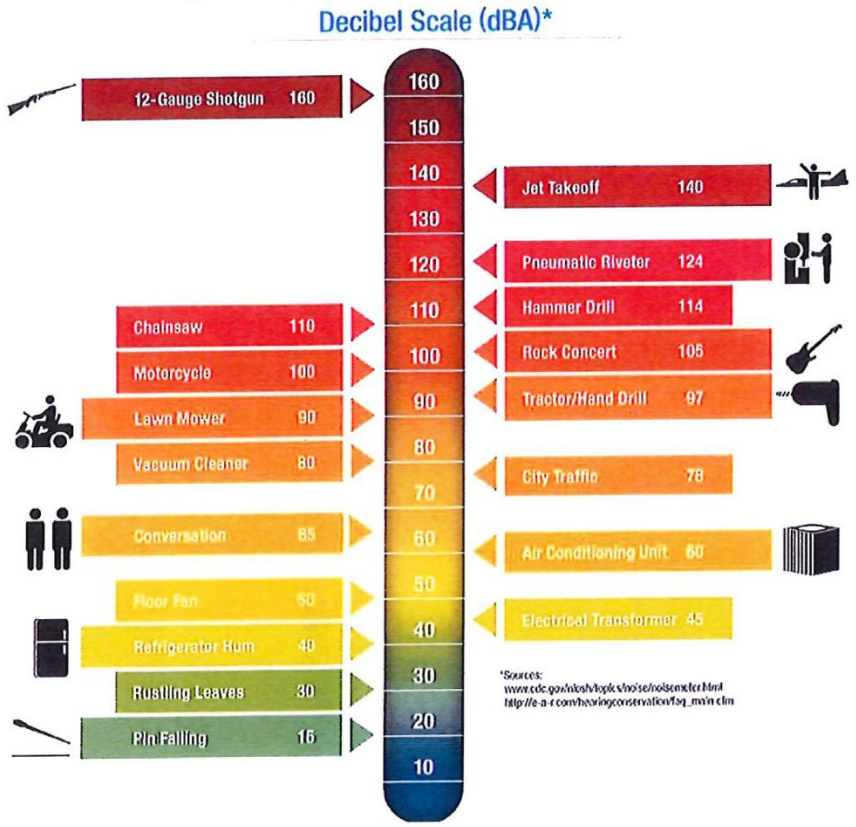
Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale utilizes the hearing threshold (20 micropascals of pressure) as a point of reference, defined as 0 dB. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers within a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB. Another useful aspect of the decibel scale is that changes in decibel levels correspond closely to human perception of relative loudness. Figure 3 illustrates common noise levels associated with various sources.

The perceived loudness of sound is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by weighting the frequency response of a sound level meter by means of the standardized A-weighting network. There is a strong correlation between A-weighted sound levels (expressed as dBA) and community response to noise. All noise levels reported in this section are A-weighted.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (L_{eq}) over a given time period (usually one hour). The L_{eq} is the foundation of the Day-Night Average Level noise descriptor, L_{dn}, and shows very good correlation with community response to noise.

The Day-Night Average Level (L_{dn}) is based upon the average noise level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment. L_{dn} based noise standards are commonly used to assess noise impacts associated with traffic, railroad and aircraft noise sources.

Figure 1
Typical A-Weighted Sound Levels of Common Noise Sources



Noise Attenuation with Distance

Stationary "point" sources of noise, attenuate (lessen) at a rate of approximately 6 dBA per doubling of distance from the source, not accounting for environmental conditions (i.e., atmospheric conditions, noise barriers, ground type, vegetation, topography, etc.). Surface traffic (a "moving point" source), would typically attenuate at a lower rate, approximately 4.5 dBA per doubling distance from the source (also dependent upon environmental conditions).

Noise from asphalt plants (with mobile and stationary equipment and trucks entering and exiting the site), would have characteristics of both "point" and "line" sources, so attenuation with distance would generally range between 4.5 and 6 dBA per doubling of distance.

Atmospheric (Molecular) Absorption and Anomalous Excess Attenuation

Air absorbs sound energy. The amount of absorption is dependent on the temperature and humidity of the air, as well as the frequency of the sound. Families of curves have been developed which relate these variables to molecular absorption coefficients, frequently expressed in terms of dB per thousand feet. For standard day atmospheric conditions, defined as 59 degrees Fahrenheit and 70% relative humidity, the molecular absorption coefficient at 1000 hertz is 1.5 dB per thousand feet. Molecular absorption is greater at higher frequencies, and reduced at lower frequencies. In addition, for drier conditions, the molecular absorption coefficients generally increase. Similarly, as temperature increases, molecular absorption coefficients typically increase as well.

Anomalous excess attenuation caused by variations in wind speed, wind direction, and thermal gradients in the air can typically be estimated using an attenuation rate of 1.5 dB per thousand feet for a noise source generating a 1000 hertz signal. As with molecular absorption, anomalous excess attenuation typically decrease with lower frequencies and increases with higher frequencies.

Effects of Topographic Shielding

A noise barrier is any impediment which intercepts the path of sound as it travels from source to receiver. Such impediments can be natural, such as a hill or other naturally occurring topographic feature which blocks the receiver's view of the source. Impediments can also be vegetative, such as heavy tree cover which similarly blocks the source from view of the receiver. In addition, impediments can be man-made, such as a solid wall, earthen berm, or structure constructed between the noise source and receiver. Regardless of the type of impediment, the physical properties of sound are such that, at the point where the line-of-sight between the source and receiver is interrupted by a barrier, a 5 dB reduction in sound occurs.

The effectiveness of a barrier is a function of the difference in distance sound travels on a straight-line path from source to receiver versus the distance it must travel from source to barrier, then barrier to receiver. This difference is referred to as the "path length difference", and is used to calculate the Fresnel Number. A barrier's effectiveness is a function of the Fresnel number and frequency content of the source. In general, the more acute the angle of the sound path created by the introduction of a barrier, the greater the noise reduction provided by the barrier.

For this project, there are varying degrees of existing topographic shielding between the asphalt plant operations and nearest residences. Where such shielding is present, the level of noise reaching the residence is lower than at unshielded receivers located the same distances from the source.

Effects of Ground Cover

Ground cover also affects sound propagation. For example, soft ground is more acoustically absorptive than paved surfaces and vegetated ground is more absorptive still. In the vicinity of the GRI Clements plant, the majority of ground cover consists of irrigated orchards and other agricultural crops. As a result, the degree of acoustic absorption provided by ground cover in the project vicinity is relatively high. For this assessment, it was conservatively assumed that the combined noise attenuation from topography and ground cover was at least 5 dBA at each of the nearest sensitive receptors (residences).

Effects of Noise on People

The effects of noise on people can be divided into three categories:

- Subjective effects of annoyance, nuisance, dissatisfaction;
- Interference with activities such as speech, sleep, and learning; and
- Physiological effects such as hearing loss or sudden startling.

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the third category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists, and different tolerances to noise tend to develop based on an individual's past experiences with noise.

An important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment (or ambient noise) to which one has adapted. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur (Caltrans, 2013):

- It is widely accepted that the average healthy ear can barely perceive noise level changes of 3 dBA;
- A change in level of 5 dBA is a readily perceptible increase in noise level; and
- A 10-dBA change is recognized as twice as loud as the original source.

These relationships occur in part because of the logarithmic nature of sound and the decibel system. Noise levels are measured on a logarithmic scale, instead of a linear scale. On a logarithmic scale, the sum of two noise sources of equal loudness is 3 dBA greater than the noise generated by only one of the noise sources (e.g., a noise source of 60 dBA plus another noise source of 60 dBA generate a composite noise level of 63 dBA). To apply this formula to a specific noise source, in areas where existing levels are dominated by traffic, a doubling in traffic volume will increase ambient noise levels by 3 dBA. Similarly, a doubling in heavy equipment use, such as the use of two pieces of equipment where one formerly was used, would also increase ambient noise levels by 3 dBA.

Audibility

It should be noted that audibility is not a test of significance according to CEQA. If this were the case, any project which added any audible amount of noise to the environment would be considered significant according to CEQA. Because every physical process creates noise, the use of audibility alone as significance criteria would be unworkable. CEQA requires a substantial increase in noise levels before noise impacts are identified, not simply an audible change. A discussion of what constitutes a substantial change in noise environments is provided in the Criteria section of this report.

Single-Event Noise & Sleep Disturbance

A single event is an individual distinct loud activity, such as an aircraft overflight, a train or truck passage, or any other brief and discrete noise-generating activity. Such events, when occurring during nighttime periods, can present an opportunity for sleep disturbance, particularly if such events are not occurring currently.

Baseline Noise Environment

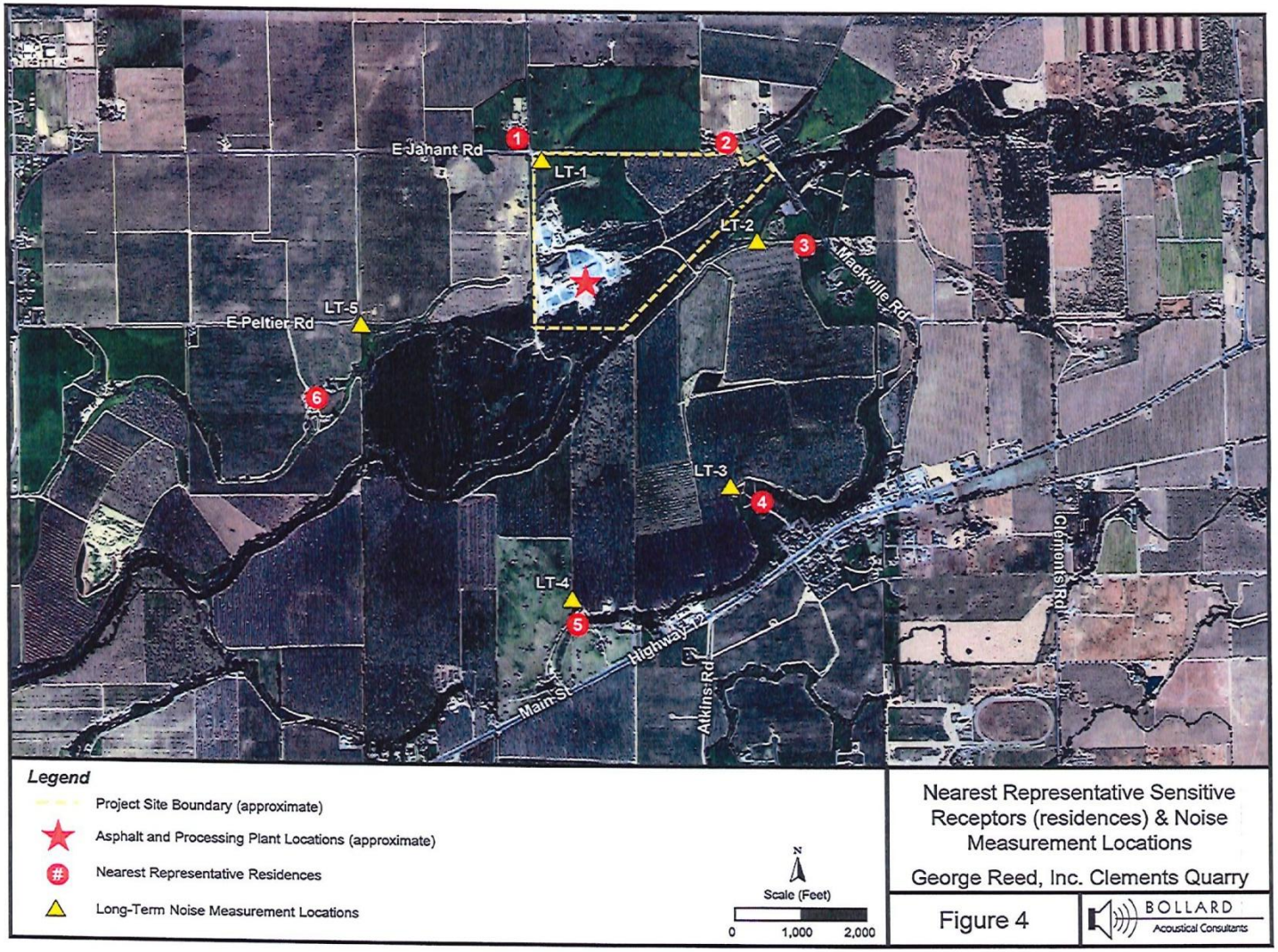
Identification of Existing Sensitive Receptors

The immediate project vicinity is rural in nature, containing primarily agricultural uses. For this assessment, asphalt plant noise levels were evaluated at the 6 nearest residences to the GRI Clements site. Those receptor locations are identified on Figure 4.

It is recognized that there are more than 6 residences in the general project vicinity. However, it is not necessary to assess project impacts at every individual residence. Rather, standard industry convention is to assess impacts at receptors which represent the nearest sensitive land uses to the project site, groups of residences with similar exposure to the project site, and more distant receptors which may experience different topographic shielding of the project site (or lack thereof), than the nearest receptors.

Existing Ambient Noise Environment at Sensitive Receptors

The California Environmental Quality Act (CEQA) states that a project would result in a significant noise impact if it causes a substantial increase in ambient noise levels. (See CEQA Appendix G, Section XII.) In order to determine the threshold at which a project would result in a substantial noise increase, the baseline (pre-project) ambient conditions at potentially impacted noise-sensitive land uses must be established.


E Jahant Rd
LT-1
LT-2
Mackville Rd
E Peltier Rd
LT-5
LT-3
LT-4
Clements Rd
Highway 12
Main St
Atkins Rd
1
2
3
4
5
6
Legend
Project Site Boundary (approximate)
Asphalt and Processing Plant Locations (approximate)
Nearest Representative Residences
Long-Term Noise Measurement Locations
N
Scale (Feet)
0
1,000
2,000
Nearest Representative Sensitive Receptors (residences) & Noise Measurement Locations
George Reed, Inc. Clements Quarry
Figure 4
BOLLARD
Acoustical Consultants

To quantify existing (baseline) ambient noise environment in the project vicinity, continuous noise level measurements were conducted at five (5) locations around the quarry site boundaries. The noise measurement locations are identified on Figure 4. The monitoring sites were selected to represent locations with similar noise exposure to that of the nearest residences to the GRI Clements facility. The noise survey period extended from Tuesday February 25th through Sunday, March 2nd, 2025, for a continuous period of 144 hours of monitoring at each location.

Larson Davis Laboratories (LDL) Model 831, and LxT precision integrating sound level meters were used to complete the ambient noise level measurement survey. The meters were calibrated before and after use with an LDL Model CA200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all specifications of the American National Standards Institute requirements for Type 1 sound level meters (ANSI S1.4). Appendices B-1 and B-2 contain photographs of the ambient noise survey locations.

Weather conditions present during the monitoring program were typical for the season during which they were conducted. There were no adverse or anomalous weather conditions which would have caused measured ambient noise levels to be atypical.

Numerical summaries of the ambient noise level measurements are provided in Table 1. Table 1 also contains the arithmetic mean of the average (L_{eq}) and maximum (L_{max}) data collected on each day of the survey. Appendices C and D show the hourly noise level data collected at each site in tabular and graphical formats, respectively.

During 3 days of the noise survey period the Clements asphalt plant was in operation (February 25, 26 & 27, 2025). Appendix D indicates the periods when the asphalt plant was in operation and when it was not in operation. Because the asphalt plant noise generation is very steady state and does not vary appreciably over time, it is expected that ambient conditions would similarly be fairly steady state at the noise monitoring locations if the Clements asphalt plant was the primary noise source affected the noise survey location.

Inspection of the Appendix D graphs indicates, however, that there is no correlation of the measured ambient conditions with operation of the asphalt plant. For example, ambient conditions at monitoring Site 1 were very similar on Thursday February 27th and Friday February 28th, but the Clements asphalt plant was not in operation on Friday February 28th. At each of the noise survey locations, ambient conditions were determined to have been more heavily influenced by local traffic and agricultural-related activities than by the Clements asphalt plant operations.

Table 1
Long-Term Ambient Noise Survey Results
George Reed Clements Facility Vicinity – San Joaquin County, California

Site	Date	Daytime (7 am – 10 pm) Leq	Daytime (7 am – 10 pm) Lmax	Nighttime (10 pm – 7 am) Leq	Nighttime (10 pm – 7 am) Lmax	DNL
LT-1	Tuesday, February 25, 2025	66	86	61	80	69
	Wednesday, February 26, 2025	66	83	62	80	69
	Thursday, February 27, 2025	66	83	62	82	69
	Friday, February 28, 2025	66	84	62	82	69
	Saturday, March 1, 2025	66	84	59	81	67
	Sunday, March 2, 2025	65	83	58	81	66
	Average	**66**	**84**	**61**	**81**	**68**
LT-2	Tuesday, February 25, 2025	43	59	40	53	47
	Wednesday, February 26, 2025	47	57	44	53	51
	Thursday, February 27, 2025	59	62	44	55	58
	Friday, February 28, 2025	47	58	46	56	53
	Saturday, March 1, 2025	44	56	46	56	52
	Sunday, March 2, 2025	50	60	39	54	50
	Average	**48**	**59**	**43**	**55**	**52**
LT-3	Tuesday, February 25, 2025	40	55	39	51	46
	Wednesday, February 26, 2025	43	57	46	57	52
	Thursday, February 27, 2025	68	59	45	55	66
	Friday, February 28, 2025	45	60	45	55	51
	Saturday, March 1, 2025	54	62	60	61	66
	Sunday, March 2, 2025	50	60	44	56	52
	Average	**50**	**59**	**47**	**56**	**56**
LT-4	Tuesday, February 25, 2025	43	56	40	54	47
	Wednesday, February 26, 2025	52	65	48	61	55
	Thursday, February 27, 2025	52	59	44	53	53
	Friday, February 28, 2025	52	65	48	59	55
	Saturday, March 1, 2025	55	65	49	63	57
	Sunday, March 2, 2025	50	60	44	55	52
	Average	**50**	**62**	**46**	**58**	**53**
LT-5	Tuesday, February 25, 2025	44	60	41	52	48
	Wednesday, February 26, 2025	44	62	40	48	48
	Thursday, February 27, 2025	50	61	45	56	52
	Friday, February 28, 2025	45	61	43	55	50
	Saturday, March 1, 2025	55	62	40	52	53
	Sunday, March 2, 2025	44	61	41	58	48
	Average	**47**	**61**	**42**	**53**	**50**

Source: Bollard Acoustical Consultants, Inc. (BAC), 2025

The nighttime periods of the survey presented in Table 1 are most germane to this evaluation as the applicant is proposing extended hours of asphalt plant operations, up to 24 hours per day, as needed to satisfy nighttime paving projects. As a result, the nighttime ambient noise measurement results were used to establish baseline conditions for the assessment of project noise impacts whereas the daytime levels measured during periods when the facility was operating were used to calibrate the noise prediction model.

The Table 1 data was projected to the 6 sensitive receptors shown on Figure 4 based on the relative distances between the most significant noise source (local roadways), the noise monitoring sites, and the distances to the receptors. At locations where the sound level meters were in close proximity to the residence, it was not necessary to apply an offset to the ambient survey data for that residence. Table 2 shows the projected baseline nighttime ambient conditions at each of the 6 nearest representative receptors shown on Figure 4 after application of the appropriate offsets to the ambient noise conditions measured at Sites 1-5.

Table 2
Projected Baseline Ambient Noise Levels
Nearest Receptors to George Reed Clements Facility – San Joaquin County, California

		Projected Nighttime Baseline		
Receiver	Applicable Monitoring Site	Average (Leq)	Maximum (Lmax)	Projected Baseline Ldn/DNL
1	1	53	73	60
2	1	55	75	62
3	2	52	61	61
4	3	48	57	57
5	4	47	59	54
6	5	40	51	48

Source: Bollard Acoustical Consultants, Inc. (BAC) 2020

The projected nighttime ambient noise levels at the nearest sensitive receptors shown in Table 2 are used in a later section of this report to establish the project standards of significance relative to baseline conditions.

Criteria for Acceptable Noise & Vibration Exposure

The California Environmental Quality Act (CEQA) contains noise impact assessment guidelines. In addition, California cities and counties are required to adopt a Noise Element as part of the General Plan. Cities and counties typically also adopt a noise ordinance. The Project site is located in San Joaquin County, which has both a General Plan Noise Element and a County Code Noise Ordinance. Applicable CEQA Guidelines and San Joaquin County noise-level criteria are discussed below.

California Environmental Quality Act (CEQA) Guidelines

The State of California has established regulatory criteria that are applicable to this assessment. Specifically, Appendix G of the CEQA Guidelines are used to assess the potential significance of impacts pursuant to local General Plan policies, Municipal Code standards, or the applicable standards of other agencies. According to the CEQA guidelines, the project would result in a significant noise or vibration impact if the following occur:

A. Generation of 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 in other applicable standards of other agencies?

B. Generation of excessive groundborne vibration or groundborne noise levels?

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?

As noted in CEQA Criteria "A" above, a project's noise impacts must be evaluated relative to both the ***increase*** in noise levels which would result from the project as well as compliance with standards established in the local general plan or noise ordinance.

The San Joaquin County General Plan Noise Element and Noise Ordinance do not have a specific policy or standard for assessing noise impacts associated with ***increases*** in off-site ambient noise levels resulting from project-generated traffic on public roadways. However, the San Joaquin County General Plan Noise Element identifies a 5 dBA change in noise levels as being "clearly noticeable" and a 3 dBA change as being the threshold of perceptibility.

As noted previously, audibility and perceptibility are not tests of significance according to CEQA. If this were the case, any project which added any audible/perceptible amount of noise to the environment would be considered significant according to CEQA. CEQA requires a ***substantial*** increase in ambient noise levels before noise impacts are identified, not simply an audible or perceptible change. As a result, this analysis utilizes a 5 dBA threshold for evaluating the significance of project-related noise level increases.

San Joaquin County General Plan and Municipal Code

The noise section of the San Joaquin County General Plan Public Health and Safety Element establishes acceptable noise level limits for non-transportation noise sources (i.e. the GRI Clements asphalt plant operations), affecting noise-sensitive uses (e.g., residences). The San Joaquin County Municipal Code (Development Title, Chapter 9-1025.9) also establishes acceptable noise level limits for stationary noise sources affecting noise-sensitive uses, which are identical to those identified in the General Plan. The General Plan and Municipal Code noise level standards are presented in Table 3.

Table 3
Noise Level Performance Standards for Non-Transportation Noise Sources Affecting Outdoor Activity Areas of Sensitive Land Uses[1]

Noise Level Descriptor	Daytime (7 AM to 10 PM)[2]	Nighttime (10 PM to 7 AM)[2]
Hourly L_{eq}, dB	50	45
Maximum Level (L_{max}), dB	70	65

Notes: These standards apply to new or existing residential areas affected by new or existing non-transportation sources.

[1] Where the location of outdoor activity areas is unknown or is not applicable, the standard shall be applied at the property line of the receiving land use.

[2] Each of the criteria shall be reduced by 5 dBA for impulsive noise, tonal noise, or noise consisting primarily of speech and/or music.

Sources: San Joaquin County General Plan, Public Health and Safety Element, Table PHS-1; San Joaquin County Municipal Code, Chapter 9-1025.9, Table 9-1025.9 Part II.

The San Joaquin County General Plan Plan Public Health and Safety Element also establishes an exterior noise level of 65 dBA DNL as being acceptable for residential uses affected by transportation noise sources.

Noise Impact Assessment Criteria Applied to this Project

As indicated in Table 2, baseline average (Leq) nighttime ambient conditions exceeded the 45 dBA L_{eq} San Joaquin County nighttime noise level standard at 5 of the 6 receptors analyzed in this evaluation. In addition, baseline nighttime maximum (Lmax) ambient conditions exceeded the 65 dBA L_{max} San Joaquin County nighttime noise level standard at 2 of the 6 receptors analyzed in this evaluation.

For this project, noise impacts are identified if GRI asphalt plant operations would cause exceedance of the San Joaquin County nighttime 45 dBA Leq or 65 dBA Lmax nighttime noise level standards, if off-site traffic noise levels would exceed the County's 65 dB DNL exterior noise standard, or if the project would cause nighttime ambient noise levels to increase by 5 dBA Leq, Lmax, or DNL at the nearest residences to the project site.

Project Noise Generation

Processing and Asphalt Plant Noise Generation

On-site processing activities are located within the processing area identified on Figure 2. The primary noise sources associated with the processing equipment are the asphalt plant (burner, bag-house exhaust fan, front loader used to fill feed hoppers), and the processing plant (crushers, screens, and front loaders used for material load-out).

To quantify the noise generation of the existing asphalt and processing plants, BAC utilized the long-term ambient noise monitoring data collected during periods when the facility was in operation, as well as short-term reference noise level measurements conducted on January 29,

2025. The short-term noise measurements were conducted at Sites A-H shown on Figure 2. The short-term surveys were utilized to quantify both noise level and frequency content of the asphalt production and processing equipment operations.

A Larson Davis Laboratories (LDL) Model 831 precision integrating sound level meter was used by BAC to conduct the short-term processing area noise level surveys. The meter was calibrated before and after use with an LDL Model CAL200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all pertinent specifications of the American National Standards Institute for Type 1 sound level meters (ANSI S1.4). Appendix B-3 shows representative photographs of short-term noise monitoring sites.

From the short-term processing area noise level measurements it was concluded that the average and maximum noise levels for typical asphalt and processing plant operations were approximately 75 dBA L_{eq} and 78 dBA L_{max} at a reference distance of 100 feet from the effective noise center of the plants. The frequency content of the processing area equipment was centered at 800 Hertz but no particularly tonal components were identified. The results of the short-term noise measurements conducted at Sites A-E are provided in Appendix E.

The reference noise level data cited above for the processing area were used to compute the processing and asphalt plant area noise levels at the 6 nearest residences identified on Figure 4. Distance computations utilized a standard 6 dBA decrease per doubling of distance from the noise sources, an offset of -1.5 dBA per thousand feet for atmospheric absorption, and a -5 dBA offset for topographic shielding and excess ground attenuation. The results of the calculations are provided in Table 4. Table 4 also compares the predicted levels against the San Joaquin County Noise Standards. Table 5 shows the predicted changes in nighttime ambient conditions resulting from the project.

Table 4
Predicted Asphalt and Processing Plant Noise Levels
Nearest Receptors to GRI Clements Plant – San Joaquin County, California

Receiver[1]	Predicted Asphalt Plant Leq, dBA	County Nighttime Leq Standard, dBA	County Standard Exceeded?	Predicted Asphalt Plant Lmax, dBA	County Nighttime Lmax Standard, dBA	County Standard Exceeded?
1	39	45	No	42	65	No
2	36	45	No	39	65	No
3	33	45	No	36	65	No
4	31	45	No	34	65	No
5	29	45	No	32	65	No
6	32	45	No	35	65	No

1. Receiver locations are shown on Figure 4
2. Source: Bollard Acoustical Consultants, Inc. (BAC) 2025

Table 5
Predicted Processing Plant Noise Levels and Nighttime Noise Increases
Nearest Receptors to GRI Clements Plant – San Joaquin County, California

	Predicted AC Plant Noise Level			Nighttime Ambient			Ambient + Project			Noise Level Increase			Increase Significant? (exceeds 5 dBA?)		
Receiver[1]	Leq	Lmax	DNL	Leq	Lmax	DNL	Leq	Lmax	DNL	Leq	Lmax	DNL	Leq	Lmax	DNL
1	39	42	45	53	73	60	53	73	60	0	0	0	No	No	No
2	36	39	42	55	75	62	55	75	62	0	0	0	No	No	No
3	33	36	39	52	64	61	52	64	61	0	0	0	No	No	No
4	31	34	37	48	57	57	48	57	57	0	0	0	No	No	No
5	29	32	35	47	59	54	47	59	54	0	0	0	No	No	No
6	32	35	38	40	51	48	41	51	48	1	0	0	No	No	No

1. Receiver locations are shown on Figure 4
2. Source: Bollard Acoustical Consultants, Inc. (BAC) 2025

As indicated in Table 4, the predicted Clements plant noise generation is acceptable at each location relative to the County's 45 dBA Leq and 65 dBA Lmax nighttime noise standards. In addition, Table 5 indicates that the increase in nighttime ambient noise levels would range from 0-1 dBA at the nearest residences, which is well below the 5 dBA threshold used for the finding of a significant noise increase.

These conclusions are corroborated by the ambient noise survey results shown in Appenidx D, which indicate that there was no discernible change in measured ambient noise conditions when the Clements plant equipment was operating and when it was not.

Because plant noise generation is predicted to be satisfactory relative to San Joaquin County noise standards, and because the increase in nighttime ambient noise levels resulting from the Clements plant operations would range from 0-1 dBA, ***no adverse noise impacts are identified for the operation of the Clements plant during nighttime hours.***

Nighttime Heavy Truck Generation

In addition to noise generated by the asphalt plant operations, noise is also generated during nighttime hours by off-site heavy truck trips. As noted in the Criteria Section of this report, noise generated by vehicles on public roadways is subject to the County General Plan transportation noise level standards. Specifically, traffic on public roadways should not generate noise levels in excess of 65 dB DNL at residential land uses.

To quantify the noise generation of the project heavy truck traffic, the Federal Highway Administration Highway Traffic Noise Prediction Model (FHWA-RD-77-108) was utilized. Using the FHWA Model, the hourly average noise level at a location 100 feet from the centerline of the roadways utilized by project traffic computes to 57 dBA Leq. Assuming continuous operation of the asphalt plant during nighttime hours the computed DNL for off-site heavy truck traffic computes to approximately 62 dBA. This level is below the County's 65 dBA DNL exterior noise level standard applicable to residential uses affected by transportation noise sources (i.e. traffic on public roadways).

It is important to note that there have been hundreds of nights where permitted nighttime operations have previously occurred with no reported complaints of sleep disturbance or nuisance noise from residents in the project vicinity. Also, project heavy truck traffic is predicted to satisfy San Joaquin County noise standards at existing residences located along project haul routes. Therefore, noise generated by off-site heavy truck traffic associated with future nighttime operations of the GRI Clements plant are similarly not expected to result in ***adverse noise impacts at existing residences during the off-site delivery of asphalt to construction sites during nighttime hours***.

Appendix A
Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound. A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
IIC	Impact Insulation Class (IIC): A single-number representation of a floor/ceiling partition's impact generated noise insulation performance. The field-measured version of this number is the FIIC.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
L_{eq}	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
Loudness	A subjective term for the sensation of the magnitude of sound.
Masking	The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
RT_{60}	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
STC	Sound Transmission Class (STC): A single-number representation of a partition's noise insulation performance. This number is based on laboratory-measured, 16-band (1/3-octave) transmission loss (TL) data of the subject partition. The field-measured version of this number is the FSTC.



A
B
C
D
Legend
A Site LT-1 Facing East
B Site LT-1 Facing West
C Site LT-2 Facing East
D Site LT-3 Facing East
Noise Survey Photographs
George Reed, Inc.
Clements Quarry
San Joaquin County, California
Appendix B-1
BOLLARD
Acoustical Consultants

A
B
C
Legend
A Site LT-4 Facing South
B Site LT-4 Facing West
C Site LT-5 Facing North
Noise Survey Photographs
George Reed, Inc.
Clements Quarry
San Joaquin County, California
Appendix B-2
BOLLARD
Acoustical Consultants

A
B
C
Legend (monitoring locations are indicated on Figure 2)
A Site A
B Site G
C Site D
Noise Survey Photographs
George Reed, Inc.
Clements Quarry
San Joaquin County, California
Appendix B-3
BOLLARD
Acoustical Consultants

Attachment E
Operating Exception Report

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GEORGE REED, INC.
FEATHERSTONE RANCH (QX-84-2)
SAN JOAQUIN COUNTY, CALIFORNIA
REQUEST FOR EXCEPTION TO OPERATING CONDITION - HOURS OF OPERATION

BACKGROUND AND OVERVIEW

George Reed, Inc. (GRI) owns and operates the Featherstone Ranch (aka, Clements) facility, a regionally important producer of construction materials that operates under County Use Permit QX-84-02. Approved uses at the site include mining and processing of aggregate materials, including production of hot mix asphalt and ready-mixed concrete. The site is a long-standing operation, with active aggregate mining and processing operations dating back to at least the 1950's.

The facility's existing use permit (QX-84-02; COA 5) limits normal plant operations to the hours of 5:00 a.m. to 9:00 p.m. Regional public works projects now routinely require paving and construction activities to be completed at night for safety and efficiency reasons and to reduce impacts on local commuters. In order to effectively serve regional market demands and achieve parity with other local producers, GRI is seeking an amendment to COA 5 which would allow for up to 100 nights per year of extended hours production (Project). Additional nights beyond 100 in a calendar year would require authorization on a project-specific basis under the provisions of County Code.

Other than an exception to the approved hours of operation, GRI seeks no change to any element of the approved operation or permit. The project would not modify the current production levels, and the overall production and processing activities would be consistent with existing conditions.

PROJECT JUSTIFICATION

County Code allows the County to grant an exception to an operating condition such as normal hours of operation (§9-704.040(b)(19)).

Purpose and Need

Caltrans and other municipalities now routinely require paving and construction activities on public works projects to be completed at night for safety and efficiency reasons and to reduce impacts on local commuters. GRI has requested and received numerous project-specific

allowances[1] for extended hours in recent years, and has averaged approximately 100 nights per year of production over the last five years with no public controversy or complaints. Each of the extended hours requests requires significant coordination between GRI and the County, and includes a written submittal, documentation of project specifications, County staff time to review the request, and a notification prepared and sent to surrounding property owners. An allowance for extended hours of operation will greatly reduce the administrative burden on GRI and the County, and will allow GRI to gain greater certainty with respect to its ability to timely bid and deliver on regional product demands. Further, an allowance for extended hours of operation would ensure consistency and parity between GRI and other local producers of construction materials (e.g., Granite Construction), who do not have the same permit limitations on their hours of operation.

Consistency with County Code

This request is made pursuant to §9-704.040(b)(19) of County Code, which authorizes the County to grant an exception to an operating condition such as normal hours of operation.

> ***Exception to Operating Conditions.*** *The Review Authority may grant an exception to any operating condition contained herein, except the requirement of a reclamation plan. A written report will be required to show that such exception will not result in a hazardous condition, the cost of strict compliance would be unreasonable in view of all the circumstances, and such exceptions will not adversely affect the environment, property, or persons in the area. Such request shall be filed with the original or a subsequent application and shall include a complete statement of justification.*

A summary of consistency with the required elements of the exception is provided below:

1. *The exception will not result in a hazardous condition, and such exception will not adversely affect the environment, property, or persons in the area.*

   Consistency Determination: Consistent. The facility has averaged approximately 100 nights per year for the previous 5 years (in effect, serving as baseline conditions) and no complaints have been received from the general public, providing actual evidence that extended hours of operation are not likely to result in a hazardous condition or adverse affect. Further, in support of the request, GRI commissioned a noise study prepared by a professional noise consultant (Bollard Acoustical) which demonstrates that noise generated during nighttime plant operations would be similar to that which has occurred on numerous occasions in the past when individual approvals for such operations have

[1] *County Code §9-704.040(b)(6)(D) allows normal hours of operation to be extended if the Director of the Community Development Department determines that the extended hours of operation are necessary to meet the operational needs of a specific project.*

been granted by the County, that noise generated during nighttime plant operations is within compliance with all County noise standards, and that no adverse noise impacts would occur during future nighttime operations. The long history of operating at night without public complaints, as well as a noise report prepared by a professional noise consultant confirming conformance to County noise standards during night operations demonstrate that the exception will not result in a hazardous condition, and will not adversely affect the environment, property, or persons in the area.

2. *The cost of strict compliance would be unreasonable in view of all the circumstances.*

   Consistency Determination: Consistent. GRI is unable to meaningfully influence contractual requirements of local public works projects, which routinely require producing construction materials during extended hours of operation. As a result, if no exception is granted, GRI will continue to require multiple individual requests for extended hours, which has a significant administrative burden, and results in uncertainty for GRI's ability to timely bid and deliver on regional product demands. Further, GRI would continue to be at a competitive disadvantage to other local construction materials producers, who do not have the same limitations on their permitted hours of operation. GRI has successfully demonstrated (through actual operations and a noise analysis conducted by a professional noise consultant) that extended hours of operation will not result in a hazardous or nuisance condition. In view of the totality of the circumstances, strict compliance with the existing condition of approval is unreasonable and an exception is warranted.

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Attachment F
Revised Conditions of Approval

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UPDATED CONDITIONS OF APPROVAL

PA-2500385 (RAA) FOR QX-84-0002
GEORGE REED, INC

Revisions of Approved Actions No. PA-2500385 for Quarry Excavation No. QX-84-0002 was approved by the Planning Commission on . The effective date of approval is . This approval will expire on , 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 (Staff Contact [209] 468-3121)

    a. The operation shall adhere to the requirements of the Planning Code, specifically those stated in section 9-2244(a)

        1. The accessory asphalt batch plant may be in operation between the hours of 9:00 P.M. and 5:00 A.M. for 100 nights per year.(Development Title Section 9-704.040[b][19])

            a. For nighttime operations exceeding 100 nights per year, the applicant may submit a written request reviewed on a case-by case basis. (Development Title Section 9-704.040[b][6][D])

        2. Written notification shall be provided to the Community Development Department two weeks prior to any scheduled nighttime operations.

        3. The applicant shall be billed for notice of all property owners in the notification radius on an annual basis.

    b. This permit for rock plant operation shall expire upon completion of operations for quarry excavation stated in QX-84-0001, Stampede Valley.

    c. The required rehabilitation plan shall be submitted by January 21, 1985.

4. ENVIRONMENTAL HEALTH DEPARTMENT (Staff Contact [209] 468-3420)

    ~~a. No excavation may be permitted into the ground water table without approval from the Regional Water Quality Control Board, Central Valley.~~

    a. No excavations are permitted into the ground water table without specific approval from the Regional Water Quality Control Board, Central Valley Region (California Water Code, Chapter 4, Article 3, Section 13240).

    b. The materials from an excavation shall not be deposited into any water course or in any way contribute to the pollution thereof. (California Water Code, Section 13376)

    ~~c. Provide an approved potable water supply for all employees.~~

    c. An approved potable water supply must be provided for all employees (San Joaquin County Development Title, Section 9-601.030)

    ~~d. Approved chemical toilets shall be provided for all employees.~~

d. Approved sanitary facilities must be provided for all employees and patrons (San Joaquin County Development Title, Section 9-605.050)

e. ~~Handwashing facilities must be provided on or near the approved chemical toilets~~

e. No structures are proposed for this project. Any installations of structures including restrooms, or any plumbing fixtures subsequent to approval of this project, shall require the construction of an approved onsite wastewater disposal system and an approved potable water supply well for all employees (San Joaquin County Development Title, Sections 9-605.010 & 9-601.030). Should the number of non-resident individuals exceed 24 for at least 60 days per year, or the number of service connections exceed four, a yearly permit to operate a public water system will be required by the Environmental Health Department (San Joaquin County Development Title, Section 9-602.010 and 9-601.030).

f. Any imported fill shall be free of contaminants and meet the California Regional Water Quality Control Board and Department of Toxic Substances Control standards prior to grading. Please contact Todd DelFrate by email at todd.delfrate@waterboards.ca.gov or by phone at (916)464-4737 at the State of California Water Board, Region 5, to obtain approval prior to grading.

* * *

Planning Commission Staff Report
Item # 4, November 5, 2026
Conditional Use Permit No. PA-2500349 (W) and PA-2500350 (SU)
Prepared by: Jessica Leal

PROJECT SUMMARY

Applicant Information
Property Owner: Wayne K. Gong & Hai Yan Shen & Yongxia Li & Rongkuan Wen
Project Applicant: Shoup Land Surveying

Project Site Information
Project Address: 12500 E Peltier Rd, Acampo
Project Location: At the southeast corner of East Peltier Road and North Elliott Road, Acampo.

Parcel Number (APN):	017-270-01, -02	**Water Supply:**	Private (On-Site Well)
General Plan Designation:	A/L	**Sewage Disposal:**	Private (On-Site Septic)
Zoning Designation:	AL-5	**Storm Drainage:**	Private (Natural)
Project Size:	43.06-acre	**100-Year Flood:**	No
Parcel Size:	43.06-acres	**Williamson Act:**	No
Community:	None	**Supervisorial District:**	4

Environmental Review Information

CEQA Determination: Mitigated Negative Declaration (Attachment D)

Project Description

The project is comprised of two applications:

- Waiver No. PA-2500349 to reduce the required acreage minimum in AL-5 from 5 acres to 4.5 acres.
- Major Subdivision No. PA-2500350 to subdivide two existing parcels totaling 43.06-acres into eight parcels each 4.5-acres in size with a designated remainder of 4.56-acres. Parcels 1 and 2 have direct access from North Elliott Road, and Parcels 3 through 8 and the designated remainder have direct access from East Peltier Road.

Recommendation

It is recommended that the Planning Commission:

1. Deny Waiver No. PA-2500349 and Major Subdivision No. PA-2500350 based on the inability to make the Waiver Findings No. 1 through 5, and Major Subdivision Finding No. 1 and 2.

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NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices
Legal ad for the public hearing published in the Stockton Record: October 16, 2026.
Number of Public Hearing notices: 129
Date of Public Hearing notice mailing: October 16, 2026.

Referrals and Responses

- **Early Consultation Date:** December 15, 2025
- **Project Referral with Environmental Determination Date:** August 3, 2026
- **Mitigated Negative Declaration Posting Date:** August 3, 2026
- **OPR State Clearinghouse #:** 2026080045

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
County Departments		
Ag Commissioner		
Assessor		
Community Development		
Building Division		
Fire Prevention Bureau		
Code Enforcement		
Public Works	04/02/26	04/02/26
Environmental Health	12/22/25	08/05/26
Supervisor: District 4		
Sheriff Office		
Mosquito Abatement		
Parks and Recreation		
Surveyor		
State Agencies		
CA Native American Heritage Commission		
Fish & Wildlife, Division: Region 2		
Federal Agencies		
US Fish & Wildlife		
F.E.M.A.		
FAA-Airports District Office		
US Post Office		
US Army Corps		

Agency Referrals	Response Date - Early Consultation	Response Date - Referral
Local Agencies		
Lodi Unified School District		
Liberty Fire District		
North San Joaquin Water Conservation District		
Comcast Cable		
Stockton East Water District		
S.J.C.O.G.	12/18/25	08/05/26
San Joaquin Air Pollution Control District		
CA Tribal TANF Partnership		
Precissi Flying Service		
California Valley Miwok Tribe		08/19/26
United Auburn Indian Community		
North Valley Yokuts Tribe		
Buena Vista Rancheria		
Farm Bureau		
Miscellaneous		
P.G.&E.	01/14/26	09/08/26
Sierra Club		

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ANALYSIS

Background

The project consists of two APNs: 017-270-01 and 017-270-02. The parcels are currently fallow and have been historically utilized for grazing, and contain an existing single-family residence, a garage, two storage structures, and a barn. These existing structures will remain on-site and will be contained within the proposed Designated Remainder parcel.

Waiver

Pursuant to Development Title Section 9-806.010, a Waiver authorizes the review authority to "grant administrative relief from the Development Title's dimensional requirements and development standards for minor deviations". Specifically, a Waiver allows for the reduction of minimum parcel sizes by up to 10 percent, or .5 acres in the AL-5 (Limited Agriculture, 5-acre minimum) zone (Development Title Section 9-806.020(b)(1)).

Pursuant to Development Title Section 9-806.050, the Planning Commission is required to make six findings in the affirmative in order to approve the Waiver application. Staff determined that Findings No. 1 through 5 could not be made in the affirmative as discussed below.

Findings

Finding No. 1 states:

The granting of the waiver will not be materially detrimental to other properties or land uses in the area or result in a change in land use or density that would be inconsistent with the requirements of this Title.

Applicant's Statement:

The applicant is proposing to add a new condition requiring that each lot have its own retention basin to ensure no drainage impacts on the surrounding parcels.

The applicant is purposing to add a new condition requiring the Applicant to offer each neighbor a recorded covenant agreement for each neighboring farmer and the dairy operator to re-affirm the Right-to-Farm ordinance and provide actual notice and not just constructive notice. In addition, the recorded covenant agreement will also provide that the applicant, and any successors in interest, will agree to not oppose or complain about the continued and ongoing use of the neighboring parcels for the existing farming activities and/or dairy operation and the resultant noise, dust, chemical spray, flies, odors and agricultural equipment traffic. The recorded agreement will also provide an express covenant that the applicant, and any successors in interest, shall not be allowed to sue or otherwise submit any administrative complaint in opposition to the existing and continuing neighboring farming and/or dairy land uses.

The project is already zoned AL-5 and the applicant is not proposing a material change in the reduction of the parcels by 10% to 4.5 acres per parcel.

Staff's Analysis:

A Right-to-Farm notice is required as a recommended Condition of Approval and will be recorded with the Final Map. The reaffirmation of this through a recorded covenant agreement does not guarantee that future occupants will refrain from complaints, disputes, or other actions concerning agricultural activities. Further, Finding 1 requires that the proposed application not result in a change in land use or density that is inconsistent with the Development Title requirements. The minimum lot size requirement of 5 acres results in a maximum density of 1 residence per 5 acres, and granting this Waiver would allow for a higher density (1 residence per 4.5 acres). The proposed additional Right-to-

Farm condition does not resolve the density concern. As a result, staff recommends that Finding 1 cannot be made in the affirmative.

Finding No. 2 states:

The waiver is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance.

Applicant's Statement:

The property currently contains an existing single-family residence and a garage with storage buildings and a barn. The proposal will respect the existing occupancy and improvements already on the property.

Staff's Analysis:

The existence of an established single-family residence and associated improvement does not in itself, establish a unique physical characteristic that necessitates a reduction in the 5-acre minimum parcel size. Existing improvements may be relevant to the design of a subdivision; however, their presence does not demonstrate that the properties totaling 43.06-acres in size cannot reasonably be divided in compliance with the applicable zoning requirements. Currently, the parcels could be subdivided into seven 5-acre minimum parcels, complying with all Development Title and General Plan requirements, with one of the parcels containing the existing single-family residence and the other related improvements. Therefore, staff recommends that this finding cannot be made in the affirmative.

Finding No. 3 states:

There are no alternatives to the requested waiver that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.

Applicant's Statement:

The proposal is to respect the existing single-family residence and the related improvements and to create 8 parcels of 4.5 acres per parcel with a dedicated remainder of 4.56 acres. The alternative would impair the property rights of the existing residential property owner.

Staff's Analysis:

The applicant has not demonstrated that there are no reasonable alternatives that would allow the property to be developed in compliance with the 5-acre minimum parcel size. The proposed subdivision could be redesigned to comply with the 5-acre minimum parcel size applicable to the AL-5 zone. The applicant's assertion that denial would impairs the property rights is not sufficient, as compliance with the 5-acre minimum parcel size is required for subdivision on all properties in the AL-5 zone.

Finding No. 4 states:

The strict application of the regulation deprives the property owner of privileges enjoyed by other properties in the vicinity.

Applicant's Statement:

The proposal is for 8 parcels and a designated remainder and respects the existing single-family residence and the related improvements including a garage, storage buildings, and a barn. The strict application of the regulation would impact the existing property owner.

Staff's Analysis:

The Development Title requirements regarding subdivision in the AL-5 zone apply to all AL-5 zone properties. As a result, the property owner is being held to the same standard as all property owners and is not being denied privileges enjoyed by other AL-5 properties in the vicinity. Further, the project site is located adjacent to properties zoned AG-40 to the south, which are held to higher development standards and a larger minimum parcel size of 40 acres. Through project design, the project site can be divided into one parcel retaining all existing structures and 7 additional 5-acre minimum parcels. As a result, staff recommends that this finding cannot be made in the affirmative.

Finding No. 5 states:

The proposed use is consistent with the goals, policies, standards, and maps of the General Plan; any applicable Master Plan, Special Purpose Plan, Specific Plan, Planned Development zone, and any other applicable plan adopted by the County.

Applicant's Statement:

The proposal is consistent with the addition of the condition for on-site retention basins and the condition for a recorded covenant agreement. With the additional conditions, the proposal will not be detrimental to public health, safety, or welfare and will respect and resolve the concerns and issues raised by the opposition.

Staff's Analysis:

A Right-to-Farm notice is required as a recommended Condition of approval and must be recorded with the Final Map. The reaffirmation of this through a recorded covenant agreement does not substitute for compliance with the Development Title or establish that the proposed Waiver satisfies the applicable finding. Furthermore, on-site retention basins are a currently requirement of the Development Title and are included in the recommended Conditions of Approval from the Department of Public Works. These conditions address certain potential impacts; however, they do not establish that the subdivision itself is consistent with the policies and development standards of the General Plan. Pursuant to the General Plan Land Use element, the maximum permitted density for properties designated A/L is .2 dwelling units per acre, or one residence per every 5 acres (General Plan Pg. 3.1-59). A reduction in parcel size to 4.5 acres would result in a density of .225 dwelling units per acre, exceeding the allowed maximum density and resulting in a conflict with the General Plan. As a result, the proposed project is not consistent with the General Plan, and staff recommends this finding cannot be made in the affirmative.

Major Subdivision

Pursuant to Development Title Section 9-501.070, eight findings must be made in the affirmative for a Major Subdivision to be approved. Staff determined that Finding Nos. 1 and 2 cannot be made in the affirmative as discussed below.

Findings

Finding No. 1 states:

The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, the Development Title, and other applicable provisions of the County Code.

Staff's Analysis:

The proposed subdivision is not consistent with the goals, policies, standards, and maps of the General Plan. The General Plan identifies the A/L designation as intended to accommodate small-scale and specialty agricultural production and associated support uses and establishes a minimum parcel size of 5-acres for this designation. The proposed subdivision with parcels ranging in size from 4.5 to 4.56

acres is not consistent with the Development Title standards establishing a 5-acre minimum parcel size, and, as a result, staff recommends that this finding cannot be made in the affirmative.

Finding No. 2 states:

The site is physically suitable for the type of development and the proposed density of the development.

Staff's Analysis:

This finding cannot be made because the subdivision is proposing to create new parcels in the AL-5 zone that do not meet the minimum lot size established by the Development Title. Further, in the underlying A/L General Plan designation, the permitted density range is 0.0 to 0.20, or 1 residence per 5-acre. If the Major Subdivision to create eight parcels and a designated remainder is approved, each parcel would be permitted to have one primary residence and the density would increase to 0.225. As a result, the site is not physically suitable for the potential density of future development and staff recommends that this finding cannot be made in the affirmative.

Opposition

The Community Development Department received nine opposition letters from the community as well as an opposition letter from the San Joaquin Farm Bureau Federation. The letters express concern regarding the land use conflicts, drainage and groundwater impacts, impacts on public and emergency services, biological impacts.

Agricultural Land and Operations

The opposition expressed concern that the subdivision would fragment the AL-5 zone by creating substandard parcels, reduce agricultural viability, and create conflicts between farming activities and new homes. Further, the San Joaquin Farm Bureau Federation raises concerns regarding the potential loss of agricultural land resulting from the proposed project.

The proposed parcels would remain zoned AL-5 and would continue to allow agricultural uses consistent with the applicable zoning regulations. The County's Right-to-Farm provisions will require disclosure to future property owners that agricultural operations may result in customary inconveniences or discomforts, including noise, odors, insects, dust, or fumes, and that such conditions are not considered nuisances when associated with lawful agricultural activities. These provisions are intended to inform residents of the characteristics of living in an agricultural area and help reduce potential conflicts between agricultural operations and adjacent residential uses. Further, any future development would be required to comply with applicable County Development Title provisions, San Joaquin County Development Standards, the Environmental Health Department and the Department of Public Works requirements.

The Community Development Department recognizes the concerns raised regarding agricultural preservation, potential land use conflicts, and the long-term implications of residential development in agricultural areas. Staff has reviewed the proposed project with the applicable findings, and cannot make Major Subdivision finding No. 2, which relates to the suitability of the site for the proposed development, in the affirmative.

On-Site Services

The opposition stated concern that the proposed subdivision may worsen flooding in the vicinity by altering drainage patterns, impact on groundwater, and worsening water quality for existing wells.

As part of the subdivision review process, the project must comply with applicable County Public Works requirements related to drainage and stormwater management. Any required drainage improvements are required prior to development of the proposed parcels. Similarly, the project would be required to demonstrate compliance with applicable Environmental Health Department requirements for domestic

water supply and on-site wastewater disposal. As a result, impacts to services and infrastructure are anticipated to be less than significant if the Waiver and subsequent Major Subdivision are approved.

Furthermore, the proposed project does not include the construction of any new dwellings or structures, and the potential future Major Subdivision will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Any future development of the site would be subject to the rules and requirements of the Environmental Health Department related to water quality, and subject to the rules and requirements of the Department of Public Works related to storm drainage and groundwater. Furthermore, a Building Permit will be required for any future development of the project site, and any necessary drainage improvements will be subject to the San Joaquin County Development Standards, which are reviewed by the Department of Public Works. Therefore, the project and any future potential development is expected to have a less than significant impact on the drainage pattern of the site.

Public Services

The opposition expressed concern that the proposed subdivision may increase demand for public services and add traffic to rural roads not designed for higher use.

The project site is within the Liberty Fire District for fire protection, is served by the San Joaquin County Sheriff's Office for police protection and is within the Lodi Unified School District. A referral was sent to the applicable agencies on December 15, 2025, and no responses were received pertaining to concerns about response times or the need for new facilities. The proposed project is not anticipated to result in substantial adverse physical impacts to existing service ratios, response times or other performance objectives for fire protection or police protection.

Additionally, the Department of Public Works reviewed the application and provided a comment letter dated April 2, 2026. The letter includes requirements for the project to pay into applicable traffic-related impact fee programs, and no other traffic concerns were noted. As a result, the project, which has the potential to add 8 new primary residences and accessory structures, is not anticipated to have a significant impact on traffic.

Biological

A referral was sent to the San Joaquin Council of Governments (SJCOG) on December 18, 2025, for review. The San Joaquin Council of Governments (SJCOG) determined that the project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for any future development that results in ground disturbance. Participation in the SJMSCP provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. The applicant has confirmed participation in the SJMSCP. If the Waiver and subsequent Major Subdivision are approved, any future ground disturbance at the site would be subject to the SJMSCP as a Condition of Approval of the Major Subdivision.

Environmental Document

An initial study dated July 30, 2026, concluded that any impacts associated with the proposed project may be reduced to less than significant levels with the incorporation of mitigation measures. The applicant has agreed to participate in the San Joaquin Council of Government's San Joaquin Multi-Species and Habitat Conservation Plan (SJMSCP), and participation in the plan was assumed in the initial study. The mitigated negative declaration (MND) was posted for review and public comment on August 3, 2026. A Mitigation Monitoring and Reporting Program (MMRP) has been drafted (Attachment E), and adoption of the MND and MMRP is included in staff's recommendation. The MMRP includes participation in the SJMSCP.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Deny Waiver No. PA-2500349 and Major Subdivision No. PA-2500350 based on the inability to make the Waiver Findings No. 1 to 5, and Major Subdivision Finding No. 1 and 2.

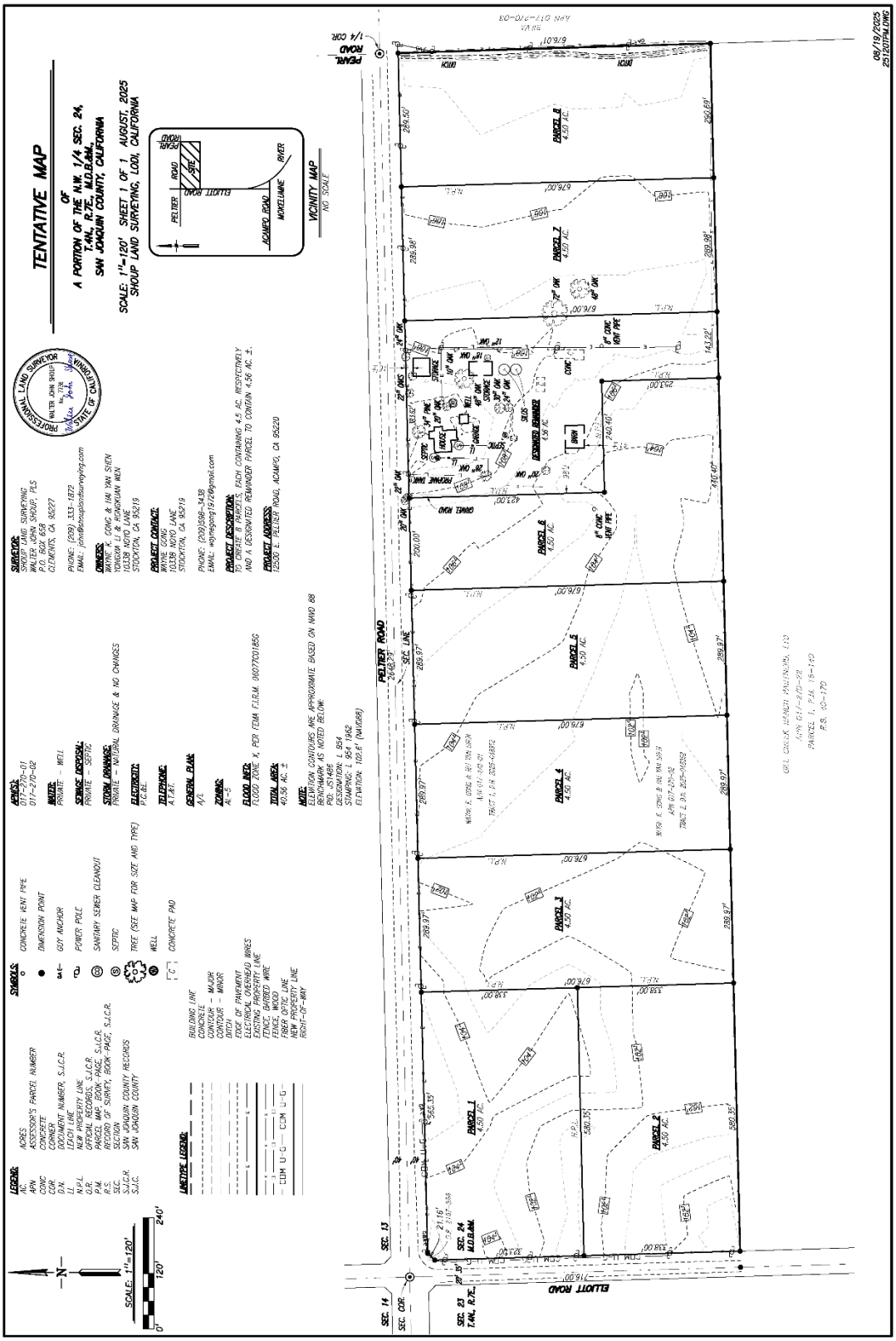
Attachments:

Attachment A – Tentative Map
Attachment B – Agency Response Letters
Attachment C – Comment Letters
Attachment D – Mitigated Negative Declaration
Attachment E – Mitigation Monitoring and Reporting Program
Attachment F – Findings for Waiver and Findings for Major Subdivision
Attachment G – Conditions of Approval

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Attachment A
Tentative Map

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TENTATIVE MAP
OF
A PORTION OF THE N.W. 1/4 SEC. 24, T.4N., R.7E., M.D.B.&M., SAN JOAQUIN COUNTY, CALIFORNIA
SCALE: 1"=120' SHEET 1 OF 1 AUGUST, 2025
SHOUP LAND SURVEYING, LODI, CALIFORNIA
VICINITY MAP
NO SCALE
PELTER ROAD
ELLIOTT ROAD
ACAMPO ROAD
MOKELUMNE RIVER
PEARL ROAD
SITE
SURVEYOR:
SHOUP LAND SURVEYING
WALTER JOHN SHOUP, PLS
P.O. BOX 658
CLEMENTS, CA 95227
PHONE: (209) 333-1822
EMAIL: johnBshoupfarmsurveying.com
OWNER:
MARK K. GONG & YAN YAN SHEN
YOUNG LIFE PROPERTIES, LLC
10138 NOYO LANE
STOCKTON, CA 95219
PROJECT CONTACT:
MARK GONG
10138 NOYO LANE
STOCKTON, CA 95219
PHONE: (209)598-3438
EMAIL: wpmgong1972@gmail.com
PROJECT DESCRIPTION:
TO CREATE 8 PARCELS, EACH CONTAINING 4.5 AC. RESPECTIVELY AND A DESIGNATED REMAINDER PARCEL TO CONTAIN 4.56 AC. ±.
PROJECT ADDRESS
12300 E. PELTER ROAD, ACAMPO, CA 95220
APN(S):
017-270-01
017-270-02
WATER:
PRIVATE – WELL
SEWAGE DISPOSAL:
PRIVATE – SEPTIC
STORM DRAINAGE:
PRIVATE – NATURAL DRAINAGE & NO CHANGES
ELECTRICITY:
P.G.&E.
TELEPHONE:
AT&T
GENERAL PLAN:
N/A
ZONING:
AL–5
FLOOD INFO:
CLOSE ZONE X, PER FEMA F.I.R.M. 06077C0185G
TOTAL AREA:
40.56 AC. ±
NOTE:
ELEVATION CONTOURS ARE APPROXIMATE BASED ON NAVD 88
BENCHMARK AS NOTED BELOW:
PID: JS1468
DESIGNATION: L 954
STAMPING: L 954 1962
ELEVATION: 102.8' (NAVD88)
LEGEND:
AC. ACRES
APN ASSESSOR'S PARCEL NUMBER
CONC CONCRETE
COR. CORNER
D.N. DOCUMENT NUMBER, S.J.C.R.
L.N. LOT LINE
N.P.L. NEW PROPERTY LINE
O.R. OFFICIAL RECORDS, S.J.C.R.
P.M. PARCEL MAP, BOOK-PAGE, S.J.C.R.
R.S. RECORD OF SURVEY, BOOK-PAGE, S.J.C.R.
SEC. SECTION
S.J.C.R. SAN JOAQUIN COUNTY RECORDS
S.J.C. SAN JOAQUIN COUNTY
SYMBOLS:
CONCRETE VENT PIPE
DIMENSION POINT
GUY ANCHOR
POWER POLE
SANITARY SEWER CLEANOUT
SEPTIC
TREE (SEE MAP FOR SIZE AND TYPE)
WELL
CONCRETE PAD
LINETYPE LEGEND:
BUILDING LINE
CONCRETE – MAJOR
CONTOUR – MINOR
DITCH
EDGE OF PAVEMENT
ELECTRICAL OVERHEAD WIRES
EXISTING PROPERTY LINE
FENCE, BARBED WIRE
FENCE, WOOD
FIBER OPTIC LINE
NEW PROPERTY LINE
RIGHT-OF-WAY
SCALE: 1"=120'
0' 120' 240'
N
PARCEL 1 4.50 AC.
PARCEL 2 4.50 AC.
PARCEL 3 4.50 AC.
PARCEL 4 4.50 AC.
PARCEL 5 4.50 AC.
PARCEL 6 4.50 AC.
PARCEL 7 4.50 AC.
PARCEL 8 4.50 AC.
DESIGNATED REMAINDER 4.56 AC.
SEC. 13
SEC. 14
SEC. 24 M.D.B.&M.
SEC. 23 T.4N., R.7E.
SEC. COR.
1/4 COR.
SEC. LINE
PELTER ROAD
ELLIOTT ROAD
PEARL ROAD
2640.73'
716.00'
1328.00'
580.35'
289.97'
676.00'
143.22'
240.40'
263.00'
423.00'
290.00'
236.98'
239.50'
250.69'
GRIZZLY SLOUGH
APN 017-270-03
APN 017-270-02
PARCEL 1, P.M. 19-152
P.B. 40-170
08/19/2025
25150TM.DWG

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Attachment B
Agency Response Letters

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SAN JOAQUIN COUNTY
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PUBLIC WORKS
San Joaquin County
Working for YOU

Department of Public Works

Najee Zarif, Director

Alex Chetley, *Deputy Director - Development*
Kristi Rhea, *Deputy Director - Administration*
David Tolliver, *Deputy Director - Operations*

April 2, 2026

M E M O R A N D U M

TO: Community Development Department
CONTACT PERSON: Jessica Leal

FROM: Shayan Rehman, Engineering Services Manager SR
Development Services Division

SUBJECT: PA-2500349, -350 (W, SU): Waiver and Major Subdivision application: This project comprises two components. Major Subdivision application No. PA-2500350 proposes to subdivide 2 parcels into 8 parcels and a designated remainder, each 4.5 acres in size. Because the zone is AL-5, Waiver application No. PA-2500349 is required to reduce the 5-acre lot size minimum by 10% to 4.5 acres. Each parcel will utilize onsite well, septic system, and natural drainage. Seven of the proposed parcels and the designated remainder will have direct access to E. Peltier Road. The remaining parcels will have direct access to N. Elliott Road. These parcels are not under Williamson Act contract; located on the southeast corner of E. Peltier Road and N. Elliott Road, Acampo.
(Supervisorial District 4)

OWNER: Wayne K. Gong & Hai Yan

APPLICANT: Shoup Land Surveying

ADDRESS: 12500 E Peltier Road, Acampo

APN: 017-270-01, -02

INFORMATION:

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

Elliott Road has an existing right-of-way width of 55' (35' east of CL) feet and a planned right-of-way width of 84-110 feet.

Peltier Road has an existing right-of-way width of 80 feet and a planned right-of-way width of 84-110 feet.

The Traffic Impact Mitigation Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

The Regional Transportation Impact Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

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RECOMMENDATIONS:

1) An encroachment permit shall be required for all work within the County 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) All easements of record shall be shown on the Final Map. (Development Title Section 9-505.080)

3) An Irrevocable Offer to Dedicate Road to result in a Forty-Two foot (42') wide right-of-way from the centerline of Peltier Road to the property line shall be required across the frontage of Parcels 1 and 3-8. The Irrevocable Offer of Dedication shall be made on the Final Map. (Development Title Section 9-608.060)

4) An Irrevocable Offer to Dedicate Road to result in a Forty-Two foot (42') wide right-of-way from the centerline of Elliot Road to the property line shall be required across the frontage of Parcels 1 and 2. The Irrevocable Offer of Dedication shall be made on the Final Map. (Development Title Section 9-608.060)

5) Drainage from the improved portion of each parcel shall be retained on-site by a retention basin at the time of development of each parcel. A soils report to evaluate whether adequate percolation is available shall be submitted and approved for each parcel prior to development of any of the parcels. Hydrologic and hydraulic analyses shall be provided and demonstrate that all property, both downstream and upstream of the discharge, will not be subject to a higher flood level as a result of the proposed drainage. (Development Title Section 9-606.010)

Informational Notes:

(i.) At the time the parcels are developed, the developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards.

(ii.) Any construction activity that results in the disturbance of at least one (1) acre of soil shall require a State NPDES construction permit. Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than 1 acre of soil and is not part of a larger common plan of development, are required to obtain coverage under the current General Permit for Discharges of Storm Water Associated with Construction Activity.

(iii.) This property is subject to the requirements of San Joaquin County Mosquito & Vector Control District (209-982-4675) and the California Health and Safety Code for the

SR:GM:GG

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Environmental Health Department
Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, Assistant Director
PROGRAM COORDINATORS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Elena Manzo, REHS
Natalia Subbotnikova, REHS

August 5, 2026

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

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

RE: **PA-2500350 (SU), PA-2500349 (W), Referral, SU-2501003 & SU-2501004**
12500 E. Peltier Road, Acampo

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

1) A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to recordation of parcel map (San Joaquin County Development Title, Section 9-502.070(a)(c)).

   Note: On August 21, 2025, the EHD approved a surface and subsurface contamination report (SU-2500828) for this project.

2) A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to recordation of final map. (San Joaquin County Development Title, Section 9-604.010(d)). The fee will be based on the current schedule at the time of payment.

   The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

   Note: On November 7, 2025, the EHD approved a soil suitability and nitrate loading study (SU-2500944) for this project.

3) Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-605.010).

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4) Construction of an individual domestic water well under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-601.010 (b)).

5) The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to Final Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-601.020(j)).

6) Submit Water Provision Declaration form to the Environmental Health Department for review. Applicant shall contact Natalia Subbotnikova, Program Coordinator, Small Public Water System Program, at (209) 468-0338, with any questions.

7) 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)).

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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)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.

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

From: Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org

Date: August 5, 2026

Local Jurisdiction Project Title: PA-2500349 (W), PA-2500350 (SU)

Assessor Parcel Number(s): 017-270-01, -02

Local Jurisdiction Project Number: PA-2500349 (W), PA-2500350 (SU)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Multi-Purpose Open Space and Urban Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Leal:

SJCOG, Inc. has reviewed the application referral for PA-2500349 (W), PA-2500350 (SU). This project consists of a Waiver and Major Subdivision application: This project comprises of two components. A Waiver to reduce the minimum lot size in the AL-5 (Limited Agriculture, 5-acre minimum) zone from 5-acres to 4.5 acres; and a Major Subdivision to subdivide two existing parcels totaling 43.06-acres into eight parcels each 4.5-acres in size with a designated remainder containing 4.56-acres. The project site is on the southeast corner of E. Peltier Road and N. Elliot Road, Acampo (APN/Address: 017-270-01, -02 / 12500 E Peltier Road, Acampo).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

At this time, the applicant is requesting a Major Subdivision with no ground disturbance. Any future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP before ANY ground disturbance occurs and should be resubmitted to this agency. Current or future owners of this-or subdivided properties should be made aware of the conditions that are placed by the SJMSCP on future development on the created parcels.

This Project is subject to the SJMSCP. This can be up to a 90-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. http://www.sjcog.org

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental Take Minimization Measures and mitigation requirement:

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.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It 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 be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0574.

S J C O G, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

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SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Public Works Department,
Other: _____

FROM: Laurel Boyd, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:

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.

Project Title: PA-2500349 (W), PA-2500350 (SU)

Landowner: Wayne K. Gong & Hai Yan
ShenYongxia Li & Rongkuan Wen

Applicant: Shoup Land Surveying

Assessor Parcel #s: 017-270-01, -02

Local Jurisdiction Contact: Jessica Leal

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

CALIFORNIA VALLEY MIWOK TRIBE

August 19, 2026

San Joaquin County
Community Development Department
Jessica Leal, Project Planner
1810 E. Hazel Ave
Stockton, California 95205-6298
Email: jleal@sjgov.org

Re: Application Numbers PA-2500349 (W) and PA-2500350 (SU) at 12500 E. Peltier Rd, Acampo. San Joaquin County, CA.

Dear Jessica Leal,

It is the understanding of the California Valley Miwok Tribe that Application Numbers PA-2500349 (W) and PA-2500350 (SU) are a Waiver and Major Subdivision application. APN Address: 017-270-01, -02 / 12500 E. Peltier Rd. Acampo, San Joaquin County, California.

It is further understood by the Tribe that this project is comprised of two applications. A Waiver to reduce the minimum lot size in AL-5 (Limited Agriculture, 5-acre minimum) zone from 5-acres to 4.5-acres; and a Major Subdivision to subdivide two existing parcels totaling 43.06-acres into eight parcels each 4.5-acres in size with a designated remainder containing 4.56 acres.

The California Valley Miwok Tribe has no comments or concerns regarding. Application Numbers PA-2500349 (W) and PA-2500350 (SU) at 12500 E. Peltier Rd, Acampo. San Joaquin County, CA. Applicant: Shoup Land Surveying

Respectfully,

Silvia Burley
Chairperson

California Valley Miwok Tribe 14807 Avenida Central, La Grange, California 95329
Official Website: https://californiavalleymiwok.us Office Ph: 209-931-4567 Email: office@cvmt.net

Pacific Gas and Electric Company
Eduardo Pimentel
Land Management
850 Stillwater Rd
Sacramento, CA 95605

September 8, 2026

San Joaquin County
Community Development Department
Jessica Leal

Re: PA-2500349-350 (W, SU)

Dear Jessica,

Thank you for providing PG&E the opportunity to review your proposed plans for PA-2500349-350 (W, SU) received on 8/3/2026. Our review indicates the proposed work and/or improvements do not appear to directly interfere with any of PG&E's existing facilities or land rights.

Please note, this is our preliminary review and PG&E may provide additional comments in the future as the project progresses or if additional information is provided. If there are subsequent modifications made to the design, we ask that the plans be resubmitted for review to the email address listed below.

If PG&E gas and/or electric service are needed, please submit an application through PG&E's Your Project Portal: Sign In (yourprojects-pge.com).

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding this response, please contact me at (925)266-2415 or Eduardo.Pimentel@pge.com

Sincerely,

Eduardo Pimentel

PG&E Plan Review Team
Land Management

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Attachment C
Comment Letters

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SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

September 22, 2026

San Joaquin County Community Development Department
Planning Division
Attn: Jessica Leal
1810 E. Hazelton Avenue
Stockton, CA 95205

Re: Opposition to PA-2500349 (W) and PA-2500350 (SU)

Dear Ms. Leal:

On behalf of the San Joaquin Farm Bureau, I am writing to express our opposition to Waiver Application PA-2500349 and Major Subdivision Application PA-2500350.

The San Joaquin Farm Bureau is a private, nonprofit organization dedicated to protecting and advancing agriculture throughout San Joaquin County. Preserving agricultural land in parcels that remain viable for agricultural production and limiting the fragmentation of our agricultural landscape are among our highest priorities.

The applications propose to reduce the minimum parcel size within the AL-5 (Limited Agriculture, 5-acre minimum) zone from five acres to 4.5 acres and subsequently subdivide two existing parcels totaling approximately 43 acres into eight 4.5-acre parcels and a 4.56-acre remainder. The property carries both an AL-5 zoning designation and an A/L (Limited Agriculture) General Plan designation.

San Joaquin Farm Bureau is concerned not simply with the half-acre reduction requested through the waiver, but with the larger land-use consequence of dividing approximately 43 acres of agricultural property into nine substantially smaller parcels. Minimum parcel-size standards are an important tool for preserving agricultural land and discouraging the gradual conversion of agricultural areas to rural residential development. Approving exceptions to those standards undermines their effectiveness and contributes to the incremental fragmentation of the County's agricultural land base.

Agriculture depends upon more than simply retaining an agricultural zoning designation. The size, configuration, ownership pattern, and surrounding uses of agricultural parcels all influence whether farming remains practical and economically viable. Larger contiguous parcels provide farmers greater flexibility for equipment operation, irrigation, crop management, and long-term investment. As agricultural properties are repeatedly divided into smaller ownerships, those advantages are diminished.

The creation of numerous small parcels also increases the likelihood that agricultural land will ultimately transition toward residential or other non-agricultural uses. Even where agriculture remains permissible, smaller parcels can introduce additional homes, driveways, wells, septic systems, fencing, traffic, and other improvements into areas that have historically functioned as agricultural landscapes. Over time, those changes create additional conflicts between residents and neighboring agricultural operations.

Those conflicts are particularly concerning for existing farmers. Agricultural production routinely involves dust, noise, odors, crop protection activities, irrigation, early morning and nighttime work, and the movement of tractors, trucks, and other agricultural equipment. New residents moving into agricultural areas may not fully anticipate these conditions. As residential density increases, growers can face greater complaints and pressure to modify normal and lawful agricultural practices.

San Joaquin Farm Bureau is also concerned about the precedent that approval of this waiver could establish. The County has established a five-acre minimum parcel size for the AL-5 zone. Allowing parcels below that standard without a compelling agricultural justification risks encouraging similar requests elsewhere. Individually, each reduction may appear minor, but cumulatively, repeated exceptions can significantly alter the agricultural character of an area and weaken the effectiveness of agricultural zoning.

3290 NORTH AD ART ROAD • STOCKTON, CA • 95215 • (209) 931-4931 • (209) 931-1433 Fax
WWW.SJFB.ORG

SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

Agricultural land preservation requires evaluating not only whether land remains technically zoned for agriculture, but whether land-use decisions support its continued practical use for agriculture over the long term. Subdividing larger agricultural holdings into increasingly smaller parcels moves in the opposite direction.

For these reasons, the San Joaquin Farm Bureau respectfully opposes PA-2500349 and PA-2500350 and requests that the County deny both the waiver and the proposed major subdivision.

Should the County nevertheless determine that the project should proceed, we request that any approval include strong protections for surrounding agricultural operations, including acknowledgement of San Joaquin County's Right to Farm Ordinance and conditions ensuring that future development of the parcels does not interfere with neighboring agricultural production.

Thank you for the opportunity to comment on these applications. Please include this letter in the administrative record and keep the San Joaquin Farm Bureau informed of all future hearings and actions regarding the project.

Sincerely,



Andrew Genasci
Executive Director, San Joaquin Farm Bureau

3290 NORTH AD ART ROAD • STOCKTON, CA • 95215 • (209) 931-4931 • (209) 931-1433 Fax
WWW.SJFB.ORG

From: Steve Borra Jr. - Borra Vineyards
To: Leal, Jessica [CDD]
Cc: Dominic Borra
Subject: PA-2500349 / PA-2500350
Date: Monday, August 31, 2026 5:12:36 PM

> You don't often get email from sjr@borravineyards.com. Learn why this is important

Hi Jessica-

We're the adjacent neighbor directly to the South. I'm a little late responding to the Public Comment for this project but wanted to ask how winter storm drainage affected the subdividing of the property. The Western end of the field has very bad drainage and backs up water onto our property as it sets currently. Subdividing parcels 1-4 & 8 will exacerbate the drainage issue as there is no relief area for the water to go.

Please let me know how the property owner(s) will be required to attend to this in the development process.

Regards,
Steve Borra
209 993-9018

From: Kevin Silva
To: Leal, Jessica [CDD]
Date: Friday, August 28, 2026 10:36:48 PM

> You don't often get email from noregretscc88@gmail.com. Learn why this is important

Dear Jessica Leal,

I am writing in regards to the proposed plan to add 8 more parcels on the corner of Peltier and Elliott Road. I strongly feel that this is a horrible idea and have several major concerns regarding the impact on our local area.

First, who is going to replace my well when it goes dry due to having 8 more wells operating nearby?

Second, where is all the rainwater from these additional parcels supposed to go? I cannot remember the last time I saw the county out in my area cleaning and maintaining the ditches. Currently, I have to put a blocker at the end of my driveway because the water tries to flow into my property instead of continuing down the ditch.

Furthermore, the property where the 8 additional parcels are being proposed contains a lot of natural drains and vernal pools, which I am certain contain fairy shrimp.

Finally, the letter I received states that a notice was mailed to Liberty Fire. However, I stopped by their station, and they informed me that they never received anything.

I look forward to hearing your response regarding these urgent matters.

Best regards,

Kevin Silva

From: Bonnie Berneiser
To: Leal, Jessica [CDD]
Subject: APPLICATION NUMBERS: PA-2500349 (W), PA-2500350 (SU)
Date: Friday, August 28, 2026 2:06:20 PM

You don't often get email from berneiserb@gmail.com. Learn why this is important

Dear Ms. Leal,

I am writing to express my concerns regarding the proposed project location.

I feel that this project would have a negative effect on the environment. Specifically, I am concerned that it will take away valuable farmland, lower the local water table, and potentially contaminate the Mokelumne River.

Thank you for taking the time to consider these environmental impacts. I look forward to hearing your response regarding how these issues will be addressed.

Best regards,

Bonnie Berneiser
12611 E Peltier Rd, Acampo, CA 95220

From: Danielle Espedal
To: Leal, Jessica [CDD]
Subject: Application for Elliott rd Peltier Pa 2500349/ 2500350
Date: Sunday, August 30, 2026 4:11:10 PM

> You don't often get email from cmypaint@aol.com. Learn why this is important

Hi we are a long time resident in Acampo Dogtown area ..We have watched through the years of heavy development on the Peltier road with agriculture property turned into small ranchettes with the 5 acre ag zone being the smallest you could break the 40 ag zone into. I feel this has been a good standard and would like for the 5 acre ag zone to stand and stay in place. My other concern reading the impact as no or little to change is very significant every time 1 single family home ranch turns into multiple homes the water table , traffic, roads , schools and first responders are affected . Also we have a huge flood problem out here that we were never aware of over 30 years we have lived and seen the roads and ditch unable to keep up with property run off..How will several families including the ones across the street from proposed site know the water , run off will not become worse due to cement, asphalt, driveways and developed yards..I feel like a winter assessment should be done for sure...Keep zoning as is managing what is already in place...Concerned in Acampo Danielle

Sent from AOL on Android

From: Naomi Silva
To: Leal, Jessica [CDD]
Subject: Pa-2500349(w), pa-2500350(su)
Date: Saturday, August 29, 2026 1:11:05 PM

[You don't often get email from naomisilva57@hotmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Regarding this application and public hearing, we are not is support of this project. We do not agree with the subdivision of the parcels. We feel it would have a negative impact on the community and the agriculture on the land it self and the surrounding area. We feel that this project it increase traffic, noise and impact ground water levels that affect the entire area. We fear that people would not understand the way of life in the country as for living a dealing with dust, flies, smells, and equipment noises that it would cause and issue for the surrounding agricultural business surrounding this proposed project.

Opposed residents,

Antonio & Naomi Silva
22025 N Elliott Rd
Acampo, CA 95220
Sent from my iPad

From: Tiffany Sheppa
To: Leal, Jessica [CDD]
Subject: Application referral: PA-2500349 (w) PA-2500350 (su)
Date: Wednesday, August 26, 2026 9:15:32 PM

You don't often get email from t.c.sheppa@sbcglobal.net. Learn why this is important

We are writing this letter with concern of the project being presented and the negative effect it would have on our local community of neighbors and our family dairy business. The purposed project would increase traffic and noise. It would affect the ground water and begin to deplete levels of the aquafer; which would be detrimental. These are all things that would affect local families that live and operate family run agricultural businesses and operations that contribute to our local community and economy. In some research and experience with properties like these people tend to move from town or the city and do not completely and fully understand all that comes with moving to the country; they do not understand that the agricultural surroundings come with dust, dirt, flies and smells. These confusions have a tendency to cause issues for the surrounding agriculture around them. There is also the concern for our family dairy that has been a dairy operation since well before the 50's. The increase in all the above concerns be a negative effect on the cows and their wellbeing. We request that you take in to consideration what this project would do to many peoples current and future living conditions in addition to our agriculture.

Concerned Residents,

Anthony Silva

12900 E. Peltier Rd.

Acampo, CA 95220

Subject: Opposition to PA-2500349 (Waiver) and PA-2500350 (Major Subdivision) - 12500 E. Peltier Road, Acampo

San Joaquin County Community Development Department
Attn: Jessica Leal, Project Planner

RE: PA-2500349 (Waiver) and PA-2500350 (Major Subdivision)

Dear Planning Commissioners and Staff,

I am writing to formally oppose the proposed waiver and major subdivision application located at the southeast corner of E. Peltier Road and N. Elliott Road in Acampo. The project proposes reducing the minimum parcel size and subdividing approximately 43 acres into eight residential parcels.

My opposition is based on several significant concerns that I believe have not been adequately addressed.

1. Inadequate Storm Water Drainage

The project would increase the amount of development and impervious surfaces in an area that already experiences drainage challenges during significant storm events. The county must carefully evaluate whether existing drainage infrastructure has sufficient capacity to accommodate additional runoff generated by eight new residential parcels.

Without substantial drainage improvements, nearby properties, roads, and agricultural land may experience increased flooding, standing water, and erosion. Rural drainage systems often have limited capacity, and the cumulative impacts of additional development can create long-term problems for existing residents.

2. Increased Demand on Limited Water Resources

Water availability is a growing concern throughout San Joaquin County and the surrounding region. Adding additional homes and domestic water demand places further pressure on local groundwater supplies that existing residents depend upon.

Before approving this project, the County should require a comprehensive analysis of water availability and groundwater impacts. Existing homeowners should not bear the risk of declining well performance, reduced groundwater levels, or future water shortages resulting from additional development. Protecting current residents' access to reliable water must be a priority.

3. Increased Traffic on an Already Congested Rural Roadway

E. Peltier Road is already heavily traveled and serves local residents, agricultural operations, and commuters. The addition of multiple new residential parcels will generate additional daily vehicle trips, including commuter traffic, service vehicles, delivery vehicles, and construction traffic.

Increased traffic will negatively affect safety at local intersections and along rural road segments that were not designed to accommodate continued residential growth. The County should evaluate the cumulative traffic impacts of this project together with other recent and proposed developments in the area rather than considering this project in isolation.

4. Loss of Agricultural Character and Rural Density Standards

The project seeks a waiver to reduce the minimum lot size within the AL-5 Limited Agriculture zoning district from five acres to 4.5 acres. [20260819070623_001 | PDF]

The existing density standards were established to preserve the rural and agricultural character of the community. Granting exceptions to these standards sets an undesirable precedent for future developments and incrementally increases rural residential density in areas intended for agricultural use.

Conclusion

For the reasons outlined above, including concerns regarding inadequate storm water drainage, increased pressure on limited water resources, increased traffic on already busy rural roads, and the erosion of established agricultural zoning standards, I respectfully request that San Joaquin County deny Applications PA-2500349 and PA-2500350, or at a minimum require substantially more comprehensive analysis and mitigation before considering approval.

Thank you for your consideration of these concerns and for protecting the interests of existing residents and the rural character of the Acampo community.

Sincerely,

Andy Anderson
22493 N. Elliott Rd
Acampo CA, 95220
andy197634@icloud.com
209-329-0155

8/13/2026

To The Community Development Department,

We are writing to you today to express our disapproval of the planned subdivision at the corner of Peltier and Elliot in Acampo, CA. We are long time residents of a property on Pearl Road, right around the corner from this planned subdivision. Our concerns are for our local traffic, sound, water and schools.

We live on a property with farm animals, including over 50 head of sheep and are concerned that the addition of 8 new, likely large homes, will contribute to an increase in noise and disturbances. We are also concerned that this many new homes in one consolidated place will cause a large increase in traffic in the area, that is already affected by local harvesting and farm vehicles. This corner is already busy and adding this many additional properties will add to this congestion and change the dynamic of the area.

We feel like squeezing this many individual properties into such a small area of land could also affect the water table, as they would all be drawing from the ground water for their yards, ag and home needs.

We would like to see this proposition denied, especially because they are trying to break the property up into smaller than 5 acre parcels, which is against the area's building ordinance.

In addition, these new homes sound like they will be family homes, and our local school, Victor School, is already at capacity, so we are concerned that the school will become overcrowded with the addition of this many new residents without the addition of new classrooms or teachers.

Thank you for your consideration.

Sincerely,

Jeff and Sandy Culbertson

Pearl Rd. Residents

Leal, Jessica [CDD]

From: Colby Martin <colbym45@gmail.com>
Sent: Friday, August 14, 2026 9:28 PM
To: Leal, Jessica [CDD]
Subject: Application Numbers: PA-2500349 (w) and PA-2500350 (SU)

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from colbym45@gmail.com. Learn why this is important

As a Resident in the area of the proposed subdivision, I am **opposed** to the waiver and subdivision. This area is primarily agriculture and this subdivision will cause significant negative impact on the surrounding agricultural operations. Small parcel subdivisions will create significant traffic and bring residents that will not understand agricultural operations and the procedures that must be followed. Additionally, this subdivision will cause more traffic congestion near a primary intersection. This area depends on groundwater provided by wells and will overdraft an already stressed water supply. Furthemore, 9 parcels will require septic systems, which could cause contamination of water supplies.

This property is zone AL-5. These zoning laws should be followed and a waiver is not warranted. The proposed developer is just trying to sweeten his own pocket by requesting a waiver, no matter how small of a deviation.

There are several open land parcels nearer to population centers that should be developed before a parcel 2 miles away from a residential area is subdivided. Part of the joy of living in the country is the quiet rural atmosphere. More traffic, more people, equals more noise.

I believe I have outlined significant reasons why this subdivision should be denied. Thank you for your consideration.

Respectfully,
Colby V Martin

Attachment D
Mitigated Negative Declaration

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SAN JOAQUIN COUNTY
Community Development Department

Community Development Department
Planning · Building · Code Enforcement · Fire Prevention

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

MITIGATED NEGATIVE DECLARATION

TO: ☒ Office of Planning & Research
P. O. Box 3044
Sacramento, CA 95812-3044

☒ County Clerk, County of San Joaquin

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

PROJECT TITLE: Waiver and Major Subdivision Nos. PA-2500349 & PA-2500350

PROJECT LOCATION: The project site is on the southeast corner of E. Peltier Road and N. Elliott Road, Acampo, San Joaquin County. (APN/Address: 017-270-01, -02 / 12500 E Peltier Rd, Acampo) (Supervisorial District: 4)

PROJECT DESCRIPTION: A Waiver and Major Subdivision application: This project is comprised of two applications: A Waiver to reduce the minimum lot size in the AL-5 (Limited Agriculture, 5-acre minimum) zone from 5-acres to 4.5-acres; and a Major Subdivision to subdivide two existing parcels totaling 43.06-acres into eight parcels each 4.5-acres in size with a designated remainder containing 4.56-acres.

The Property is zoned AL-5 (Limited Agriculture, 5-acre minimum) and the General Plan designation is A/L (Limited Agriculture).

PROPONENT: Wayne K. Gong & Hai Yan Shen & Yongxia Li & Rongkuan Wen / Shoup Land Surveying

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This is a Notice of Intent to adopt a Mitigated Negative Declaration for this project as described. San Joaquin County has determined that through the Initial Study that contains proposed mitigation measures all potentially significant effects on the environment can be reduced to a less than significant level. The Mitigated Negative Declaration and Initial Study can be viewed on the Community Development Department website at www.sjgov.org/commdev under Active Planning Applications.

Date: August 3, 2026

Contact Person:
Jessica Leal Phone: (209) 468-3140 Fax: (209) 468-3163 Email: jleal@sjgov.org

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Attachment E
Mitigation Monitoring and Reporting Program

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Mitigation Monitoring Reporting Plan – PA-2500349 (W) & PA-2500350 (SU) June 12, 2026

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 County 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.			

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Attachment F
Findings for Waiver and Major Subdivision

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FINDINGS

PA-2500349 & PA-2500350
SHOUP LAND SURVEYING/ WAYNE K. GONG & HAI YAN SHEN & YONGXIA LI & RONGKUAN WEN

Waiver No. PA-2500349

1. The granting of the waiver will not be materially detrimental to other properties or land uses in the area or result in a change in land use or density that would be inconsistent with the requirements of this Title.

   - **A Right-to-Farm notice is required as a recommended Condition of Approval and will be recorded with the Final Map. The reaffirmation of this through a recorded covenant agreement does not guarantee that future occupants will refrain from complaints, disputes, or other actions concerning agricultural activities. Further, Finding 1 requires that the proposed application not result in a change in land use or density that is inconsistent with the Development Title requirements. The minimum lot size requirement of 5 acres results in a maximum density of 1 residence per 5 acres, and granting this Waiver would allow for a higher density (1 residence per 4.5 acres). The proposed additional Right-to-Farm condition does not resolve the density concern. As a result, staff recommends that Finding 1 cannot be made in the affirmative.**

2. The waiver is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance.

   - **The existence of an established single-family residence and associated improvement does not in itself, establish a unique physical characteristic that necessitates a reduction in the 5-acre minimum parcel size. Existing improvements may be relevant to the design of a subdivision; however, their presence does not demonstrate that the properties totaling 43.06-acres in size cannot reasonably be divided in compliance with the applicable zoning requirements. Currently, the parcels could be subdivided into seven 5-acre minimum parcels, complying with all Development Title and General Plan requirements, with one of the parcels containing the existing single-family residence and the other related improvements. Therefore, staff recommends that this finding cannot be made in the affirmative.**

3. There are no alternatives to the requested waiver that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.

   - **The applicant has not demonstrated that there are no reasonable alternatives that would allow the property to be developed in compliance with the 5-acre minimum parcel size. The proposed subdivision could be redesigned to comply with the 5-acre minimum parcel size applicable to the AL-5 zone. The applicant's assertion that denial would impairs the property rights is not sufficient, as compliance with the 5-acre minimum parcel size is required for subdivision on all properties in the AL-5 zone.**

4. The strict application of the regulation deprives the property owner of privileges enjoyed by other properties in the vicinity.

   - **The Development Title requirements regarding subdivision in the AL-5 zone apply to all AL-5 zone properties. As a result, the property owner is being held to the same standard as all property owners and is not being denied privileges enjoyed by other AL-5 properties in the vicinity. Further, the project site is located adjacent to properties zoned AG-40 to the south, which are held to higher development standards and a larger minimum parcel size of 40 acres. Through project design, the project site can be divided into one parcel retaining all existing structures and 7 additional 5-acre minimum parcels. As a result, staff recommends that this finding cannot be made in the affirmative.**

5. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan; any applicable Master Plan, Special Purpose Plan, Specific Plan, Planned Development zone, and any other applicable plan adopted by the County.

    - **A Right-to-Farm notice is required as a recommended Condition of approval and must be recorded with the Final Map. The reaffirmation of this through a recorded covenant agreement does not substitute for compliance with the Development Title or establish that the proposed Waiver satisfies the applicable finding. Furthermore, on-site retention basins are a currently requirement of the Development Title and are included in the recommended Conditions of Approval from the Department of Public Works. These conditions address certain potential impacts; however, they do not establish that the subdivision itself is consistent with the policies and development standards of the General Plan. Pursuant to the General Plan Land Use element, the maximum permitted density for properties designated A/L is .2 dwelling units per acre, or one residence per every 5 acres (General Plan Pg. 3.1-59). A reduction in parcel size to 4.5 acres would result in a density of .225 dwelling units per acre, exceeding the allowed maximum density and resulting in a conflict with the General Plan. As a result, the proposed project is not consistent with the General Plan, and staff recommends this finding cannot be made in the affirmative.**

Major Subdivision No. PA-2500350

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, the Development Title, and other applicable provisions of the County Code.

    - **This finding cannot be made because the proposed subdivision is not consistent with the goals, policies, standards, and maps of the General Plan. The General Plan identifies the A/L designation as intended to accommodate small-scale and specialty agricultural production and associated support uses and establishes a minimum parcel size of 5-acres for this designation. The proposed subdivision with parcels ranging in size from 4.5 to 4.56 acres is not consistent with the Development Title standards establishing a 5-acre minimum parcel size, and, as a result, staff recommends that this finding cannot be made in the affirmative.**

2. The site is physically suitable for the type of development and the proposed density of the development.

    - **This finding cannot be made because the subdivision is proposing additional parcels in the AL-5 zone that do not meet the minimum lot size established by the Development Title. Further, in the underlying A/L General Plan designation, the permitted density range is 0.0 to 0.20, or 1 residence per 5-acre. If the Major Subdivision to create eight parcels and a designated remainder is approved, each parcel would be permitted to have one primary residence and the density would increase to 0.225. The resulting Major Subdivision affects the density requirements for future development. As a result, the site is not physically suitable for the potential density of future development and staff recommends that this finding cannot be made in the affirmative.**

3. The proposed subdivision, together with the provisions for its design and improvement, are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, unless an Environmental Impact Report (EIR) was prepared and a finding was made that specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible, pursuant to Section 21081(a)(3) of the Public Resources Code.

    - **This finding can be made because the subdivision will facilitate future residential development. The future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) and physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan before any ground disturbance occurs. The subdivision**

is not likely to cause substantial environmental damage or substantially and avoidably injuring fish and wildlife in their habitat.

4. The proposed subdivision, together with the provisions for its design and improvement, is not likely to cause serious public health problems.

   - **This finding can be made because the parcels are permitted one single-family dwelling, one accessory dwelling unit, one junior accessory dwelling unit. Additionally, the AL-5 zone designation of the proposed parcels permits agricultural structures and up to 12 farm employee housing units without discretionary review. The Initial Study prepared for this project concludes that the Major Subdivision creates a less than significant impact on public health.**

5. The proposed subdivision, together with the provisions for its design and improvement, will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The County may approve a map if it finds that alternate easements for access or for use will be provided and that these easements will be substantially equivalent to ones previously acquired by the public.

   - **This finding can be made because the design of the subdivision will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision because, if it is found that alternate easements for access or for use are necessary, these will be substantially equivalent to ones previously acquired by the public.**

6. Water and wastewater disposal services will be available and sufficient to serve a proposed subdivision. If the subdivision has more than 500 dwelling units, this finding must be in accordance with Section 66473.7 of the Subdivision Map Act.

   - **This finding can be made because parcels in the AL-5 zone allow for the use of a well for water and an individual septic system for wastewater subject to the rules and regulations of the Environmental Health Department. All proposed parcels would be permitted one single-family dwelling, one accessory dwelling unit, one junior accessory dwelling unit, and up to 12 farm employee units. The Environmental Health Department would have to approve the number of residences onsite in accordance with their requirements regarding well water and septic wastewater treatment density. In the event all parcels are permitted the maximum number of residences, the number of residences would be less than 500 and exempt from Section 66473.7 of the Subdivision Map Act.**

7. Any land or improvement to be dedicated to the County or other public agency is consistent with the General Plan, any applicable Specific Plan, pre-existing Special Purpose Plan, or Master Plan, and any other applicable plan adopted by the County.

   - **This finding can be made because any land or improvements dedicated to the County would be consistent with the General Plan, any applicable Specific Plan and Special Purpose Plan, and other applicable plan adopted by the County because any such improvements or land must meet County standards and requirements of the Department of Public Works for dedication and/or construction.**

8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

   - **This finding can be made because the proposed Major Subdivision provides opportunities for future residential development to incorporate passive heating and cooling design features. The proposed parcels can accommodate single-family residences designed to take advantage of solar orientation, natural ventilation, and site-specific conditions to improve energy efficiently. Additionally, future single-family housing must incorporate rooftop solar photovoltaic systems that will generate renewable electricity.**

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Attachment G
Conditions of Approval

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CONDITIONS OF APPROVAL

(*if approved)*

PA-2500349 & PA-2500350
SHOUP LAND SURVEYING/ WAYNE K. GONG & HAI YAN SHEN & YONGXIA LI & RONGKUAN WEN

Waiver No. PA-2500349 and Major Subdivision PA-2500350 was approved by the Planning Commission on November 5, 2026. The effective date of approval is November 15, 2026. This tentative map approval will expire on November 15, 2029, which is three (3) years from the effective date of approval, unless (1) all Conditions of Approval have been complied with and (2) a Certificate of Compliance has been filed with and accepted by the County Surveyor.

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: Community Development Department, [209] 468-3121)

    a. **APPROVAL:** This approval is for a Major Subdivision to subdivide two parcels totaling 43.06-acres into eight parcels and a designated remainder. Parcels 1 to 8 to each contain 4.50 acres and designated remainder to contain 4.56 acres, as shown on the Tentative Map dated October 21, 2025, and consistent with Waiver No. PA-2500349.

    b. **TENTATIVE MAP:** The Parcel Map shall substantially conform with the approved Tentative Map dated October 21, 2025. (Development Title Section 9-512.010).

    c. **RIGHT TO FARM:** Pursuant to San Joaquin County Code Section 6-9004(b), the following note shall be recorded as a Notice of Minor Subdivision Restriction with the Parcel Map.

    All persons purchasing parcels within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust, or fumes. San Joaquin County has determined that such inconveniencies or discomforts shall not be considered to be a nuisance.

    d. **LOT SIZE:** The following lot size and width regulations shall apply to this map:

        1. Parcels 1-8 shall have a minimum parcel size of 4.5 gross acres (Development Title Section 9-806.020(b)(2); PA-2500349 (WV))

        2. The designated remainder shall have a minimum parcel size of 4.56 gross acres (Development Title Section 9-806.020(b)(2); PA-2500349 (WV))

        3. All parcels shall have a minimum lot width of 200 feet, measured at the front yard setback line. (Development Title Section 9-203.030)

    e. **MITIGATION MONITORING AND REPORTING PROGRAM (MMRP):** The project shall comply with all required mitigations included in the MMRP dated June 12, 2026.

2. COUNTY COUNSEL

    a. **HOLD HARMLESS PROVISION:** Pursuant to Section 66474.9 of the Government Code, the subdivider shall defend, indemnify, and hold harmless the local agency or its agents, officers, and employees from any claim, action, or proceeding against the local agency or its agents, officers, or employees to attack, set aside, void, or annul an approval of the local agency, advisory agency,

appeal board, or legislative body concerning a subdivision, which action is brought within the time provided for in Section 66499.37 of the Government Code.

3. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000)

   a. An encroachment permit shall be required for all work within the 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)

   b. All easements of record shall be shown on the Final Map. (Development Title Section 9-505.080)

   c. An Irrevocable Offer to Dedicate Road to result in a Forty-Two foot (42') wide right-of-way from the centerline of Peltier Road to the property line shall be required across the frontage of Parcels 1 and 3-8. The Irrevocable Offer of Dedication shall be made on the Final Map. (Development Title Section 9-608.060)

   d. An Irrevocable Offer to Dedicate Road to result in a Forty-Two foot (42') wide right-of-way from the centerline of Elliot Road to the property line shall be required across the frontage of Parcels 1 and 2. The Irrevocable Offer of Dedication shall be made on the Final Map. (Development Title Section 9-608.060)

   e. Drainage from the improved portion of each parcel shall be retained on-site by a retention basin at the time of development of each parcel. A soils report to evaluate whether adequate percolation is available shall be submitted and approved for each parcel prior to development of any of the parcels. Hydrologic and hydraulic analyses shall be provided and demonstrate that all property, both downstream and upstream of the discharge, will not be subject to a higher flood level as a result of the proposed drainage. (Development Title Section 9-606.010)

4. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420)

   a. A qualified environmental professional shall prepare a surface and subsurface contamination report, identifying any potential source of surface or subsurface contamination caused by past or current land uses. The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to recordation of parcel map (San Joaquin County Development Title, Section 9-502.070(a)(c)).

      Note: On August 21, 2025, the EHD approved a surface and subsurface contamination report (SU-2500828) for this project.

   b. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to recordation of final map. (San Joaquin County Development Title, Section 9-604.010(d)). The fee will be based on the current schedule at the time of payment.

      The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

      Note: On November 7, 2025, the EHD approved a soil suitability and nitrate loading study (SU-2500944) for this project.

   c. Construction of an individual sewage disposal system(s) under permit and inspection by the Environmental Health Department is required at the time of development based on the Soil Suitability/ Nitrate Loading Study findings (San Joaquin County Development Title, Section 9-605.010).

d. Construction of an individual domestic water well under permit and inspection by the Environmental Health Department is required at the time of development (San Joaquin County Development Title, Section 9-601.010 (b)).

e. The existing private water wells shall be tested for the chemical Dibromochloropropane (DBCP) and nitrates with the results submitted to the Environmental Health Department prior to Final Map. Samples are to be taken and analyzed by a State-approved laboratory (San Joaquin County Development Title, Section 9-601.020(j)).

f. 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)).

5. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact [209] 235-0600):

a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development, any structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and should be resubmitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied. The following note shall be recorded as a Notice of Major Subdivision Restriction:

1. Parcel 1 to 8 and the Designated Remainder are subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). At the time of development of Parcel 1, Parcel, 2, Parcel, 3, Parcel 4, Parcel 5, Parcel 6, Parcel 7, Parcel 8 and/or the Designated Remainder, any structure(s) that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and development plans should be submitted to the San Joaquin Council of Governments to ensure biological and mitigation obligations are satisfied.

Planning Commission Staff Report
Item # 5, November 5, 2026
Administrative Use Permit No. PA-2600210
Prepared by: Taylor Hawkins

PROJECT SUMMARY

Applicant Information

Property Owner:	Balraj Singh Dhaliwal
Project Applicant:	Bay Area Transportation

Project Site Information

Project Address:	23873 E. State Route 120, Escalon
Project Location:	On the north side of East State Route 120, 800 feet west of South Brennan Avenue, Escalon.

Parcel Number (APN):	229-030-21	**Water Supply:**	Private (Well)
General Plan Designation:	A/G	**Sewage Disposal:**	Private (Sewer)
Zoning Designation:	AG-40	**Storm Drainage:**	Private (Natural Storm Drainage)
Project Size:	0.34 acres	**100-Year Flood:**	No (X)
Parcel Size:	9.2 acres	**Williamson Act:**	No
Community:	None	**Supervisorial District:**	4

Environmental Review Information

CEQA Determination:	Notice of Exemption (Attachment D)

Project Description

An Administrative Use Permit for Owner-Operator Truck Parking as an accessory use for a maximum of 2 trucks and 4 trailers. No refrigeration trailers will be operated as a part of this project. The parcel has direct access to East State Route 120 and Brennan Avenue. The parcel is served by on-site well and septic systems, and natural storm drainage.

Recommendation

1. Accept the Notice of Exemption (Attachment D)
2. Adopt the Findings for the Administrative Use Permit (Attachment E)
3. Approve Administrative Use Permit PA-2600210 subject to the recommended Conditions of Approval (Attachment F)

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NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices
Legal ad for the public hearing published in the Stockton Record: October 16, 2026.
Number of Public Hearing notices: 465
Date of Public Hearing notice mailing: October 16, 2026.

Referrals and Responses

- **Project Referral with Environmental Determination Date:** July 7, 2026

Agency Referrals	Response Date - Referral
County Departments	
Ag Commissioner	
Assessor	
Community Development	
Building Division	
Fire Prevention Bureau	8/26/2026
Code Enforcement	
Public Works	7/30/2026
Environmental Health	7/29/2026
Sheriff Office	
SJC Supervisor: District 4	
Mosquito Abatement	
Air Pollution Control District	
State Agencies	
CA Dept of Motor Vehicles	
CA Native American Heritage Commission	
CA Tribal TANF Partnership	
CA Valley Miwok Tribe	7/21/2026
CA Fish & Wildlife, Division Region: 2	
Federal Agencies	
U.S. Fish & Wildlife	
F.E.M.A.	

Agency Referrals	Response Date - Referral
Local Agencies	
Caltrans – District 10	7/27/2026
City of Escalon	
City of Tracy	
Escalon Unified School District	
Escalon Consolidated Fire District	
Mosquito & Vector Control	
S.J.C.O.G.	7/09/2026
San Joaquin Air Pollution Control District	
South San Joaquin Irrigation District	
Stanislaus County Planning	
Miscellaneous	
P.G.&E.	7/31/2026
Sierra Club	
Buena Vista Rancheria	
Farm Bureau Federation	
North Valley Yokut Tribe	
United Auburn Indian Community	7/08/2026

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ANALYSIS

Background

This Administrative Use Permit application was submitted on May 29, 2026. The project is requesting to park a maximum of two trucks and four trailers and does not propose the construction of any buildings. Additionally, no refrigeration trailers will be operated as a part of this project.

Under Development Title Section 9-804.020(b), Administrative Use Permit applications are generally acted upon by the Zoning Administrator. However, the Zoning Administrator may refer an application to the Planning Commission when a project may generate substantial public controversy or involve significant land use policy considerations. In this case, the application must "be processed as a Conditional Use Permit." For record keeping purposes, staff has continued to refer to this project as an Administrative Use Permit, however, all Conditional Use Permit processing requirements have been followed, ensuring compliance with Section 9-804.020(b). CDD received 10 opposition letters from 11 community members regarding this project. As a result, this project has been brought before the Planning Commission for a determination.

Use Type

The project is classified as Owner Operator Truck Parking. Owner Operator Truck Parking is defined as the parking or keeping of trucks, semi-trucks or trailers by the owner-operator (Development Title Section 9-900.020). Pursuant to Development Title Section Development Title Section 9-203.010(c)(2), this use is permitted only an accessory use in AG-40 (General Agriculture, 40-acre minimum) zoning, subject to an approved Administrative Use Permit. Further, this Use Type is limited to a maximum of two trucks and four trailers and is solely for the use of the owner-operator who resides on-site and does not permit commercial parking or keeping of trucks and trailers for third parties

Operations

The applicant states he drives 2-3 long-haul routes per month. As a result, 2-3 truck trips are anticipated per month between the 2 proposed trucks with varying hours of operation. The project proposes parking of 4 trailers, one of which will be a refrigerated trailer, however the refrigeration trailer will not be operated on site. A condition has been included in the recommended Conditions of Approval to prohibit the operation of refrigeration trailers on site. The project proposes to utilize the three access driveways on site, including entrance driveways from both South Brennan Avenue and East State Route 120, and an exit driveway to East State Route 120. South Brennan Avenue is located in the City of Escalon and State Route 120 is under Caltrans jurisdiction. As a result, encroachment permits from the City of Escalon and Caltrans are required prior to operation.

Opposition

The Community Development Department received 10 letters of opposition from 11 community members. The letters express concerns regarding traffic safety, noise and air pollution impacts, land use, Code Enforcement complaints, the potential cumulative impacts of multiple projects developing in the area, and property value impacts.

Traffic Safety

Opposition letters cited concerns regarding existing traffic safety on State Route 120 and Brennan Avenue near the project site. These letters cited a history of high collision rates and ongoing improvements to East State Route 120 by Caltrans.

The proposed project includes the parking of 2 trucks and 4 trailers and anticipates 2-3 truck trips per month. The Department of Public Works reviewed this application and provided comments dated July 30, 2026. No further traffic analysis was required by the Department of Public Works pursuant to Development Title Section 9-608.050. Additionally, the project was reviewed by Caltrans, with comments provided on

July 27, 2026. No traffic analysis was required, however, Caltrans included conditions for utilization of the access driveway on State Route 120, including a truck off-tracking analysis and stopping and site distance analysis. These analyses must be approved prior to issuance of any encroachment permit onto State Route 120. A referral was sent to the City of Escalon on July 7, 2026. No response was received. Department of Public Works and Caltrans comments have been incorporated into the recommended Conditions of Approval.

As a result, no traffic safety impacts are anticipated.

Land Use

Opposition letters cited concerns surrounding the proximity of the proposed truck and trailer parking location to nearby residential dwellings and potential expansion to the number of permitted trucks and trailers in the future.

The project site is located on a 9.2-acre parcel surrounded by agricultural land with scattered residences. The proposed truck parking area is setback a minimum of 20 feet from the nearest property line and is located approximately 300 feet away from the nearest residential dwelling to the northeast and 240 feet away from the nearest residential dwelling to the southeast.

Pursuant to Development Title Section 9-203.020(c)(2)(D), if a residence is located on an adjacent parcel within 100 feet of the project site, the setback distance between the project site and the residence shall be increased to 20 feet. Pursuant to Development Title Section 9-203.020(c)(2)(A), Owner-Operator Truck Parking s restricted to a maximum of 2 trucks and 4 trailers for properties larger than 5 acres.

As a result, the Community Development Department has determined that the project site is compliant with development standards and that the project is compatible with existing land uses in its general vicinity.

Noise and Air Pollution Impacts

The opposition letters also cited concerns regarding engine noise, idling, and exhaust, and use of refrigeration trailers.

The proposed project includes the parking of 2 trucks and 4 trailers and anticipates 2-3 total truck trips per month. The proposed parking area is located approximately 240 feet northwest of the nearest residential use. 1 of the 4 trailers is proposed to be a refrigeration unit, however the applicant has stated that the unit will not run on site. As a result, a Condition of Approval has been included in the recommended Conditions of Approval to prohibit the use of refrigeration trailers on site.

Regarding air pollution, a referral was sent to the San Joaquin Valley Air Pollution Control District (APCD) on July 7, 2026, and no response was received. However, the project will be subject to the rules and regulations of APCD, which limits the location and duration of idling pursuant to California state regulations.

Regarding noise, Development Title Section 9-404.040(b)(2) requires proposed projects that will create new stationary noise sources or expand existing stationary noise sources in the noise sensitive area shall not to exceed an hourly equivalent sound level of 55 decibels (dB) between the hours of 7 a.m. to 10 p.m. and 45 decibels (dB) between the hours of 10 p.m. to 7 a.m. To limit noise impacts, the Community Development Department has recommends limiting the hours of operation for the facility to 7:00 A.M. to 10:00 P.M. to ensure compliance with noise standards. This requirement has been incorporated into the project's recommended Conditions of Approval, and the applicant has agreed to this condition.

With the limited scope of the proposed project, required setbacks, and recommended Conditions of Approval, impacts relating to noise and air are not anticipated.

Code Enforcement and Regulations

Opposition letters state concerns regarding existing truck parking on-site, including the use of refrigeration units. On May 12, 2026, a Code Enforcement complaint was filed stating trucks were parked on-site,

however, upon inspection and confirmation that there were no trucks on site, the complaint was determined to be unfounded on September 8, 2026. As a result, there is no current Code Enforcement action on site. If this application is approved, Owner-Operator Truck Parking may only be established subject to the recommended Conditions of Approval. Any non-compliance with the proposed conditions may result in modification or revocation of the permit under Development Title Section 9-802.130.

Cumulative Impacts

The opposition stated concerns regarding the cumulative impact of the proposed project with nearby projects under the jurisdiction of the City of Escalon, including an approved industrial development located northeast of the project site on the east side of Brennan Road and an approved residential development located southeast of the project site at the southeast corner of State Route 120 and Brennan Road.

The proposed project includes the parking of 2 trucks and 4 trailers and anticipates 2-3 truck trips per month.

Due to the accessory nature of the project and limited scope, no cumulative impacts are anticipated.

Property Values

Impacts to property values were addressed in the opposition letters, however no further support was provided.

CEQA Exemption

Pursuant to CEQA Guidelines Section 15304, projects involving minor alterations to land may be exempt from additional environmental review when the project does not involve the construction on structures or significant grading. The proposed project involves paving of two driveways and does not propose the construction of new buildings.

The proposed project is limited to grading and paving for a maximum of two trucks and four trailers. Staff has determined that the project would not result in significant physical changes to the project site. Therefore, the project qualifies for a Class 4 exemption pursuant to CEQA Guidelines Section 15304 (Attachment D)

If approved, the Community Development Department will file a Notice of Exemption pursuant to CEQA Guidelines Section 15304.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Accept the Notice of Exemption (Attachment D)
2. Adopt the Findings for the Administrative Use Permit (Attachment E).
3. Approve Administrative Use Permit PA-2600210 subject to the recommended Conditions of Approval (attachment F)

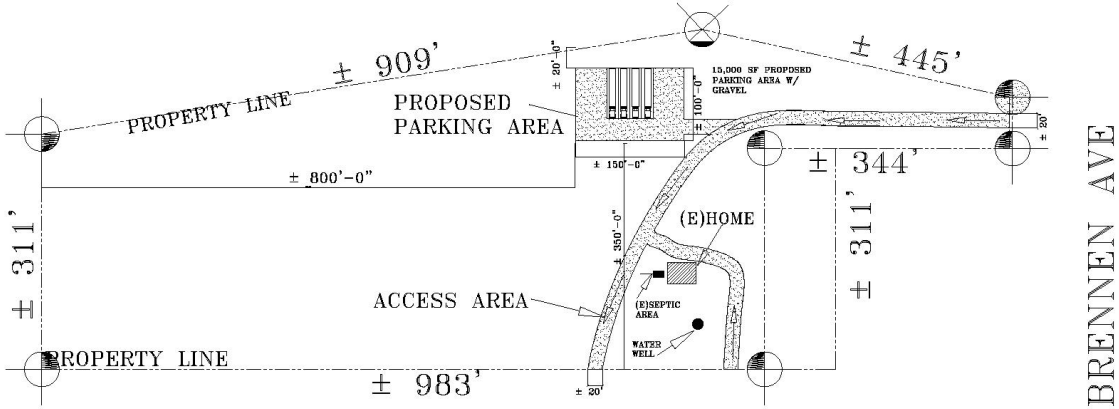
Attachments:

Attachment A – Site Plan
Attachment B – Agency Response Letters
Attachment C – Opposition Letters
Attachment D – Environmental Document
Attachment E – Findings for the Administrative Use Permit
Attachment F – Conditions of Approval

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Attachment A
Site Plan

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SCALE : 1"=10'-0"

SITE PLAN

VICINITY MAP



SCOPE OF WORK

PROPOSED PARKING AREA

THIS PROJECT SHALL CONFORM WITH C.A.C. TITLE 24, THE FOLLOWING CODES AND ALL MUNICIPAL ORDINANCES

- 2025 CALIFORNIA BUILDING CODE
- 2025 CALIFORNIA RESIDENTIAL CODE
- 2025 CALIFORNIA MECHANICAL CODE
- 2025 CALIFORNIA PLUMBING CODE
- 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE
- 2025 CALIFORNIA ELECTRIC CODE
- 2025 CALIFORNIA ENERGY EFFICIENCY STANDARDS
- 2025 CALIFORNIA FIRE CODE

DESIGN LOADS AND OTHER DESIGN CRITERIA REQUIRED BY THE 2025 CBC, ss1603.

All drawings and written material appearing herein constitute the original and unpublished work of GOLDEN STATE DRAFTING AND DESIGN, and the same may not be duplicated, used, or disclosed without written consent.

SHEET SIZE: A0 | SCALE: 0:000 | SHEET NO: 0 OF 0

DESIGN GJROUP:
GSDD
GOLDEN STATE DRAFTING & DESIGN
GOLDENSTATEDD@GMAIL.COM

PROJECT ADDRESS:
23873 STATE HWY 120
ESCALON CA

PROJECT NAME: PARKING

DRAWING TITLE: SITE PLAN

DATE | APPROVED BY: - | CHECKED BY: - | DRAWN BY:

STAMP

GENERAL NOTES

C1

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Attachment B
Agency Response Letters

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DEPARTMENT OF PUBLIC WORKS
Excellent Customer Service • Integrity • Fiscal Responsibility • Diversity

Najee Zarif, Director
Alex Chetley, Deputy Director / Development
Sam Chrun, Deputy Director / Engineering
Kristi Rhea, Deputy Director / Administration
David Tolliver, Deputy Director / Operations

July 30, 2026

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Taylor Hawkins

FROM: Shayan Rehman, Engineering Services Manager SR
Development Services Division

SUBJECT: PA-2600210 (A); An Administrative Use Permit application for Owner-Operator Truck Parking for 2 trucks and 4 trailers. The parcel has direct access to East State Route 120. The parcel is served by on-site well and septic systems, and natural storm drainage. The parcel is not under Williamson Act contract; located on the north side of East State Route 120, 800 feet west of South Brennan Avenue, Escalon. (Supervisorial District 4)

OWNER: Balraj Singh Dhaliwal APPLICANT: Bay Area Transportation

ADDRESS: 23873 E. State Route 120, Escalon APN: 229-030-21

INFORMATION:

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

State Route 120 has an existing and planned right-of-way width per Caltrans.

Brennan Road has an existing and planned right-of-way width per the City of Escalon.

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)

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@PublicWorksSJC • www.sjgov.org/pw

2) A Caltrans and City of Escalon (City) encroachment permit shall be required for all work within Caltrans and City right-of-way, respectively. A copy of the permit shall be submitted to Public Works for the file.

3) Prior to issuance of the occupancy permit, the driveway approach(es) in the Caltrans and City right-of-way shall be improved in accordance with Caltrans and City requirements, respectively.

4) The applicant shall submit a truck off-tracking analysis and a stopping and corner sight distance analysis to Caltrans for review and provide a copy to Public Works, and Caltrans.

5) If there are any increases in amount of truck and or trailers, the applicant shall notify Public Works, Caltrans and the City of Escalon for review.

6) If the applicant intends to utilize STAA trucks with this project approval, then applicant shall obtain from the Department of Public Works and Caltrans a STAA terminal and STAA route designations for the proposed facility. Contact the Transportation Engineering Division of the Department of Public Works (209-468-3707) for designation process.

7) The Traffic Impact Mitigation Fee shall be required for 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)

8) The Regional Transportation Impact Fee shall be required for 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)

9) 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)

10) A copy of the Final Site Plan shall be submitted prior to release of building permit.

Informational Notes:

(i.) Caltrans recommends that all truck access be provided via Brennan Road rather than State Route 120 to reduce potential conflicts and improve overall safety.

(ii.) A truck off-tracking analysis and a stopping and corner sight distance analysis may require improvements such as road widening, a left-hand turn lane, or an acceleration/deceleration lane. The project proponent will be responsible for funding these improvements per Caltrans.

SR:GG

SAN JOAQUIN COUNTY
Greatness grows here.

Environmental Health Department
Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, Assistant Director
PROGRAM COORDINATORS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Elena Manzo, REHS
Natalia Subbotnikova, REHS

July 29, 2026

To: San Joaquin County Community Development Department
Attention: Taylor Hawkins

From: Rena' LeRoy; (209) 616-3021
Registered Environmental Health Specialist

RE: **PA-2600210 (A), Application Referral, SU-2601394**
23873 E State Route 120, Escalon APN:229-030-21

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

1. Submit Water Provision Declaration form to the Environmental Health Department for review. Applicant shall contact Natalia Subbotnikova, Program Coordinator, Small Public Water System Program, at (209) 468-0338, with any questions.

2. All Onsite Wastewater Treatment Systems (OWTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OWTS standards.

3. 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.)

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | www.sjgov.org/ehd

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**

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

OFFICE OF THE DISTRICT 10 DIRECTOR
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7943 | FAX (209) 948-7179 TTY 711
www.dot.ca.gov

July 27, 2026

SJ-120-PM 15.776
PA-2600210
Balraj Singh Dhaliwal
Bay Area Transportation

Taylor Hawkins
San Joaquin County
Community Development Department
1810 E. Hazelton Ave.
Stockton, CA 95205

Dear Taylor Hawkins:

The California Department of Transportation appreciates the opportunity to review PA-2600210. The project proposes Owner-Operator Truck Parking for 2 trucks and 4 trailers. The project is located at 23873 East SR 120, Escalon. This project proposes one entrance on Brennan, one entrance on SR 120, and one exit on SR 120. The Department has the following comments:

1. Existing access along SR 120 to the parcel may not accommodate truck turning. In addition, having trucks entering and exiting SR 120 from a seemly residential driveway may be unexpected for drivers, have non-standard sight distances, and create safety concerns. Therefore, Caltrans recommends that all truck access be provided via Brennan Road rather than SR 120 to reduce potential conflicts and improve overall safety.

2. If the project proponent still wants truck access from SR 120, they must submit a truck off-tracking analysis and a stopping and corner sight distance analysis to Caltrans for review. The driveway(s) on SR 120 must meet Caltrans commercial driveway standards, and an Encroachment Permit will be required. Depending on the findings of the analysis, this project may require improvements such as road widening, a left-hand turn lane, or an acceleration/deceleration lane. The project proponent will be responsible for funding these improvements.

3. If the property owner wishes to increase the number of trucks parking on his property, then that proposal must be sent to Caltrans for review and comment prior to project approval.

If you have any questions or comments, please contact me at (209) 483-2582 or Nicholas Fung at (209) 986-1552.

Sincerely,

Tom Dumas
Chief, Office of Metropolitan Planning

"Provide a safe and reliable transportation network that serves all people and respects the environment"

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)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Taylor Hawkins, San Joaquin County, Community Development Department

From: Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org

Date: July 9, 2026

Local Jurisdiction Project Title: PA-2600210 (A)

Assessor Parcel Number(s): 229-030-21

Local Jurisdiction Project Number: PA-2600210 (A)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Multi-Purpose Open Space and Urban Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Taylor Hawkins:

SJCOG, Inc. has reviewed the application referral for PA-2600210 (A). This project consists of an Administrative Use Permit application for an Owner-Operator Truck Parking for 2 trucks and 4 trailers. The parcel has direct access to East State Route 120. The parcel is served by onsite well and septic systems, and natural storm drainage. The project site is on the north side of East State Route 120, 800 feet west of South Brennan Avenue, Escalon (APN/Address: 229-030-21 / 23873 E State Route 120, Escalon).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This project is subject to the SJMSCP and is located within the unmapped land use area. Per requirements of the SJMSCP, unmapped projects are subject to case-by-case review. This can be a 90-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. http://www.sjcog.org

If this project is approved by the Habitat Technical Advisory Committee and the SJCOG Inc. Board, the following process must occur to participate in the SJMSCP:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:

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.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It 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 be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0574.

S J C O G, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

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

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: _____

FROM: Laurel Boyd, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:

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.

Project Title: PA-2600210 (A)

Landowner: Balraj Singh Dhaliwal Applicant: Bay Area Transportation

Assessor Parcel #s: 229-030-21

T _____, R_____, Section(s): _____

Local Jurisdiction Contact: Taylor Hawkins

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Outlook

UAIC Response for PA-2600210 (A)

From DoNotReply@auburnrancheria.com <DoNotReply@auburnrancheria.com>
Date Wed 7/8/2026 4:15 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

1 attachment (409 KB)
Thank you for consulting with the UAIC.pdf;

You don't often get email from donotreply@auburnrancheria.com. Learn why this is important

On behalf of the Tribal Historic Preservation Department of the United Auburn Indian Community (UAIC), thank you for your recent letter notifying us of the PA-2600210 (A) on 7/7/2026. After reviewing, we have determined that the project falls outside of UAIC's area of traditional and cultural affiliation, and therefore will not be commenting on it.

Sincerely,

Josef Fore, UAIC Tribal Historic Preservation Officer

**This is an automated email. Replies to this address will not be received.

CALIFORNIA VALLEY MIWOK TRIBE

July 21, 2026

San Joaquin County
Community Development Department
Taylor Hawkins, Project Planner
1810 E. Hazel Ave
Stockton, California 95205-6298
Email: thawkins@sjgov.org

Re: Application No. PA-2600210 (A), Escalon, San Joaquin County, CA

Dear Taylor Hawkins,

The California Valley Miwok Tribe has no comments or concerns regarding Application No. PA-2600210 (A). A Administration Use Permit application for Owner-Operator Truck Parking for 2 trucks and 4 trailers. The parcel has direct access to East State Route 120. The parcel is served by on-site well and septic systems, and natural storm drainage. The parcel is not under Williamson Act contract.

The project site is on the north side of East State Route 120, 800 feet west of South Brennan Avenue, Escalon, San Joaquin County. California. APN Address: 229-030-21 / 23873 E. State Route 120, Escalon, San Joaquin County, California. Applicant: Bay Area Transportation

Respectfully,

Silvia Burley, Chairperson
California Valley Miwok Tribe

California Valley Miwok Tribe 14807 Avenida Central, La Grange, California 95329
Official Website: https://californiavalleymiwok.us Office Ph: 209-931-4567 Email: office@cvmt.net

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

July 9, 2026

County of San Joaquin
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear San Joaquin County Planning,

Thank you for submitting the **PA-2600210 (A)** plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en/account/service-requests/building-and-renovation.html.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Pacific Gas and Electric Company

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

Pacific Gas and Electric Company

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Pacific Gas and Electric Company

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING.**"

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

Pacific Gas and Electric Company

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

Pacific Gas and Electric Company
Eduardo Pimentel
Land Management
850 Stillwater Rd
Sacramento, CA 95605

July 31, 2026

San Joaquin County
Community Development
Department
Taylor Hawkins

Re: PA-2600210 (A)- Site Plan
23873 State Hwy. 120
Escalon CA.

Dear Taylor,

Thank you for providing PG&E with the opportunity to review the proposed plans for PA-2600210 (A)- Site Plan received on 7/14/2026. Our review indicates the proposed work and/or improvements appear to directly interfere with PG&E's existing facilities and land rights.

After reviewing our available records, we did not identify an existing pole line distribution facility within the proposed parking area shown on Plan PA-2600210 (A). Please have the applicant provide an updated drawing for further review.

For any requests to modify or relocate PG&E's existing facilities, or to request gas and/or electric service, please submit an application to PG&E's Service Planning department through PG&E's Your Project Portal: Sign In (yourprojects-pge.com). Please note, any request to relocate PG&E facilities from an easement or other land right on private property will require an equivalent easement or land right in the new location on private property, satisfactory to PG&E.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of two (2) working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding this response, please contact me at (925)266-2415 or Eduardo.Pimentel@pge.com

Sincerely,

Eduardo Pimentel
PG&E Plan Review Team
Land Management

SAN JOAQUIN COUNTY
Community Development Department

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

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

To: Development Services: Taylor Hawkins Date: 8/26/26

From: Fire Prevention: Steve Butler

Subject: PA-2600210

PROJECT DESCRIPTION: A Administrative Use Permit application for Owner-Operator Truck Parking for 2 trucks and 4 trailers. The parcel has direct access to East State Route 120. The parcel is served by on-site well and septic systems, and natural storm drainage. The parcel is not under Williamson Act contract. The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).
PROJECT LOCATION: The project site is on the north side of East State Route 120, 800 feet west of South Brennan Avenue, Escalon. (APN/Address: 229-030-21 / 23873 E. State Route 120, Escalon)

Fire has no conditions for this project

1810 E Hazelton Avenue | Stockton, California 95205 | (209) 468-3121 | sjgov.org/department/cdd

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Attachment C
Opposition Letters

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Outlook

Application # PA-2600210

From Mary Panero <marypanero@sbcglobal.net>
Date Mon 7/13/2026 12:08 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

You don't often get email from marypanero@sbcglobal.net. Learn why this is important

The Project Description mentions "truck parking for 2 trucks and 4 trailers". I don't forsee a probem with the trucks being parked and stored there. However, trucks pulling onto HWY 120 would not be visible to southbound traffic at Brennan Road and HWY 120.

Consider driving southbound on Brennan Road from Mariposa. At the stopsign at HWY 120 try looking to the west and notice the visibility hazard.

Thank you,
Mary Panero
17565 Brennan Road
Escalon, CA 95320
209 484 4403

"Be joyful in hope, patient in affliction, and faithful in prayer." Romans 12:12

Outlook

Use Permit Application Number PA-2600210 (A)

From Chris Moore <cmoore8411@sbcglobal.net>
Date Wed 7/15/2026 1:00 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

[You don't often get email from cmoore8411@sbcglobal.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Community Developed Dept:

Attn: Taylor Hawkins, Project Plann
Mr. Hawkins:

We received the Application Referral of above Use Permit request for owner-operator, Bay Area Transportation involving two trucks and four traillers.

Considering the traffic on this Hwy 120, you may or may not know that there has been a fatal accident at the crossing of Hwy 120 and Brennan Road. The speed of most vehicles and trucks is suppose to be 55 mph, but the crossing traffic is slow because of having to navigate from a stop sign onto Hwy 120 by either turning left or right from Brennan onto Hwy 120 traveling either East or West.

Our residence is South of Hwy 120 just 4 houses East of Brennan Road. Upon driving from Escalon traveling West on Hwy 120, we must be very cautious when turning left onto Brennan Road, as there is not a designated turning lane.

A truck driver pulling a trailer from the address 23873 State Highway 120 will be challenging, especially since there's only 800 feet from the residence to Brennan Road.

It is my recommendation that consideration be made to install a traffic light, 4 way stop, or a designated turning lane for East and West bound traffic to avoid a potential collision.

Why wait for another potentially fatal or even non fatal accident?

Outlook

Application PA-2600210(A)

From Karen Demichelis <karen.demichelis@gmail.com>
Date Fri 7/17/2026 12:43 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

You don't often get email from karen.demichelis@gmail.com. Learn why this is important

Dear Taylor Hawkins,

I am writing to formally state my opposition to Application PA-2600210(A) for Bay Area Transportation, proposed at 23873 State Highway 120 in Escalon, CA.

My concern centers on the intersection of Brennan Road and Highway 120, which is already a complex and hazardous location. This intersection experiences multiple fatalities each year, and any additional traffic burden, particularly from a trucking operation, would increase the risk to motorists. The proposed facility, with at least two trucks and four trailers operating within approximately 800 feet of this intersection, would exacerbate an already dangerous situation.

Before any approval is considered, I strongly urge the County to require both an environmental study and a transportation study. These studies should specifically evaluate options such as widening Highway 120 to include a dedicated turn lane and/or installing a traffic light. Either of these measures, among others, could meaningfully reduce the likelihood of future fatalities and improve overall community safety.

Thank you for your attention to this matter and for prioritizing public safety.

--
Take Care,
Karen Demichelis
karen.demichelis@gmail.com
tel: 907-360-2661

Please consider the environment before printing this email.

Outlook

Opposition to Application Number: PA-2600210 (A)

From Lizette Rapa <little_rapa@yahoo.com>
Date Fri 7/24/2026 12:59 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>
Cc Eric Smith <ejsmith9@yahoo.com>

You don't often get email from little_rapa@yahoo.com. Learn why this is important

Dear Taylor Hawkins,

We are writing as concerned residents of Farinelli Ranch to respectfully express our opposition to Application Number PA-2600210 (A) - the proposed re-zoning and truck parking for 2 trucks and 4 trailers at 23873 State Highway 120, Escalon, CA 95320. While we understand the importance of supporting local commerce and transportation needs, approving a new site in close proximity to a residential area poses significant risks to the health, safety for our community, and property value impact.

1. Noise and Air Pollution

Truck traffic generates constant engine noise, idling sounds, and diesel exhaust. These emissions can contribute to respiratory issues, especially for children, seniors, and individuals with pre-existing health conditions.

2. Safety Concerns

East State Route 120 is already known for its notable hazards for drivers. The current infrastructure on Brennan Avenue does not support the risks of added traffic and the already existing traffic concerns. There is also a planned development on the south side of East State Route 120 named Murphy Ranch. The plan is to develop approximately 18 acres into a 72-lot single-family subdivision with a park. Increased truck traffic raises the risk of accidents on roads not designed for heavy vehicles. This is particularly concerning residents traveling to their nearby schools and workplaces.

3. Property Value Impact

Research shows that truck traffic – including trucks parked in nearby lots – can significantly reduce residential property values, especially when located close to homes.

We urge the County to consider alternative locations in appropriately zoned industrial areas, where such operations would be better suited and less harmful to residents. Thank you for your time, attention, and commitment to protecting the well-being of our community. We trust you will weigh these concerns carefully in your decision-making process. Please continue to keep us informed with this application process.

Sincerely,

Eric & Lizette Smith

Outlook

Application Number PA-2600210 (A) Letter of Opposition

From Nick Obligacion <nobligacion@icloud.com>
Date Fri 7/24/2026 11:08 AM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

1 attachment (93 KB)
Opposition Letter PA-2600210A.pdf;

[You don't often get email from nobligacion@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Taylor,

Attached is my letter of opposition to this project as well as several supporting documents.

Thank you for your consideration,
Nick Obligacion
409 Farinelli Pkwy
Escalon, CA 95320
(209) 988-3607

Outlook

Re: Application Number PA-2600210 (A) Letter of Opposition

From Nick Obligacion <nobligacion@icloud.com>
Date Fri 7/24/2026 11:08 AM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

3 attachments (13 MB)
Opposition Letter PA-2600210A.pdf; Site Plan - Highlighted.pdf; Escalon Planning Commission Meeting 10-14-25 Minutes .pdf;

[You don't often get email from nobligacion@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

It appears the attachments did not send

Thank you,
Nick

> On Jul 19, 2026, at 2:50 PM, Nick Obligacion <nobligacion@icloud.com> wrote:
>
> Taylor,
>
> Attached is my letter of opposition to this project, as well as several supporting documents.
>
> Thank you for your consideration,
> Nick Obligacion
> 409 Farinelli Pkwy
> Escalon, CA 95320
> (209) 988-3607
>
> <Opposition Letter PA-2600210A.pdf>

OPPOSITION LETTER

July 19, 2026

San Joaquin County Community Development Department
Attn: Taylor Hawkins, Project Planner

Re: Opposition to Application No. PA-2600210(A) – Administrative Use Permit for Truck Parking at 23873 E. State Route 120, Escalon

Dear Mr. Hawkins,

I respectfully oppose Application No. PA-2600210(A), which proposes an Administrative Use Permit allowing owner-operator truck parking at 23873 E. State Route 120, Escalon. Although the proposal appears limited in size, it would introduce additional commercial truck traffic into an area that has already been identified by the City of Escalon and Caltrans as having significant safety and operational deficiencies.

I submit these comments as both a concerned resident and a retired Chief of Police with more than fifteen years of experience supervising traffic enforcement, investigating serious and fatal traffic collisions, and conducting advanced traffic collision investigations and reconstruction. My concerns are based on my professional experience, the public record, and the transportation information available for this corridor.

The project site is located approximately 800 feet west of the State Route 120/Brennan Avenue intersection. During the October 14, 2025 Escalon Planning Commission meeting, the City presented a 15-year collision history compiled from Escalon Police Department and CHP data documenting 47 reported collisions, including two fatalities and seven major injury collisions. Approximately one-half of these collisions were attributed to stop-sign violations, demonstrating longstanding safety concerns at this location.

At that same meeting, Acting Caltrans Deputy District Director of Traffic Operations Arvinder Bajwa confirmed that Caltrans is actively advancing improvements to the Highway 120/Brennan Avenue intersection. A Project Initiation Document is underway, with signalized and roundabout alternatives under evaluation, because existing conditions warrant substantial safety and operational improvements.

In addition to the documented collision history, transportation analysis prepared in connection with the Murphy Ranch project identifies the Highway 120/Brennan Avenue intersection as operating at Level of Service F (LOS F), representing breakdown traffic conditions with excessive delay and unstable traffic flow. This further demonstrates that

the intersection is already operating under unacceptable conditions before additional truck traffic from this proposal is introduced.

The proposed truck parking operation would generate additional commercial truck turning movements near this constrained intersection. Large trucks require greater stopping distances, longer acceleration times, and larger turning radii than passenger vehicles, increasing conflict points on a high-speed rural state highway.

Of particular concern, the submitted site plan appears to depict a one-way circulation pattern. Based on the directional arrows shown on the plan, commercial vehicles appear intended to enter the property from Brennan Avenue and exit directly onto State Route 120. If this interpretation is correct, commercial trucks would travel on Brennan Avenue immediately adjacent to the Highway 120/Brennan Avenue intersection before merging onto State Route 120. The application contains no analysis of this apparent circulation pattern, truck turning movements, sight distance, or operational impacts associated with routing commercial vehicles in this manner.

The application also fails to adequately evaluate cumulative transportation impacts associated with the Weldway Project (Application No. 23-786), the Murphy Ranch Project (Application No. 24-797), and the pending Caltrans intersection improvement project. Under CEQA, these cumulative transportation effects should be evaluated rather than considering this proposal in isolation.

For these reasons, I respectfully request that San Joaquin County deny Application No. PA-2600210(A). At a minimum, the County should require: (1) a comprehensive Traffic Impact Analysis; (2) a commercial truck turning-movement analysis; (3) a sight-distance evaluation for all proposed access points; (4) a cumulative transportation impact analysis addressing the Weldway, Murphy Ranch, and Caltrans projects; and (5) clarification and engineering evaluation of the apparent ingress from Brennan Avenue and egress onto State Route 120 shown on the submitted site plan.

Thank you for your consideration of these comments.

Respectfully,

Nick Obligacion
409 Farinelli Pkwy
Escalon, CA 95320

nobligacion@icloud.com
(209) 988-3607

OPPOSITION LETTER

Attachments;

- **Exhibit A:** October 14, 2025 Escalon Planning Commission minutes (collision history and Caltrans statements highlighted).
- **Exhibit B:** The applicant's site plan with the apparent ingress/egress (arrows highlighted).
- **Exhibit C:** Weldway Project (Application No. 23-786) planning documents.
- **Exhibit D:** Murphy Ranch Project (Application No. 24-797) planning documents (Level of Service LOS "F" highlighted page 597).

MINUTES
ESCALON PLANNING COMMISSION
MEETING OF OCTOBER 14, 2025

City Council Chambers, 2060 McHenry Avenue - 6:30 P.M.

Beginning Resolution No. 2025-01
Beginning Minute Order No. 2025-10

CALL TO ORDER Chair Dunbar

A. Flag Salute
B. Roll Call

PRESENT: **Chair Dunbar, Vice Chair Thompson, Commissioners Willis, Castellanos and Gonzales**

STAFF PRESENT: **Jaylen French - City Manager (CM), Diana Trejo – Assistant Planner, Police Chief Hardgraves, City Attorney – Andreas Booher, City Engineer - Bill Kull and Development and Community Services Manager – Trevin Barber**

Prior to the start of the meeting, City Manager French introduced Trevin Barber as the new Development and Community Services Manager.

CONSENT CALENDAR

These items are considered routine in nature and are acted upon by a single action unless requested by an individual Commissioner or member of the public for special consideration.

1. Approve the Minutes from the Meeting of September 9, 2025.

MOTION – it was m/s by WILLIS/CASTELLANOS to Approve the Minutes from the Regular Meeting of September 9, 2025. Motion Carried 5-0. **MINUTE ORDER 2025-XX**

Vice Chair Thompson disclosed that, in her professional role as a Management Analyst with the City of Oakdale, she had previously worked with the developer involved in the matter before the Commission. She affirmed that this prior professional interaction would not influence her ability to make a fair and impartial decision and that her vote would be based solely on the information and evidence presented during the hearing.

Commissioner Castellanos disclosed that he has also had prior experience with Florsheim Development. He stated that this experience would not impair his ability to make fair and impartial judgments regarding the public hearing item on the agenda.

Chair Dunbar informed the public that the Commission's role is to review the project and provide a recommendation to the City Council, noting that this represents the first step in the process. He requested that any questions from the audience for staff or other individuals be directed to the Commission first.

PUBLIC HEARING

2. **APPLICATION 24-797 – ANNEXATION, PRE-ZONING, TENTATIVE SUBDIVISION MAP, SPECIFIC PLAN, PLANNED DEVELOPMENT, DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT, AND ASSOCIATED ENVIRONMENTAL ANALYSIS**
   SE Corner Brennan Avenue and SR 120, Escalon CA 95320
   APNs 225-040-28 & 225-040-29

CM French presented the staff report and reviewed the Entitlement List, which encompasses the annexation, prezone, tentative subdivision map, specific plan, planned development, housing agreement, development agreement, and initial study/mitigated negative declaration. He also provided a brief overview of the project. Additionally, it was noted that Caltrans submitted a letter to the City confirming approval and funding for an intersection improvement at Brennan and Highway 120. Caltrans has initiated the planning, design, and environmental review process for the project, with an anticipated completion timeframe of three to four years.

Vice Chair Thompson inquired about the General Plan boundary map and sought confirmation that the project lies within the 2015 growth boundary, which CM French affirmed. She noted that this property was anticipated as one of the first to be incorporated into the City's growth area. Commissioner Castellanos requested confirmation that no two-story homes would be located in the southern and eastern portions of the subdivision, which CM French confirmed.

Chair Dunbar referenced the packet and raised a concern regarding the developer's portion of the intersection improvement costs, noting that his calculations were higher than those provided. CM French explained that all new developments are responsible for approximately 23% of intersection costs. Due to the project's proximity, this developer would incur an additional 6.2% share on top of the standard development impact fee. CM French further noted that the calculations were adjusted slightly after CalTrans confirmed they would fund the project.

Commissioner Gonzales asked whether there had been any consideration to expand Brennan Avenue, suggesting that the intersection improvements might warrant adding a turn lane or similar enhancement. CM French responded that Caltrans, as the lead agency, will determine the appropriate traffic control measures and assess the required right-of-way for such improvements, noting that right-of-way acquisition is the responsibility of the development.

Chair Dunbar inquired about the basis for using the 37th permit as a benchmark. CM French responded that there is no specific process for determining this number; however, it was considered appropriate for both the City and the developer and can be adjusted if necessary.

Public Comment opened at 7:18 p.m.

Developer Dave Romano of Florsheim Homes addressed the Commission, thanking staff for their thorough report and introducing his team in attendance. He provided an overview of the project, noting that the team had made efforts to address questions raised at previous community workshops. Romano indicated that they were available to answer any questions from residents or the Commission and requested a positive recommendation upon compliance with all project requirements.

Commissioner Willis inquired whether Florsheim Homes would be constructing two-story homes adjacent to one-story homes within the subdivision. Mr. Romano confirmed that while new two-story homes would not be placed next to existing single-story homes, internal portions of the subdivision would feature a mix of one- and two-story homes, which he stated is consistent with City code. Willis also asked about the inclusion of RV driveways, and Romano indicated that there would be none adjacent to existing homes. Willis noted that with two points of ingress/egress for the 72-home subdivision, the traffic access seemed adequate. She also inquired about anticipated

building permit requests under the City's growth ordinance of 75 permits per year; Romano estimated 25–30 permits annually, noting that completing the project faster would be considered a strong pace. Willis further expressed approval of the inclusion of root barriers in the plans to help prevent sidewalk buckling.

Commissioner Castellanos asked whether the development would be constructed in phases or if all 72 lots would be completed simultaneously. Mr. Romano responded that, given the project's relatively small size, he anticipates that all improvements would be built at one time.

Resident Curtis Russell of Alberto Lane expressed concerns regarding traffic safety impacts associated with the subdivision, particularly in relation to truck traffic from the nearby cannery. He also referenced the proposed Riverwalk project, noting that its estimated 900 homes could further exacerbate traffic conditions for drivers traveling toward Manteca. Russell stated that he was not satisfied with the Caltrans warrant report and urged the Planning Commission to thoroughly evaluate these safety concerns, including potential roadway widening or other necessary improvements, to ensure they are addressed prior to the project's completion.

Resident Vance Nielsen, who lives on Noni Avenue, expressed concerns regarding increased traffic on Brennan Avenue and Highway 120. He inquired about the potential installation of speed bumps on residential streets and commented that root containers are ineffective. He further noted that the most recent traffic study was conducted over ten years ago and asked who would be responsible for conducting the required inspections, emphasizing the importance of having a knowledgeable individual perform them.

Resident Kevin Creamer, who lives on Edgewood, expressed his desire for the soundwall to extend north from the park to Highway 120. He voiced concern that construction activities may cause his palm trees to fall and reiterated his support for the soundwall installation. He also raised concerns regarding intersection safety.

Resident Scott, who resides on Farinelli, expressed agreement with previous speakers regarding traffic concerns. He highlighted the impact of trucks on Highway 120 due to new industrial development and noted that a throughway from Reisling, previously discussed at the last meeting, had not been addressed. He further observed that the planned park expansion is likely to increase traffic, contributing to additional wear and tear on local roads.

JD Hightower, Executive Officer for San Joaquin County LAFCO, stated that he attended the meeting to address any questions regarding the annexation process. He noted that LAFCO is in general agreement with the City, observing that the annexation establishes a logical boundary along Brennan Avenue and represents a practical extension of services for the City of Escalon.

Chair Dunbar acknowledged Mr. Hightower and asked if he had previously worked for the City, to which Mr. Hightower confirmed. Chair Dunbar then inquired whether the annexation plan was in place during his tenure with the City. Mr. Hightower responded affirmatively, noting that the plan had been in development for a long time and that the streets were designed to provide circulation, using California Street as access to Brennan Avenue, consistent with the current plan.

Commissioner Gonzales asked whether the County had designated this project as low-density residential. Mr. Hightower responded that the area is classified as urban reserve, though currently zoned for agriculture. He explained that, while LAFCO's mission includes the preservation of agricultural land, this parcel is not considered viable agricultural land due to its proximity to Highway 120 and existing residential development to the east and south.

Resident John Hall, who resides on California Street, expressed concerns about the inadequate enforcement of existing traffic laws in the city. He specifically referenced AB 413, noting that vehicles frequently park near crosswalks at El Portal School. He emphasized the need for improved traffic control while clarifying that his comments were not intended as a criticism of the Escalon Police Department.

Resident Natalie Gallegos stated that she had submitted a letter outlining her concerns. She noted that she resides on California Street as an original homeowner whose property backs up to the proposed development. Ms. Gallegos recalled that when the project was first introduced, residents were informed by both the City and the developer that it would be a senior community consisting of single-story homes. She added that records indicate two plans were originally submitted, acknowledging that street connections to California Street were anticipated. However, she emphasized that there is a significant difference between a deed-restricted 55-and-older community and the project now being proposed.Ms. Gallegos further stated that residents had been under the impression there would be additional access points to Highway 120. While she acknowledged that much has changed over the past two decades, she expressed concern over the current pace of development, describing it as "crazy." She noted that although Caltrans is involved, there has been no definitive action or commitment from them, and all information remains preliminary. She concluded that moving forward with the housing development without first addressing traffic issues would be reckless.

Resident Kurt Danziger, who lives on Noni Avenue, expressed opposition to the annexation until a traffic signal is installed on Highway 120. He confirmed that he had also submitted a letter outlining his concerns. Mr. Danziger stated that it is too dangerous to proceed at this time, noting that the City's traffic study is outdated and does not account for the increased truck traffic associated with Weldway's operations. He argued that the annexation is unnecessary since the area is not currently part of the City and emphasized that installation of a signal or roundabout at the intersection should be completed before any development occurs. Mr. Danziger further stated that Caltrans cannot be relied upon as a responsible agency for managing that intersection. He questioned why the Celivo access point was being used instead of extending Reisling at California Street across the railroad tracks to Highway 120. Additionally, he noted that the Belleterra neighborhood funds the maintenance of the park through its Landscape and Lighting Maintenance District (LLMD) and asserted that the new development should be incorporated into the same district, as it would utilize the same basin facilities. He recommended that this be made a condition of project approval.

Resident Ed Alves expressed agreement with Mr. Danziger's comments and voiced concern about traffic conditions along Highway 120. While he stated that he supports the proposed project overall, he emphasized that installation of a traffic signal must occur before the project proceeds. *(Mr. Alves participated online, and portions of his comments were difficult to hear due to sound issues.)*

Resident Nick Obligacion, who appeared online and resides on Farinelli Avenue, referenced the Floresheim application, noting that it identifies the current level of service at the intersection as Level E—already below the City's acceptable standard. He stated that adding the proposed subdivision would further degrade the level of service to Level F. Mr. Obligacion added that the traffic study did not account for the impacts of Weldway's operations and expressed concern that Caltrans funding is unreliable. He concluded that the intersection must be improved before the project moves forward.

Resident Roxanna Shatz expressed concerns regarding traffic impacts, specifically at Brennan Road and related ingress and egress points. She also highlighted issues on First Street and the roundabout, noting a history of collisions, and suggested implementing speed bumps or additional stop signs, as there are currently only two. While she stated that she supports the project and considers Floresheim to be a reputable developer, she emphasized her worry about how traffic from the development will affect Brennan Road, First Street, and California Street.

Public Comment Closed at 8:09 p.m.

Vice Chair Thompson inquired about the anticipated timeline for breaking ground on the project. Mr. Romano responded that, under a best-case scenario, site improvements could begin in the spring or summer of next year, which would take several months to complete. Following that, model homes would be constructed, with home occupancy in the first phase expected in 2027. Vice Chair Thompson confirmed that the estimated build-out period is 2–3 years, to which Mr. Romano agreed.

Chair Dunbar asked Mr. Romano whether Floresheim had considered extending Reisling to Highway 120 and, if so, what issues arose. Mr. Romano explained that there were two main challenges. First, constructing a new crossing over the railroad tracks is extremely difficult, as it requires railroad approval and typically limits the number of crossings allowed. Second, an unintended consequence of such an extension would be the creation of a "raceway" from Highway 120, not only through the proposed subdivision but also providing through access to all neighborhoods south of the area, potentially increasing traffic in those communities.

Chair Dunbar asked Mr. Romano how many projects Floresheim has been involved in that are similar in scope and located near a state highway. Mr. Romano responded that while the company has experience with projects involving either railroad crossings or state highways separately, having both in a single project is somewhat unique, though not substantially different from their past work.

Chair Dunbar then inquired about Caltrans' reliability in projects with significant issues, such as those presented in Escalon. Mr. Romano stated that Caltrans has generally been reliable in bringing projects to completion, although timing can vary. He noted that the combination of community concern and the subdivision's recognition of the issue has created additional pressure and momentum, presenting a unique opportunity to motivate Caltrans to advance the project and secure funding—responsibilities that would typically fall on the developer.

Chair Dunbar asked how much assistance Floresheim would provide in facilitating traffic control improvements on Highway 120. Mr. Romano responded that they would advocate for improvements, but ultimately, Caltrans responds more readily to local jurisdictions, such as the City Engineer and City Manager, than to developers.

Chair Dunbar then raised the topic of a "pork chop" barrier on Brennan Road, previously discussed at an earlier meeting. He asked for clarification that installing a barrier to prohibit left turns from Brennan onto Highway 120 would not require state approval since it would be located entirely on Brennan. CM French responded that he didn't believe so. Whether is technically on city property or not, it would be affecting the operations of the state facility. As common courtesy, we would want to coordinate with Caltrans and work with them on any operational adjustment to their facility. It can be considered but he cannot speak to Caltrans and what their policies, guidelines are in regards to traffic control on their facilities.

Caltrans representative Arvinder Bajwa, Acting Deputy District Director of Traffic Operations, confirmed that the proposed pork chop barrier would slightly extend into the state highway but indicated it could serve as an effective interim safety measure until the larger Caltrans project proceeds. He noted that Caltrans generally supports pork chop installations to reduce conflict points and enhance traffic safety. Mr. Bajwa further commented that, given the proximity of Weldway, the measure should be considered as part of efforts to expedite project advancement. He emphasized, however, that coordination with the railroad remains a significant challenge, as obtaining necessary approvals from both the railroad and the California Public Utilities Commission (PUC) can take 24 to 36 months, regardless of Caltrans' progress.

Chair Dunbar thanked Mr. Bajwa for attending the meeting and acknowledged the public perception that Caltrans projects often take considerable time to complete. He asked what a realistic timeline would be for Escalon moving forward. Mr. Bajwa responded that CM French had already provided a thorough overview of the process, noting that the Project Initiation Document (PID) phase is currently underway and could take approximately 12 to 13 months to complete, possibly sooner depending on the progress of required studies. He explained that Caltrans must adhere to all state and federal processes, including compliance with NEPA and CEQA during the project approval and environmental documentation phase, which also includes preliminary design and the evaluation of alternatives.

Mr. Bajwa further stated that once the project advances beyond that stage into design and right-of-way acquisition, coordination with the railroad presents a major risk, as Escalon will need to acquire property on the north side of the project area—construction cannot occur within the existing footprint. He added that both signalized and roundabout alternatives are being considered to help expedite the process; however, shifting the intersection north and securing

necessary clearances with the railroad will still be required. Overall, he estimated that coordination with the railroad could add 24 to 36 months to the project timeline, depending on how quickly approvals are obtained. It also has to go through the California Transportation Commission for a vote and then goes through advertising, bidding, the award process and then to construction

Commissioner Gonzales acknowledged that the City has been requesting a signal at the intersection for years and asked whether the proposed housing development influenced Caltrans' decision to move forward with installing a stoplight. Mr. Bajwa responded that it had not been a major factor, explaining that he has personally been advocating for the project behind the scenes and has played an instrumental role in advancing it. While the development will contribute additional traffic, he noted that existing conditions on Highway 120 already warrant attention. He emphasized that Caltrans takes this project seriously and is committed to addressing the safety and traffic concerns in the area.

Chair Dunbar referred to page 848 of the report regarding traffic analysis, noting the discussion of westbound queuing and the change in numbers from 96 to 48. It was explained that such variations occur when traffic volumes are very low. She stated that the analysis uses a process known as micro-simulation, which models vehicle movements through the network at various times. Multiple simulation runs are conducted to account for daily fluctuations in traffic, and the results are averaged to provide a realistic representation of real-world conditions. In this case, the variation in the westbound turning movement delay reflects normal variability that occurs when traffic volumes are minimal.

Commissioner Willis asked staff why the City would have input on the matter, given that it does not enforce the CC&Rs. CM French responded that while the City is not required to participate, it prefers to be involved as a party to the process. He noted that, technically, the City has no authority over CC&Rs, but sharing their provisions can be helpful for all parties involved.

Commissioner Gonzales referenced statistics through December 31, 2024, regarding reported collisions at the intersection of Highway 120 and Brennan, noting that 53% were broadside collisions and there had been one fatality. She added that additional incidents have occurred in the past year and discussed contributing factors. At the Brennan intersection, most accidents were attributed to drivers running the stop sign. She observed that interim measures, such as enhanced striping for improved visibility, advance notification of the upcoming stop sign, and a flashing stop sign, had been suggested. Commissioner Gonzales expressed that these measures would serve as effective interim solutions until a traffic signal can be installed.

CM French presented a 15-year collision history for the intersection, reporting 47 total incidents, including two fatalities, seven major injuries, and the remainder classified as minor or non-injury accidents. Approximately half of these collisions were attributed to stop sign violations. The data was compiled by the City's Police Department and/or the CHP. He noted that, based on the City's research, Caltrans has consistently determined since around 2005 that the intersection does not meet signal warrants. However, tonight the Commission heard from the Acting Deputy District Director of Traffic Operations that the agency intends to move forward with funding an intersection improvement. CM French emphasized that while the formal process will take time, interim measures have been recommended to enhance safety in the meantime. He concluded that all options, including these interim measures, can be explored should the Commission decide to advance the project.

Commissioner Gonzales inquired about potential safety measures on Ullrey, particularly near the curve onto Brennan. CM French responded that the City has a traffic calming program, through which residents can submit a form requesting evaluation of intersections or roadways for potential safety improvements such as signals, speed bumps, humps, or crosswalks.

Commissioner Gonzales then asked whether speed bumps or other traffic calming measures could be implemented around the park, given that it is an open area where many children play. CM French confirmed that this is possible,

explaining that the process involves a petition reviewed by the City and its engineers, and requires obtaining consent from at least 60% of the affected neighbors.

Commissioner Willis asked whether the city limits run down the middle of Brennan and, if so, whether the City would need to coordinate with the County for any improvements. CM French responded that speed bumps are generally not warranted on arterial roadways, as the classification and intended function of such roads differ from residential streets, where slowing traffic is more appropriate. He noted that the possibility could be re-evaluated, but as a general rule, speed bumps would likely not be considered for Brennan. He added that there are several metrics that could be reviewed to determine whether Brennan might be a viable candidate for traffic calming measures.

Commissioner Gonzales addressed a prior question regarding the proposed senior housing in the area. She explained that, just before the freeze on annexation, the developer at the time had planned to build senior housing but was unable to proceed due to a catastrophic health event, so the project never materialized. She noted that, after several years, the Carr family sold the property to the Murphy family, and the original plan was not carried over. She added that the current zoning of the area is designated as low-density residential, which now guides any future development.

Resident Natalie Gallegos addressed CM French's comments regarding speed bumps and the City's consideration of community input. She noted that there is an online petition with approximately 200 signatures, reflecting the community's opposition to the proposed development until the traffic safety concerns in the area are adequately addressed.

Chair Dunbar requested that staff evaluate whether the proposed pork chop plan could have broader traffic impacts, such as diverting westbound traffic from the neighborhood onto Walnut Avenue. He noted that compiling data on this potential effect would be helpful for future consideration. CM French responded that if the Planning Commission chooses to move forward and recommends the project to the City Council, staff would conduct as thorough an analysis as possible prior to the Council meeting, present the Commission's recommendation, and allow the City Council to decide whether to approve or veto the recommendation.

Vice Chair Thompson commented that she believes many users of the intersection would be dissatisfied with the installation of a pork chop barrier. While acknowledging that the measure may address certain safety concerns, she noted that drivers often choose to make left turns at the intersection despite those issues. She expressed concern that implementing the barrier could be seen as doing a disservice to those regular users.

Commissioner Willis expressed sympathy for the challenges in measuring traffic, acknowledging that data collection may not always occur under ideal conditions. She noted that the analysis focuses on a small area, while factors beyond California, Brennan, and Reisling—such as fog reducing visibility on Highway 120 and crops grown by local farmers obstructing sightlines for left turns—also affect safety. With new housing expected in 2027 and Caltrans potentially taking another 2–3 years to determine improvements for the intersection, she emphasized that the Commission has a responsibility to prioritize community safety. Commissioner Willis concluded that approving the project before Caltrans completes its work could be putting the cart before the horse.

Commissioner Castellanos reported that he requested a traffic collision report from the police department covering the ten-year period ending December 31, 2024. During this period, there were 30 reported accidents, including two fatalities. He noted that two of these accidents involved family members at the intersection of Brennan and Highway 120. He highlighted that, over the past 25 years, the school district has adjusted the boundaries of Van Allen Elementary to the east, resulting in increased westbound traffic on Highway 120. Additionally, overall traffic has risen due to further development in the area. He emphasized that it is currently not possible to predict traffic patterns resulting from the Weldway development. While expressing support for the development, Commissioner Castellanos stressed that the timing is critical. He inquired whether Caltrans has the capability to reduce the speed limit approaching this intersection from the east. He indicated that proceeding with the project at this stage is premature without implementing safety measures such as a roundabout or traffic signal.

Commissioner Gonzales acknowledged the community's concerns regarding traffic but also highlighted additional considerations. She expressed concern over the State of California's persistent mandates for low-income housing. She noted that the city currently has a reputable developer, Floresheim, seeking to implement a project that has been in planning for over 20 years. She emphasized that delaying the project could unnecessarily postpone improvements, as it would bring aesthetic enhancements to the entrance of Escalon, which currently has overgrown oleanders and weeds, along with upgrades to infrastructure. She noted that the project includes eight moderately affordable homes and will be connected to MID, enhancing its appeal to buyers. She stated that requested interim safety upgrades would improve visibility at the affected intersection and highlighted that Caltrans' willingness to fund intersection improvements is a significant positive step. Finally, she asserted that the project aligns with the city's general plan and cautioned that delaying it would unfairly penalize Floresheim for factors beyond their control.

Vice Chair Thompson expressed strong support for the Floresheim project, noting the aesthetic improvements and park enhancements it will bring, including new pickleball and basketball courts for a currently underutilized park, which will benefit the community. While acknowledging that the intersection of Brennan and Highway 120 is not ideal, she stated that it is widely used despite known risks. She noted that, although collisions resulting in fatalities are tragic, an average of three accidents per year at this intersection is not unusually high for a major highway. She also emphasized the positive impact of the development on local housing availability, highlighting that many former residents are excited about the opportunity to return to Escalon and purchase homes, thereby allowing their children to attend local schools. She also commended Caltrans' participation and funding commitment for the intersection improvements, which she views as a rare and positive development. She pointed out that the projected 2–5 year timeline for the development aligns with the planned intersection improvements, meaning the traffic impacts will be mitigated when the majority of new homes are occupied. Given these factors, Vice Chair Thompson concluded that there is insufficient reason to recommend rejecting the project.

Chair Dunbar expressed support for the Floresheim project, noting that it is well-suited for the area and involves a reputable developer. However, he expressed concern about the potential for additional traffic hazards at the intersection of Brennan and Highway 120. While he indicated a desire to approve the project due to its merits, Chair Dunbar stated that his support would be contingent upon the city implementing interim traffic mitigation measures prior to the completion of Caltrans' planned improvements. He emphasized that this condition would be his "bottom line" if the Commission were to move forward with a motion to approve the project.

MOTION: it was m/s GONZALES/THOMPSON to Approve PC #2025-XX Recommending that the Escalon City Council Make the Findings and Certify the Initial Study and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Approve Resolution PC #2025-XX 1. Recommending that the Escalon City Council Authorize an Application to Initiate Proceedings to San Joaquin LAFCo and 2. Recommending Adoption of Ordinance XXX to Prezone the Two Parcels, Approve Resolution PC #2025-XX 1. Recommending that the Escalon City Council Approve a Tentative Subdivision Map, a Specific Plan, an Inclusionary Page 27 of 1083 Page 17 of 18 Housing Agreement, a Development Agreement, and an Annexation and 2. Recommending Adoption of Ordinance No. XXX for the Planned Development (PD-4) and 3. Recommending Adoption of Ordinance No. XXX for the Development Agreement Between the Developer and the City and 4. All are Contingent on Future Approval by San Joaquin LAFCo. And Direct City Staff to Look Into Traffic Mitigation Measures for the Intersection of Brennan and Highway 120. Motion Carried 3-2-0 (Nay - Willis and Castellanos). **MINUTE ORDER 2025-xx**

MATTERS PRESENTED FROM THE AUDIENCE

None

STAFF COMMUNICATIONS

None

COMMISSIONER COMMUNICATIONS

Vice Chair Thompson, Commissioner Castellanos, and Chair Dunbar all expressed appreciation for the staff report and presentation. Thompson specifically thanked staff for their effort, Castellanos noted the report was well done but commented on timing, and Dunbar agreed with the presentation and thanked staff for their guidance.

ADJOURNMENT

There being no further business, Chair Dunbar adjourned the meeting at approximately 9:28 p.m.

Respectfully Submitted,

Michele Bates

Michele Bates, Deputy City Clerk

VICINITY MAP
SCOPE OF WORK
BRENNEN AVE
PROJECT ADDRESS
23873 STATE HWY 1
ESCALON CA
STAMP
C1
GSDD
PARKING
SITE PLAN
± 445'
± 344'
± 311'
± 909'
PROPOSED PARKING AREA
PROPERTY LINE
ACCESS AREA
± 983'
STATE HWY 120
SCALE: 1"= 10'-0"
SITE PLAN

Outlook

Applicant- PA2600210(A)

From Thomson Thomson <escalontee@sbcglobal.net>
Date Sat 7/25/2026 8:54 AM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

[You don't often get email from escalontee@sbcglobal.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Taylor Hawkins,

Good Morning,
I have some thoughts on the Use Permit at State Route 120 and Brennan Ave. As you already know that intersection is the location of many accidents, including fatalities. With the approval of Weldway Industry on the northeast corner and the 72 homes on the southeast corner, traffic will be greatly increased. CalTrans has proposed a signal light for that intersection, but due to funding could not give a timetable, or if it will ever happen. Adding additional trucks to that area is going to cause more accidents.

Second thought the map shows two driveways from Hwy120 and one from Brennan, there two residential properties there, one will, according to the vicinity map, will have truck traffic on two sides of their home west and north sides, the property on Brennan will have a truck traffic on the south side of their home. Does the application also restrict hours of operation? Trucking can be a 24/7 operation. This could cause health, safety concerns, as well as depreciation of assets to existing residents.

Also there was a discussion (City of Escalon and CalTrans) of adding pork chops to that intersection, only allowing right hand turns, adding to additional traffic to side roads.

Thank you for your considerations

William Thomson
1403 Mosswood Ave
Escalon, Ca. 95320
escalontee@sbcglobal.net
Sent from my iPad

Outlook

Application No. 2600210(A)

From Kurt Danziger <kdanzi22@att.net>
Date Wed 7/29/2026 11:26 AM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>
Cc Kurt Danziger <kdanzi22@att.net>

You don't often get email from kdanzi22@att.net. Learn why this is important

Dear Mr. Hawkins, my wife and I both received separate Application Referrals. This response is the same and should be viewed and counted twice.

After review of the proposed trucking storage yard, we object to any ingress/egress to this facility impacting Brennan Road. As you are presumably aware the intersection of 120/Brennan is a contentious issue with the City of Escalon and it's residents. Caltrans is aware but moving at a snails pace to create a proposal that ensures the safe transition of residents and through traffic. No further traffic impacts should be considered until the intersection is signalized or other equally safe measure has been completed.

As adults, we know this truck and trailer storage yard will not remain this size if the hauling business is successful. Any additional traffic at this intersection should be understood to be culpable negligence for traffic accidents and or deaths.

Respectfully submitted by:
Kurt Danziger resident 389 Noni Ave, Escalon, CA 95302
Cindy Danziger resident 389 Noni Ave., Escalon, CA 95302

Outlook

Fwd: Application Number : PA-2600210(A) Bay Area Transportation

From Natalie Gallegos <natg239@gmail.com>
Date Mon 8/3/2026 12:42 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

You don't often get email from natg239@gmail.com. Learn why this is important

---------- Forwarded message ---------
From: **Natalie Gallegos** <natg239@gmail.com>
Date: Mon, Aug 3, 2026 at 12:25 PM
Subject: Application Number : PA-2600210(A) Bay Area Transportation
To: <thawkins@sjgov.ord>

Attn Project Planner: Taylor Hawkins,

I am writing to you in response to the Application Referral notification sent to me regarding the application number : PA-2600210 (A) for Bay Area Transportation.

Please note that I am objecting to this project. This proposed project is located approximately 800 feet west of the Brennan and Hwy 120 intersection just outside of Escalon city limits. The Brennan & Highway 120 intersection is currently under active review by CalTrans due to the number of traffic accidents including fatalities. The intersection currently rates at an LOS F, per 2024 & 2025 traffic studies. The city of Escalon has strong community opposition to any further development in the vicinity of this intersection until Cal Trans has improved and modified the intersection to accommodate the increased traffic flow and ensure safety. Any development at this time in a wide vicinity of this intersection should be rejected until such safety improvements are FULLY COMPLETED by CalTrans.

Application PA-2600210(A) Bay Area Transportation, clearly outlines use of the Brennan Intersection as well as driveways directly on Highway 120, just adjacent to the intersection. The high rate of speed on Highway 120, the multiple visual obstructions on Brennan and Highway 120, the narrow lanes on HIghway 120, and the over all lack of traffic control in the area make this project a recipe for disaster. This application states this is a trucking company with multiple tractor trailer rigs and the assumption due to the "name Bay Area Transport" is that these are large 18 wheel rigs. The application letter sent isn't clear. Regardless; any large "commercial truck" traffic in this area will only increase the already hazardous/deadly conditions and should not be permitted at this time.

Sincerely,
Natalie Gallegos
396 California St.

Escalon, CA
209-603-3670

Outlook

application # PA-2600210(A)

From neil gonzales <gonso1684@sbcglobal.net>
Date Mon 8/3/2026 1:26 PM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

[You don't often get email from gonso1684@sbcglobal.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Alana Gonzales 209-404-1943 23911 state highway 120 escalon,ca.95320. my concerns are: Does the approach onto their driveway off of Brennan Ave. that butts up to our property does it have to be 10 ft. away? Staging trucks and dispatching them from the property. Cars come in and stay while a truck leaves and days later truck comes back and then they leave with the cars that´s been parked and truck stays and the refrigerated trailer runs for 3 days. Then car is back days later and truck leaves. I see them because they park in the back area I can see this. Thank You Taylor ,Alana Gonzales.

Outlook

Re: application # PA-2600210(A)

From neil gonzales <gonso1684@sbcglobal.net>
Date Wed 8/12/2026 6:09 AM
To Hawkins, Taylor [CDD] <thawkins@sjgov.org>

[You don't often get email from gonso1684@sbcglobal.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

The people with the trunks next to my home have the truck parked and with the refrigeration unit running.Its woke us up at 5:00 a.m. this morning. They sneak them in late at night. Was the permit granted? Thanks Alana Gonzales

> On Aug 3, 2026, at 1:25 PM, neil gonzales <gonso1684@sbcglobal.net> wrote:
>
>
> Alana Gonzales 209-404-1943 23911 state highway 120 escalon,ca.95320. my concerns are: Does the approach onto their driveway off of Brennan Ave. that butts up to our property does it have to be 10 ft. away? Staging trucks and dispatching them from the property. Cars come in and stay while a truck leaves and days later truck comes back and then they leave with the cars that's been parked and truck stays and the refrigerated trailer runs for 3 days. Then car is back days later and truck leaves. I see them because they park in the back area I can see this. Thank You Taylor ,Alana Gonzales.





[You don't often get email from gonso1684@sbcglobal.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification.]

P

> On Aug 12, 2026, at 6:08 AM, neil gonzales <gonso1684@sbcglobal.net> wrote:
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> The people with the trunks next to my home have the truck parked and with the refrigeration unit running.Its woke us up at 5:00 a.m. this morning. They sneak them in late at night. Was the permit granted? Thanks Alana Gonzales
>
>> On Aug 3, 2026, at 1:25 PM, neil gonzales <gonso1684@sbcglobal.net> wrote:
>>
>>
>> Alana Gonzales 209-404-1943 23911 state highway 120 escalon,ca.95320. my concerns are: Does the approach onto their driveway off of Brennan Ave. that butts up to our property does it have to be 10 ft. away? Staging trucks and dispatching them from the property. Cars come in and stay while a truck leaves and days later truck comes back and then they leave with the cars that's been parked and truck stays and the refrigerated trailer runs for 3 days. Then car is back days later and truck leaves. I see them because they park in the back area I can see this. Thank You Taylor ,Alana Gonzales.

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Attachment D
Environmental Document

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SAN JOAQUIN COUNTY
Community Development Department

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention

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

NOTICE OF EXEMPTION

TO: ☒ Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, CA 95812-3044

☒ County Clerk, County of San Joaquin

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

Project Title: Administrative Use Permit No. PA-2600210

Project Location - Specific: The project site is on the north side of East State Route 120, 800 feet west of South Brennan Avenue, Escalon. (APN/Address: 229-030-21 / 23873 E. State Route 120, Escalon) (Supervisorial District: 4)

Project Location – City: Escalon
Project Location – County: San Joaquin County

Project Description: Administrative Use Permit application for Owner-Operator Truck Parking for 2 trucks and 4 trailers. The parcel has direct access to East State Route 120. The parcel is served by on-site well and septic systems, and natural storm drainage. The parcel is not under Williamson Act contract.

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

Project Proponent(s): Balraj Singh Dhaliwal / Bay Area Transportation

Name of Public Agency Approving Project: San Joaquin County Planning Commission

Name of Person or Agency Carrying Out Project: Taylor Hawkins, Assistant Planner
San Joaquin County Community Development Department

Exemption Status:
Categorical Exemption. (Section 15304, Class 4)

Exemption Reason:
Processed under the provisions of the California Code of Regulations Section 15304, which are exempt from CEQA. This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15304. Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Pursuant to CEQA Guidelines section 15304, projects involving minor alterations to land may be exempt from additional environmental review when the project does not involve the construction on structures or significant grading. The proposed project involves paving of two driveways and does not propose the construction of new buildings. The proposed project is limited to grading and paving for a maximum of two trucks and four trailers. Staff has determined that the project would not result in significant physical changes to the project site. Therefore, the project qualifies for a Class 4 exemption pursuant to CEQA Guidelines Section 15304.

Lead Agency Contact Person:
Taylor Hawkins Phone: (209) 468-3065 Fax: (209) 468-3163 Email: thawkins@sjgov.org

Signature: _____ Date: _____

Name: Sean Cardenas Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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Attachment E
Findings for Administrative Use Permit

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FINDINGS FOR ADMINISTRATIVE USE PERMIT

PA-2600210
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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 Owner Operator Truck Parking use type may be conditionally permitted as an accessory use to a residence in the AG-40 (General Agriculture, 40-acre minimum) zone with an approved Administrative Use Permit. The AG-40 zone implements the General Plan's A/G (General Agriculture) designation. The subject parcel has an A/G General Plan designation and is zoned AG-40. There are no Master Plans, Specific Plans, or Special Purpose Plans adopted by the County in the project vicinity. Therefore, the use is consistent with the goals, policies, standards, and maps of the General Plan.**

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, site access, sanitation, water supply, drainage, and other necessary facilities either exist or are proposed as part of the project. The property is served by an on-site well and septic. A site plan or map will be submitted to the Environmental Health Department showing sewage and well information. Storm drainage is on-site natural storm drainage. The project site has direct access to East State Route 120 and South Brennan Avenue, which are paved and improved publicly maintained roads. The California Department of Transportation is requiring a truck tracking analysis and a stopping and corner site distance analysis for access from State Route 120 which the Department of Public Works has incorporated into their Conditions of Approval.**

3. The site is physically suitable for the type of development and for the intensity of development.

    - **This finding can be made because the 9.2-acre project site is of sufficient size and configuration to accommodate all required yards, building coverage, setbacks, parking areas, and other applicable standards of the Development Title for the proposed use, as shown on the Site Plan dated June 4, 2026.**

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 AG-40 zone with an approved Administrative Use Permit application and additional Conditions of Approval have been incorporated to ensure compatibility with the surrounding neighborhood including restricted hours of operations and a prohibition of use of refrigeration trucks. With the project design and recommended Conditions of Approval, 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. Condition of Approval 1.g.1 limits the hours of operation for the accessory truck parking from 7:00 A.M. to 10:00 P.M., and Condition of Approval 1.g.2. prohibits the operation of the refrigeration trailers on-site. Requirements**

from the Planning Division 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 proposed use will adequately be served by highways, streets, water, sewer, storm drainage, and other public facilities and services. The property is served by existing on-site well for water and an on-site septic system for wastewater disposal, and natural storm drainage. This project does not propose construction of any buildings and will therefore not result in an increased demand for these services. Primary access to the site is from East State Route 120 and South Brennan Avenue.**

7. The proposed use complies with all applicable provisions of this Title.

    - **This finding can be made because the project has been conditioned to meet San Joaquin County development regulations that protect public health, safety, and welfare and to ensure the project is not injurious to adjacent properties.**

* * *

Attachment F
Conditions of Approval

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CONDITIONS OF APPROVAL

PA-2600210
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Site Approval Application No. PA-2600210 (A) was approved by the Planning Commission on _. The effective date of approval is _, 2026. This approval will expire on M_, 2029, which is 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 (Staff Contact: (209) 468-3121)

   a) **BUILDING PERMIT:** Submit an "APPLICATION-GRADING BUILDING PERMIT". The Site Plan required as a part of the grading building permit must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITEPLAN CHECK LIST" for details). A fee is required for the Site Plan review (Development Title Section 9-508).

   b) **APPROVED USE:** This approval is for an Owner Operator Truck Parking operation for a maximum of two (2) trucks and four (4) trailers as shown on the Site Plan dated June 4, 2026 (Use Type: Accessory – Owner Operator Truck Parking).

   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) **OWNER-OPERATOR RESIDENCE:** The property shall contain the residence of the owner-operator of the trucks. (Development Title Section 9-203.020(c)(2)(c))

   e) **OPERATIONS:** The following requirements apply:

      (1) The hours of operation for the approved use shall be limited to 7:00 a.m. to 10:00 p.m.

      (2) The operation of refrigeration trailers on-site is prohibited.

   f) **ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:

      (1) Ingress and egress areas that connect to a paved road or highway shall also be surfaced and permanently maintained with asphalt concrete or Portland cement concrete or with pervious pavements, sand-set pavers, and supported turf systems (Development Title Section 9-406.060(i)).

      (2) All truck parking spaces, and major circulation drive lanes shall be surfaced and permanently maintained with all-weather surfacing. (Development Title Section 9-203.020(c)(2)(e))

   g) **PARKING:** Off-street parking shall be provided and comply with the following:

(1) A minimum 10-foot-wide setback shall be maintained between the project parking site and adjacent properties. If a residence is located on an adjacent parcel within 100 feet of the project site, the setback distance shall be increased to 20 feet (Development Title Section 9-203.020(c)(2)(d)).

2) DEPARTMENT OF PUBLIC WORKS (Staff Contact: (209) 468-3000)

g) 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)

h) A Caltrans and City of Escalon (City) encroachment permit shall be required for all work within Caltrans and City right-of-way, respectively. A copy of the permit shall be submitted to Public Works for the file.

i) Prior to issuance of the occupancy permit, the driveway approach(es) in the Caltrans and City right-of-way shall be improved in accordance with Caltrans and City requirements, respectively.

j) The applicant shall submit a truck off-tracking analysis and a stopping and corner sight distance analysis to Caltrans for review and provide a copy to Public Works, and Caltrans.

k) If there are any increases in amount of truck and or trailers, the applicant shall notify Public Works, Caltrans and the City of Escalon for review.

l) If the applicant intends to utilize STAA trucks with this project approval, then applicant shall obtain from the Department of Public Works and Caltrans a STAA terminal and STAA route designations for the proposed facility. Contact the Transportation Engineering Division of the Department of Public Works (209-468-3707) for designation process.

m) The Traffic Impact Mitigation Fee shall be required for 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).

n) The Regional Transportation Impact Fee shall be required for 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).

o) 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)

p) A copy of the Final Site Plan shall be submitted prior to release of building permit.

q) Informational Notes

i) Caltrans recommends that all truck access be provided via Brennan Road rather than State Route 120 to reduce potential conflicts and improve overall safety.

ii) A truck off-tracking analysis and a stopping and corner sight distance analysis may require improvements such as road widening, a left-hand turn lane, or an acceleration/deceleration lane. The project proponent will be responsible for funding these improvements per Caltrans.

3) ENVIRONMENTAL HEALTH DEPARTMENT (Staff Contact: (209) 468-3420)

a) Submit Water Provision Declaration form to the Environmental Health Department for review. Applicant shall contact Natalia Subbotnikova, Program Coordinator, Small Public Water System Program, at (209) 468-0338, with any questions.

b) All Onsite Wastewater Treatment Systems (OVVTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OVVTS standards.

c) 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.

(1) 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.)

(2) 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.)

(3) 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.)

(4) Any amount of hazardous material stored in an Underground Storage Tank — Underground Storage Tank Program (HSC Sections 25286 & 25280 et sec.)

(a) 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.

(b) Additionally, an EHD UST permit to operate is required once the approved UST system is installed.

d) 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.)

(1) Spill Prevention, Countermeasures and Control (SPCC) Plan requirement

e) Threshold quantities of regulated substances stored onsite - California Accidental Release Prevention (CalARP) Program (Title 19, Section 2735.4 & HSC Section 25531 et sec.)

(1) Risk Management Plan requirement for covered processes

4) SAN JOAQUIN COUNCIL OF GOVERNMENTS (Staff Contact: (209) 235-0574)

a) This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The applicant must provide a Certificate of Payment prior to issuance of any grading or building permits.

5) CALIFORNIA DEPARTMENT OF TRANSPORTATION (Staff Contact: (209) 986-1552)

a) Existing access along SR 120 to the parcel may not accommodate truck turning. In addition, having trucks entering and exiting SR 120 from a seemly residential driveway may be unexpected for drivers, have non-standard sight distances, and create safety concerns. Therefore, Caltrans recommends that all truck access be provided via Brennan Road rather than SR 120 to reduce potential conflicts and improve overall safety.

b) If the project proponent still wants truck access from SR 120, they must submit a truck off tracking analysis and a stopping and corner sight distance analysis to Caltrans for review. The driveway(s) on SR 120 must meet Caltrans commercial driveway standards, and an Encroachment Permit will be required. Depending on the findings of the analysis, this project may require improvements such as road widening, a left-hand turn lane, or an acceleration/deceleration lane. The project proponent will be responsible for funding these improvements.

c) If the property owner wishes to increase the number of trucks parking on his property, then that proposal must be sent to Caltrans for review and comment prior to project approval.