
**SAN JOAQUIN
LOCAL AGENCY FORMATION COMMISSION**

LAFCo

509 W. WEBER AVENUE SUITE 420 □ STOCKTON, CA 95203

**Local Agency Formation Commission Meeting Agenda
Thursday, May 13, 2021 9:00 A.M.**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the San Joaquin Local Agency Formation Commission's office will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the San Joaquin Local Agency Formation Commission has arranged for Commission Members and members of the public to observe and address the meeting virtually.

TO ATTEND:

Join Zoom Meeting:

<https://us02web.zoom.us/j/87676689846?pwd=djdiVm9lclk1MWtmY0pUL3ZHMkFxQT09>

Meeting ID: 876 7668 9846

Passcode: 323183

Dial by phone +1 669 900 6833

Note: If you don't have access to a smart device or a computer with a webcam & a mic, you can dial in using the teleconference number and meeting ID above.

Attention Callers: Please mute the call unless speaking.

*****To be recognized to speak, please use the "raise hand" or chat feature in Zoom. ***
We have also provided a call-in number, as identified on this Agenda, and encourage you to attend by telephone. ***To be recognized to speak, press *9 to signal the moderator.*****

Download Agenda Packet and Materials at: www.sjgov.org/commission/lafco

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Call to Order
Announce Date and Time of Meeting for the Record
Roll Call
Pledge of Allegiance

Recognition of Commission Peter Krumeich

INTRODUCTION

Commissioner David Breitenbucher, City of Manteca, will now serve as Regular City

Member. Commissioner Kevin Lincoln, City of Stockton, will serve as a Regular City Member and Commissioner Sonny Dhaliwal, City of Lathrop will serve as an Alternate City Member.

CONSENT ITEMS

1. MEETING MINUTES OF MARCH 11, 2021
(Action by All Members)
Approve Summary Minutes of the regular meeting.
2. OUT-OF-AGENCY SERVICE REQUEST
(Action by Regular Members)
Request from the City of Stockton to provide out-of-agency sewer service outside the City boundary under Government Code §56133 to 1670 N. Berkley Avenue, 3821 S. Odell Avenue, 136 Los Angeles Avenue, 2233 North F Street, and 1400 N. Williams Street, 2153 E. Seventh Street, and 423 S. Fresno Avenue in Stockton.

PUBLIC HEARING

3. THE BETHANY ROAD REORGANIZATION TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT AND ANNEXATION TO BYRON BETHANY IRRIGATION DISTRICT
(L AFC 24-20)
(Action by Regular Members)
Request to annex approximately 3 acres to Mountain House Community Services District and Byron Bethany Irrigation District.
4. PRELIMINARY BUDGET REPORT FOR THE FISCAL YEAR 2021-202
(Action by Regular Members)
Commission consideration of the Preliminary Budget for Fiscal Year 2021-2022, Work Program and Schedule of Fees.
5. FINAL BUDGET FOR THE FISCAL YEAR 2021-2022
(Action by Regular Members)
Commission consideration of the Final Budget for Fiscal Year 2021-2022, Work Program and Schedule of Fees.

PUBLIC COMMENTS

6. Persons wishing to address the Commission on matters not otherwise on the agenda

EXECUTIVE OFFICER COMMENTS

7. Comments from the Executive Officer

COMMISSIONER COMMENTS

8. Comments, Reports, or Questions from the LAFCO Commissioners

CLOSED SESSION

9. Open Session Disclosure Regarding Closed Session Items pursuant to Government Code Section 54957.7

10. CLOSED SESSION

- A. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(a)

Name of Case: Tracy Rural County Fire Protection District with the City of Tracy as named Real Party of Interest v. San Joaquin LAFCo (San Joaquin County Superior Court Case No. 2019-9687)

11. Open Session Report on Closed Session pursuant to Government Code Section 54957.1

ADJOURNMENT

LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

**SUMMARY MINUTES
March 11, 2021**

VIDEO CONFERENCE

Chairman Villapudua called the meeting to order at 9:03 a.m.

MEMBERS PRESENT: Commissioners Johnson, Krumeich, Patti, and Villapudua.

MEMBERS ABSENT: None

ALTERNATE MEMBERS PRESENT: Commissioners Breitenbucher, Morowit and Winn

ALTERNATE MEMBERS ABSENT: None

OTHERS PRESENT: James Glaser, Executive Officer; Rod Attebery, Legal Counsel; Elizabeth Contreras, LAFCo Analyst and Mitzi Stites, Commission Clerk

Chairman Villapudua stated that Agenda Item No. 3, Out-of-Agency for 3263 E. Cherokee Road in Stockton will be heard after Agenda Item No. 5, as both Agenda Items pertain to the same project.

CONSENT ITEMS

A motion was made by Commissioner Breitenbucher and seconded by Commissioner Patti to approve the Consent Calendar.

The motion for approval of the Summary Minutes of January 14, 2021 meeting was passed by a unanimous vote of the Commission.

The motion for approval for the out-of-agency service request to properties located at 241 French Camp Road, 244 S. Los Angeles Avenue, 1405 Meadow Avenue, 2829 N. E. Street and 2252 Young Street in Stockton was passed by a unanimous vote of the Commission.

PUBLIC HEARING

4. ARCHTOWN REORGANIZATION TO THE CITY OF STOCKTON
(LAFc 09-20)
(*Action by Regular Members*)
Request to annex approximately 79.19 acres to the City of Stockton

Mr. Glaser, Executive Officer, presented a PowerPoint presentation, which provided a background on the proposal to annex approximately 79.19 acres to the City of Stockton.

The City of Stockton's proposed Archtown project is for the annexation of approximately 79.14 acres and adjacent portions of Newcastle Road to the City of Stockton, allowing for the development of approximately 1.2 million square feet of light industrial and warehouse land uses and associated utility services and site improvements. The annexation site consists of four parcels.

Staff recommends that the Commission approve Resolution No. 1445 approving the annexation of 79.14 acres to the City of Stockton with concurrent detachments from the Montezuma Fire Protection District, Central San Joaquin Water Conservation District, and San Joaquin County Resource Conservation District.

Chairman Villapudua opened the floor to Commissioner Comments.

Commissioner Johnson inquired how long the fire service agreement would stay in place between the City of Stockton and Montezuma Fire District.

Executive Officer, James Glaser, stated that it will stay in place until the City of Stockton demonstrates that it can provide an appropriate response time. Stockton has the need for an additional fire station in South Stockton. This project does include an enhanced sprinkler system in the building which will assist in fire suppression.

Mr. William Crew, Director of Community Development, City of Stockton, recognized that the City of Stockton does have a need for another fire station in South Stockton and the City is moving forward with an action plan to resolve this issue.

Commissioner Winn inquired on the impact of air quality with the additional trucks using this facility.

Mr. Charlie Simpson, Principal, BaseCamp Environmental, stated that after reviewing the health risk, the study showed that this project will have a less than sufficient impact on the air quality.

Chairman Villapudua closed the floor to Commissioner Comments.

Chairman Villapudua opened the floor to Public Comments.

Mr. Mike Hakeem, Hakeem Ellis and Marengo, thanked the Commission and request that the Commission approve this project.

Chairman Villapudua closed the floor to Public Comments.

A motion was made by Commissioner Johnson and seconded by Commissioner Patti to approve Resolution No. 1445 approving the annexation of 79.14 acres to the City of Stockton with concurrent detachments from the Montezuma Fire Protection District, Central San Joaquin Water Conservation District, and San Joaquin County Resource Conservation District.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Krumeich, Patti and Chairman Villapudua

Nos: None

Absent: None

5. INSURANCE AUTO AUCTION ANNEXATION TO COUNTY SERVICE AREA
17- CHEROKEE INDUSTRIAL PARK
(LAFD 02-21)
(Action by Regular Members)
Request to annex approximately 139.8 acres to County Service Area 17 – Cherokee Industrial Park

Mr. James Glaser, Executive Officer, presented a PowerPoint presentation. CSA 17 was formed in 1978 to provide storm drainage, street lighting and fire hydrant maintenance services for development of an industrial park bounded by Highway 99 to the east, Stockton Diverting Canal to the south and Cherokee Road to the north, known as the Cherokee Industrial Park.

The proposed annexation site of 139.8 acres is adjacent to the District boundary and will include vehicle storage for approximately 10,128 automobiles as well as an area for loading and unloading for vehicle delivery and pickup. There will be also be a 5,088 square foot warehouse for auction activities, a 9,750 square foot office, and 74 employee/visitor parking stalls. A 20-acre area west of the storage area will be developed as a storm water retention basin to be operated and maintained by the CSA 17.

Sewer service would be provided by the City of Stockton as an Out-of-Agency service agreement. The developer secured Will Serve letters from the City and Cal Water. The Commission will consider approval of the Out-of-Agency sewer agreement as a separate proposal on this Agenda.

It is recommended that the Commission approve Resolution No. 1446 approving the annexation of the Insurance Auto Auction Annexation to CSA 17 and expansion of the District's Sphere of Influence.

Chairman Villapudua opened the floor to Commissioner Comments.

No comments were made.

Chairman Villapudua closed the floor to Commissioner Comments.

Chairman Villapudua opened the floor to Public Comments.

Mike Hakeem, Hakeem, Ellis and Marengo, stated that he, along with co-council, Steve Malcon, Mayall Hurley, recommend approval for this project.

Chairman Villapudua closed the floor to Public Comments.

Moved by Commissioner Breitenbucher, seconded by Commissioner Patti, to approve Resolution No. 1446 approving the annexation of the Insurance Auto Auction Annexation to CSA 17 and expansion of the District's Sphere of Influence.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Krumeich, Patti and Chairman Villapudua

Nos: None

Absent: None

CONSENT ITEMS

3. OUT-OF-AGENCY SERVICE REQUEST

(Action by Regular Members)

Request from the City of Stockton to provide out-of-agency sewer service outside the City boundary under Government Code §56133 to 3263 E. Cherokee Road in Stockton

A motion was made by Commissioner Breitenbucher and seconded by Commissioner Patti to approve the out-of-agency service request to the property located at 3263 E. Cherokee Road in Stockton.

Chairman Villapudua opened the floor to Commissioner Comments.

No comments were made.

Chairman Villapudua closed the floor to Commissioner Comments.

Chairman Villapudua opened the floor to Public Comments.

No comments were made.

Chairman Villapudua closed the floor to Public Comments.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Krumeich, Patti and Chairman Villapudua

Nos: None

Absent: None

SPECIAL MATTERS

6. MID-FISCAL YEAR BUDGET REPORT

Mr. James Glaser, Executive Officer, presented an overview of the mid-fiscal year budget. Mr. Glaser stated that the expenses of the agency mid-way through the fiscal year is well within the amount budgeted and approved by the Commission.

Chairman Villapudua opened the floor for Commissioners Comments.

No comments were made.

Chairman Villapudua closed the floor for Commissioner Comments

Chairman Villapudua opened the floor to Public Comments.

No comments were made.

Chairman Villapudua closed the floor to Public Comments.

PUBLIC COMMENTS

7. Persons wishing to address the Commission on matters not otherwise on the agenda

Rod Attebery, LAFCo Council, apologized for the issues with Zoom.

EXECUTIVE OFFICER COMMENTS

8. Comments from the Executive Officer

James Glaser, Executive Officer, informed the Commission that there would be no April meeting. Mountain House is at the beginning stage of incorporation. Staff is reviewing the consolidation of Stockton East Water District and Central San Joaquin Water Conservation District. The City Selection Committee will be meeting this month to appoint a Regular Member from the City of Stockton and Manteca as well as Alternate Member from the City of Lathrop. LAFCo Offices lease expires in July and staff will start to look for new offices.

COMMISSIONER COMMENTS

9. Comments, Reports, or Questions from the LAFCO Commissioners

No Comments were made

CLOSED SESSION

10 Open Session Disclosure Regarding Closed Session Items pursuant to Government Code Section 54957.7

11. CLOSED SESSION

A. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(a)

Name of Case: Tracy Rural County Fire Protection District with the City of Tracy as named Real Party of Interest v. San Joaquin LAFCo (San Joaquin County Superior Court Case No. 2019-9687)

12. Open Session Report on Closed Session pursuant to Government Code Section 54957.1

Rod Attebery, Legal Counsel, stated there is an update but it is public information and no close session is required. He informed the Commission that on March 4, 2021 legal counsel went to court. Both parties had arguments that were submitted to the judge. There is nothing to report. The trial court ruling could be issued within the next 90 days.

The meeting adjourned at 9:59 a.m. The next LAFCo Meeting will be on May 13, 2021.

LAFCo

509 W. WEBER AVENUE SUITE 420 □ STOCKTON, CA 95203

EXECUTIVE OFFICER'S REPORT

May 13, 2021

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **CITY OF STOCKTON OUT-OF-AGENCY SERVICE REQUESTS**

Recommendation

It is recommended that the Commission approve the requests from the City of Stockton to provide out-of-agency sewer service under the Government Code §56133 to properties located at 1670 Berkley Avenue, 3821 S. Odell Avenue, 136 Los Angeles Avenue, 2233 North F Street, 1400 N. Williams Street, 2153 E. Seventh Street, and 423 S. Fresno Avenue in Stockton.

Background

Government Code Section §56133 states that the Commission may authorize a city or special district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization and that prior to providing new or extended service, the city or district must first receive approval from LAFCo. The Commission adopted a policy that conditions their approval for out-of-agency service requiring the recordation of an agreement with the landowner consenting to annexation of their property when annexation becomes feasible.

The City of Stockton submitted requests for approval to extend sanitary sewer services to single family residences outside the city limits but within the City's sphere of influence. A vicinity map is attached showing the locations of each out-of-agency request. Connections to City sewer lines are available to the properties and the property owners have paid the appropriate connection fees to the City. The requests for out-of-agency service are in compliance with the Government Code §56133 and Commission policies. Staff recommends approval of the attached Resolution 1443 approving out-of-agency services.

Attachment: Resolution No. 1447
Vicinity Map

Resolution No. 1447

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
APPROVING AN OUT-OF-AGENCY SANITARY SEWER SERVICE FROM THE
CITY OF STOCKTON TO 1670 BERKLEY AVENUE, 3821 S. ODELL AVENUE, 136
LOS ANGELES AVENUE, 2233 N. F STREET, 1400 N. WILLIAMS STREET, 2153 E.
SEVENTH STREET, AND 423 S. FRESNO AVENUE IN STOCKTON**

WHEREAS, the above-reference requests have been filed with the Executive Officer of the San Joaquin Local Agency Formation Commission pursuant to §56133 of the California Government Code.

NOW THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

- Section 1. Said out-of-agency service request is hereby approved.
- Section 2. The proposal is found to be Categorically Exempt from CEQA.
- Section 3. The proposal is subject to the following conditions:
 - a. Prior to connection to the city sewer or water, the City of Stockton shall record a covenant and agreement with the property owners to annex to the City of Stockton in a form acceptable to the Executive Officer.
 - b. This approval and conditions apply to current and future property owners.

PASSED AND ADOPTED this 13th day of May 2021, by the following roll call votes:

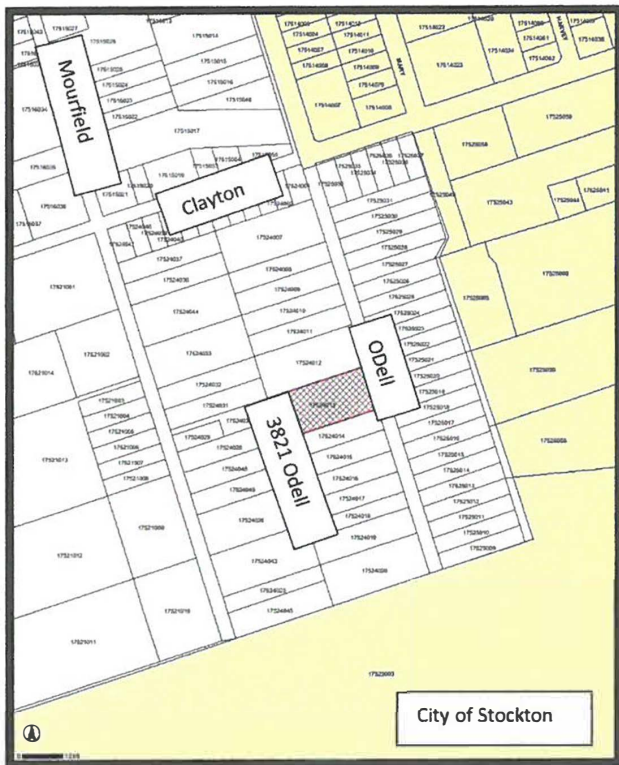
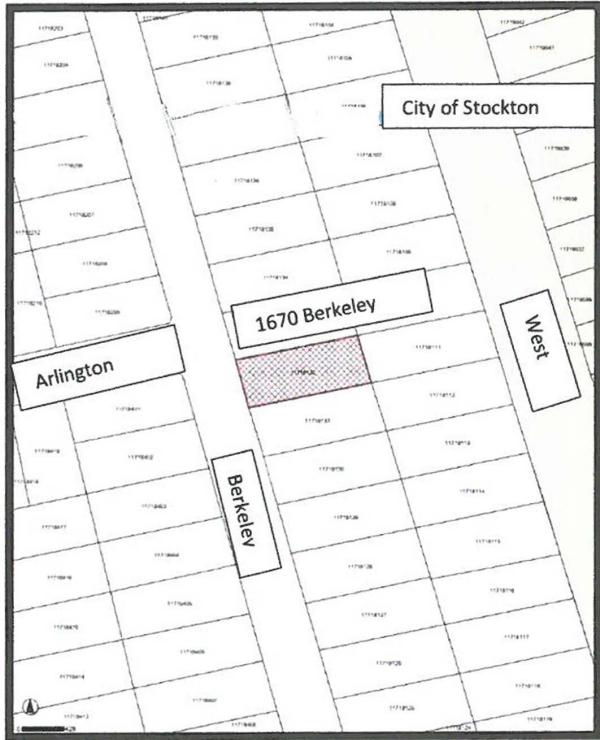
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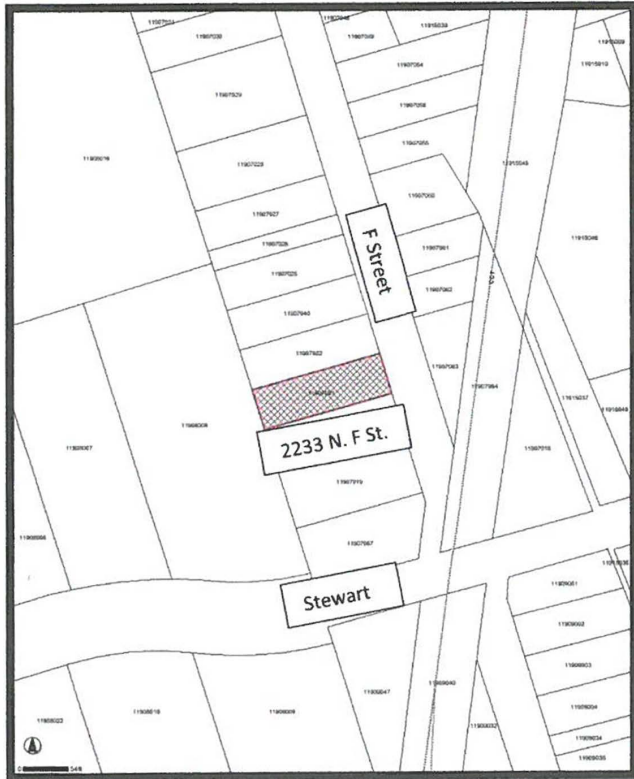
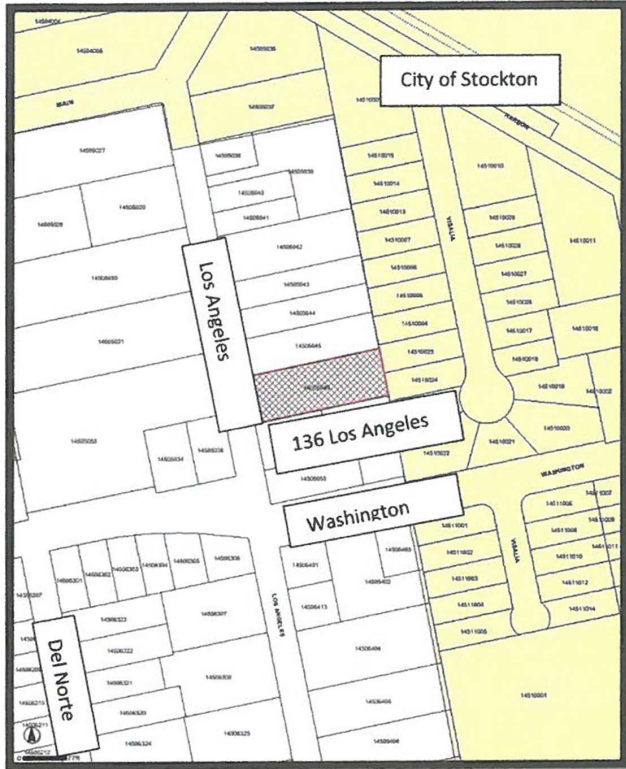
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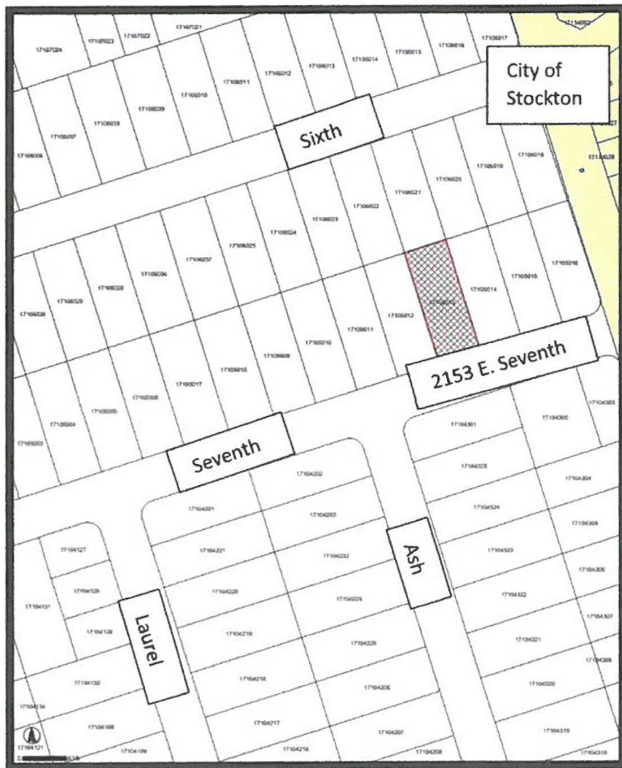
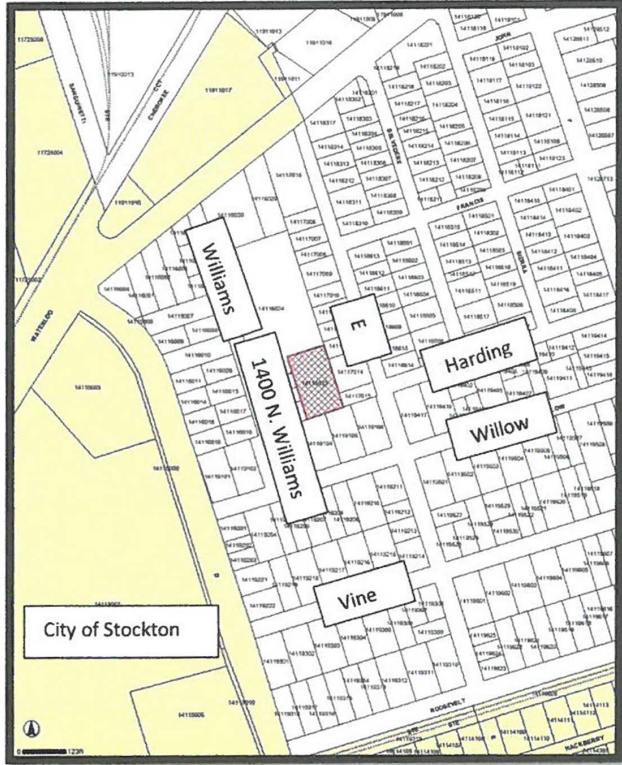
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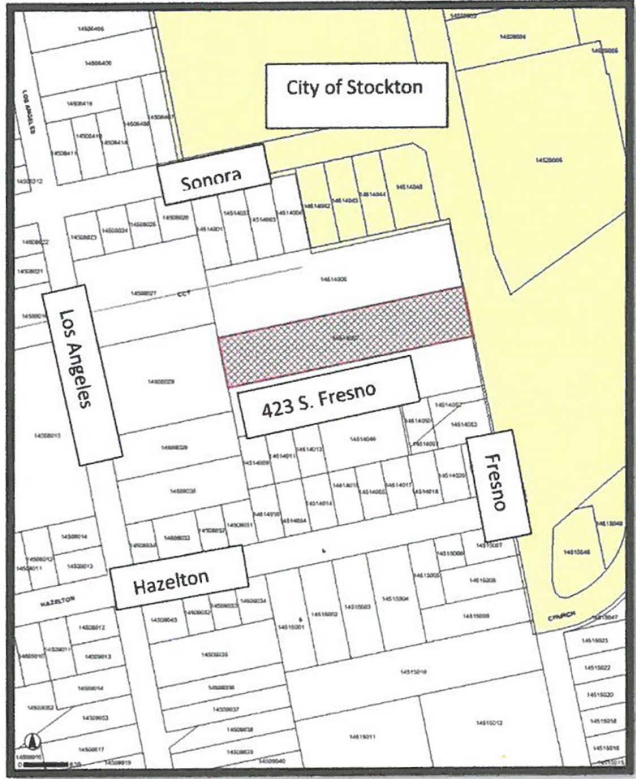
MIGUEL VILLAPUDUA, Chairman
San Joaquin Local Agency
Formation Commission

Res. No. 1447
05-13-21









LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

EXECUTIVE OFFICER'S REPORT

June 11, 2020

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **Preliminary and Final Budget for Fiscal Year 2021-2022, Work Program,
and Schedule of Fees**

Recommendation

It is recommended that the Commission approve the Preliminary and Final Fiscal Year 2021-2022 Budget, Work Program and Schedule of Fees.

Background

San Joaquin LAFCo is responsible under State law to adopt annually, following a noticed public hearing a proposed and final budget. State law also specifies that the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the Commission finds any reduced costs will nevertheless allow the Commission to fulfill its prescribed regulatory and planning duties. A 21-day Notice of Public Hearing was posted and published. The LAFCo website provided instructions on how to comment and participate in the Commission's electronic hearing to consider the budget.

Revenue Sources

State law mandates that the County and its cities shall each provide a one-half share of the commission's operational costs for LAFCOs without independent special district representation on the commission. During the FY18-19 budget process the Commission approved an on-going annual 3% increase to the County and cities contributions. The proposed budget presented reflects a 3% increase.

The proposed budget anticipates revenues in the amount of \$494,300 from the following sources: \$236,400 contribution from the County; \$236,400 contribution from the seven cities;¹ \$15,000 from

¹ The County and its cities contribute one-half share of LAFCo's operational costs. The Cities share is based upon the proportionate share of the total county population living within cities. Using the January 2020 population data from the State Department of Finance, the city contributions would be as follows: Stockton-\$122,928; Tracy-\$37,824; Manteca-\$33,096; Lodi-\$26,004; Lathrop-\$9,456; Ripon-\$4,728; and Escalon-\$2,364.

application filing fees; and \$6,500 interest revenue. The budget anticipates that the cost for staffing and operations will be \$793,311 and that the Commission will transfer \$299,011 from its Contingency/Reserve funds (currently \$1,262,906) to continue agency operations to the end of the fiscal year if all line items are expended including the contract for services.

Salaries and Benefits

The proposed FY21-22 budget includes staff salaries for a full-time Executive Officer, a full-time LAFCo Analyst and a part-time Commission Clerk. The Commission contracts with the County for retirement and health benefits for the full-time staff. Estimates for benefit costs are provided by the County during each budget cycle and are incorporated into the LAFCo budget. For FY21-22 the County increased retirement contribution rates by 1.97% of compensation for the Executive Officer and an increased retirement contribution rate by 2.02% of compensation for the LAFCo Analyst. Health Insurance costs for the Analyst rose by 4.2%. Currently, the Analyst position is being filled by a part-time employee and does not receive the additional benefits, therefore, the Commission can expect salary and benefit savings this fiscal year. In the event that the Commission must hire a full-time Analyst in the upcoming fiscal year it would be prudent to include salary and benefits for a full time Analyst.

Services and Supplies

The Commission contracts with the County for specific services including payroll, auditor services, information technology, computers, communications, and mailroom services. Each budget year the County determines LAFCo's share of the cost for services. The costs for County services have generally remained the same as last year with the exception of our County Computers. LAFCo leases 3 desk top computers and 2 laptop computers. The laptop computers enable staff to work from home until the office can safely reopen. Data Processing Direct Charges include service calls and costs for the County's Information Service Department to maintain the safety and security of our computer information, data backup storage, user licenses, and website maintenance.

The budget includes the costs associated for six Commissioners and one Staff to attend the Annual CALAFCo Conference at Newport Beach in October 2020 and for two staff to attend the Staff Conference in the spring of 2022. Costs include airfare, travel to and from Sacramento airport, air fare, registration fees, and 3 night hotel stays. The Annual and Staff Conferences were cancelled in 2020 due to the Covid pandemic resulting in a budget saving this fiscal year.

The City of Stockton has purchased the Waterfront Towers and requested that LAFCo relocate its office by July so they can start renovations to the building. The budget allows \$25,000 for moving and tenant improvements costs and the rent line item has been increased in anticipation that monthly rent will likely increase. Any increases in cost above the estimated amounts will come before the Commission for subsequent approval.

Budget Discussion

Approval of the proposed LAFCo FY2021-2022 budget will enable the Commission to perform its core responsibilities effectively and continue its work on municipal service review and sphere of influence updates, processing change of organization applications, litigation support, and policy development. As in previous budget years, the Commission's budget anticipated overall expenditures would be more than its revenues. The Commission and staff, however, has exercised fiscal prudence and it had not been necessary to draw down into its Contingency Reserves. It is estimated that no

Contingency/Reserves will be used this current fiscal year and the Commission will carry forth a balance of approximately \$1,161,520 into the new fiscal year.

Work Program

In 2021-2022, the LAFCo Work Program will include application processing for annexations, other organizational changes, and out-of-agency service requests. Municipal Service Reviews (MSRs) and Sphere of Influence (SOI) Plans will be updated for the cities of Escalon, Manteca, and Lodi and for the East Stockton and Central San Joaquin Water Conservation Districts in anticipation of a consolidation. LAFCo will begin its formal review of the Mountain House city incorporation application. Pending Commission direction, LAFCo may begin work on the remaining 29 reclamation districts, and MSRs and SOIs for County rural fire districts. LAFCo will continue to expend considerable resources defending litigation filed by Tracy Rural Fire Protection District and the City of Tracy if appealed (a decision is expected this fiscal year). The Commission will review and update, as needed, its operational policies and procedures.

Schedule of Fees

The following changes to the application filing fees are proposed:

- Amendment to a Municipal Service Review: \$2,500
A request to amend a MSR and an annexation application are separate actions to be considered by the Commission and require their own review and processing procedures and associated costs.
- CEQA Exemption (LAFCo as Lead Agency): \$300
This new fee covers the cost for LAFCo staff to prepare an CEQA Exemption when acting as the Lead Agency for a project.
- Increase to Staff costs
The increase to staff's hourly fees corresponds with increases to employee benefits and salary.

Accomplishments

The LAFCo Commission has completed or is expected to complete the following projects this fiscal year:

Wackerly/Singh Reorganization to the City of Manteca	Byron Bethany Irrigation District and The West Side Irrigation District Consolidation
Carmax Reorganization to the City of Stockton	Hoggan Reorganization to the City of Stockton
Sanchez Reorganization to the City of Stockton	Protest Hearing and Election for Tracy Village Reorganization
City of Stockton Municipal Service Review and Sphere of Influence Update	Time Extension for Gudel Annexation to CSA 29
Pereira Reorganization to Ripon	Out of Agency Service Requests
Avenues Reorganization to the City of Tracy	Tra Vigne Reorganization to the City of Stockton
Alvarez Reorganization to the City of Tracy	Insurance Auto Auction Reorganization to CSA 17
Archtown Reorganization to the City of Stockton	Bethany Road Annexation to Mountain House Community Services District
Bezley Annexation to CSA 43	Dissolution of Mariposa Drainage District

- Attachments: Resolution No. 1449 Approving the Preliminary Budget
 Resolution No. 1450 Approving the Final Budget
 Proposed Fiscal Year 2021-2022 Budget
 LAFCo Work Program
 Schedule of Fees

cc: County Administrator

PRELIMINARY AND FINAL
FY 2021-2022 BUDGET, WORK PROGRAM AND SCHEDULE OF FEES

- May 13, 2021
- Public Hearing
- San Joaquin LAFCo



BACKGROUND

- Each year LAFCo must adopt an annual budget
- Annual budget must be equal to the adopted budget of the previous fiscal year
- The Commission must hold a Public Hearing before adopting its budget
- The County and its 7 cities each provide one-half share of the Commission's operational costs

CURRENT BUDGET

	FY 20-21	Projected Revenues /Expenditures to 6/31/21
Revenues		
Filing Fees	\$15,000	\$75,068
City/County Contributions*	\$459,000	\$459,000
Interest	\$16,000	\$6,785
Total	\$490,000	\$540,853
Expenditures		
Salaries/Benefits	\$490,869	\$358,748
Services/Supplies	\$288,172	\$68,899
Total	\$779,041	\$427,647

FY 20-21 Summary

-  Received more revenue from application filing fees than anticipated
-  Savings in Salaries and Benefits
Savings from CALAFCo cancelled conferences
-  No expenditures under Contract for Services
-  Not need to transfer from Contingency/Reserves to cover budget deficit
-  LAFCo will carry over approximately \$1,161,520 into the next FY

Preliminary and Final Budget for FY 21-22

- Includes a 3% annual increase to County/City Contributions
- Increases in retirement and health benefits set by the County
- Addition of 2 laptop computers to enable staff to work from home until office can reopen
- Includes CALAFCo Annual Conference in Newport Beach for 6 Commissioners and 1 Staff
- Includes costs to move such as tenant improvements and rent increase

	FY20-21	Proposed FY21-22	% Inc/Dec
REVENUES			
Filing Fees	15,000	15,000	0.0%
County Contribution	229,500	236,400	3.0%
City Contribution	229,500	236,400	3.0%
Interest	16,000	6,500	-59.4%
TOTAL REVENUES	\$490,000	\$494,300	0.9%
EXPENDITURES			
Salaries Regular/Commissioners	298,208	298,897	0.2%
Benefits	192,661	198,509	3.0%
TOTAL SALARIES/BENEFITS	\$490,869	\$497,406	1.3%
SERVICES AND SUPPLIES			
Professional Services (Neumiller & Beardslee)	15,000	15,000	0.0%
Office Supplies - General	5,000	5,000	0.0%
Communications *	3,000	3,000	0.0%
CALAFCo Membership	10,662	10,760	0.9%
Copy Machine	2,400	2,400	0.0%
Rents and Leases - County Computers *	1,139	1,957	71.8%
CALAFCo Conference-Commissioners	7,572	13,459	77.7%
CALAFCo Conference -Staff	3,876	5,101	31.6%
Data Processing Direct Charges *	7,302	6,789	-7.0%
Auditors' Payroll and A/P Charges	505	505	0.0%
Registrar of Voter Charges	200	200	0.0%
Recorder's Office	0	500	
Publications & Legal Notices	3,000	3,000	0.0%
Insurance-Worker's Compensation *	221	254	14.9%
Insurance-Special Property	1,095	1,425	30.1%
Insurance-Liability	5,200	5,555	6.8%
Office Space/Utilities	22,000	36,000	63.6%
Moving Expenses	0	25,000	
Contract for Services	200,000	160,000	-20.0%

Total Revenues: \$494,300
 Total Expenditures: \$793,311
 Grand Total: -\$299,011
 Contingency Reserves: \$1,161,520

The proposed budget requires a transfer of \$299,011 from Contingency Reserves to balance the budget.

*The County and the 7 cities share 1/8 cost (\$236,400 each) of LAFCo operations.

The Cities prorated distribution are as follows:

Stockton	\$122,928
Tracy	\$ 37,824
Manteca	\$ 33,096
Lodi	\$ 26,004
Lathrop	\$ 9,456
Ripon	\$ 4,728
Escalon	\$ 2,364
	\$236,400

WORK PROGRAM SUMMARY

- Application processing for annexations and other organizational changes
- MSR/SOI Plans for Escalon, Manteca, Lodi
- Consolidation of Stockton East Water District and Central San Joaquin Water Conservation District
- Mountain House Incorporation
- Continue defending litigation filed by Tracy Rural and City of Tracy
- Review and update operational policies and procedures

SCHEDULE OF FEES

- Amendment to a Municipal Service Review
 - Delete combining an annexation request from the MSR
 - Separate actions that require review and processing of each
- CEQA Exemption
 - Include the cost for LAFCo to prepare an Exemption when acting as Lead Agency
- Increase Staff cost
 - Increase staff's hourly charges to align with increases to employee benefits and salary

ACCOMPLISHMENTS

• Wackerly/Singh Reorganization to the City of Manteca	• Byron Bethany Irrigation District and The West Side Irrigation District Consolidation
• Carmax Reorganization to the City of Stockton	• Hoggan Reorganization to the City of Stockton
• Sanchez Reorganization to the City of Stockton	• Protest Hearing and Election for Tracy Village Reorganization
• City of Stockton Municipal Service Review and Sphere of Influence Update	• Time Extension for Gudel Annexation to CSA 29
• Pereira Reorganization to Ripon	• Out of Agency Service Requests
• Avenues Reorganization to the City of Tracy	• Tra Vigne Reorganization to the City of Stockton
• Alvarez Reorganization to the City of Tracy	• Insurance Auto Auction Reorganization to CSA 17
• Archtown Reorganization to the City of Stockton	• Bethany Road Annexation to Mountain House Community Services District
• Bezley Annexation to CSA 43	• Dissolution of Mariposa Drainage District

It is recommended that the Commission approved the Preliminary and Final Year 2021-2022 Budget, Work Program, and Schedule of Fees.

Resolution No. 1449

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
ADOPTING THE PRELIMINARY FISCAL YEAR 2021-2022 BUDGET,
WORK PROGRAM AND SCHEDULE OF FEES**

WHEREAS, the Commission held a telephonically public hearing on the Preliminary Fiscal Year 2021-2022 LAFCO Budget, Work Program, and Schedule of Fees on May 13, 2021 at 9:00 a.m. pursuant to a notice of hearing which was published and distributed in accordance with State Law; and

WHEREAS, in accordance with Governor's Executive Order N33-20, LAFCo has arranged for members of the public to observe and address the meeting telephonically.

WHEREAS, at said hearing, the Commission heard and received evidence regarding the proposal and all persons were give an opportunity to be heard.

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

- Section 1. The Preliminary Fiscal Year 2021-2022 Budget and Work Program is hereby approved as set forth in Exhibit A.
- Section 2. The LAFCo Schedule of Fees is hereby approved as set forth in Exhibit B.
- Section 3. Said Schedule of Fees will become effective on July 13, 2021.

PASSED AND ADOPTED this 13th day of May 2021 by the following votes:

AYES:

NOES:

ABSENT:

MIGUEL VILLAPUDUA, Chairman
San Joaquin Local Agency
Formation Commission

Resolution No. 1450

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
ADOPTING THE FINAL FISCAL YEAR 2021-2022 BUDGET,
WORK PROGRAM AND SCHEDULE OF FEES**

WHEREAS, the Commission held a telephonically public hearing on the Final Fiscal Year 2021-2022 LAFCO Budget, Work Program, and Schedule of Fees on May 13, 2021 at 9:00 a.m. pursuant to a notice of hearing which was published and distributed in accordance with State Law; and

WHEREAS, in accordance with Governor's Executive Order N33-20, LAFCo has arranged for members of the public to observe and address the meeting telephonically.

WHEREAS, at said hearing, the Commission heard and received evidence regarding the proposal and all persons were give an opportunity to be heard.

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

- Section 1. The Final Fiscal Year 2021-2022 Budget and Work Program is hereby approved as set forth in Exhibit A.
- Section 2. The LAFCo Schedule of Fees is hereby approved as set forth in Exhibit B.
- Section 3. Said Schedule of Fees will become effective on July 13, 2021.

PASSED AND ADOPTED this 13th day of May 2021 by the following votes:

AYES:

NOES:

ABSENT:

MIGUEL VILLAPUDUA, Chairman
San Joaquin Local Agency
Formation Commission

San Joaquin LAFCo
Proposed Fiscal Year 2021-2022 Budget

	FY20-21	Estimated Revenues/Expenditures End of FY	Proposed FY21-22	% Inc/Dec
REVENUES				
Filing Fees	15,000	65,068	15,000	0.0%
County Contribution	229,500	229,500	236,400	3.0%
City Contribution	229,500	229,500	236,400	3.0%
Interest	16,000	6,785	6,500	-59.4%
TOTAL REVENUES	\$490,000	\$530,853	\$494,300	0.9%
EXPENDITURES				
Salaries Regular/Commissioners	298,208	229,696	298,897	0.2%
Benefits	192,661	129,052	198,509	3.0%
TOTAL SALARIES/BENEFITS	\$490,869	\$358,748	\$497,406	1.3%
SERVICES AND SUPPLIES				
Professional Services (Neumiller & Beardslee)	15,000	5,386	15,000	0.0%
Office Supplies - General	5,000	4,284	5,000	0.0%
Communications *	3,000	2,747	3,000	0.0%
CALAFCO Membership	10,662	10,662	10,760	0.9%
Copy Machine	2,400	0	2,400	0.0%
Rents and Leases - County Computers *	1,139	1,065	1,957	71.8%
CALAFCO Conference-Commissioners	7,572	0	13,459	77.7%
CALAFCO Conference -Staff	3,876	99	5,101	31.6%
Data Processing Direct Charges *	7,302	6,498	6,789	-7.0%
Auditors' Payroll and A/P Charges	505	505	505	0.0%
Registrar of Voter Charges	200	150	200	0.0%
Recording Fees	0	456	500	---
Publications & Legal Notices	3,000	3,070	3,000	0.0%
Insurance-Worker's Compensation *	221	442	254	14.9%
Insurance-Special Property	1,095	4,830	1,425	30.1%
Insurance-Liability	5,200	5,200	5,555	6.8%
Office Space/Utilities	22,000	23,505	36,000	63.6%
Moving Expenses	0	0	25,000	---
Contract for Services	200,000	0	160,000	-20.0%
TOTAL SERVICES AND SUPPLIES	\$288,172	\$68,899	\$295,905	2.7%
Revenues	\$490,000		\$494,300	
Expenditures	\$779,041		\$793,311	
Grand Total	-\$289,041		-\$299,011	
Contingency Reserves	\$1,045,595		\$1,161,520	

SAN JOAQUIN LAFCo
FY 2021-2022
Work Program

In 2021-2022, the LAFCo Work Program will include application processing for annexations, other organizational changes, and out-of-agency service requests. Municipal Service Reviews (MSRs) and Sphere of Influence (SOI) Plans will be updated for the cities of Escalon, Manteca, and Lodi and for the East Stockton and Central San Joaquin Water Conservation Districts in anticipation of a consolidation. LAFCo will begin its formal review of the Mountain House city incorporation application. Pending Commission direction, LAFCo may begin work on the remaining 29 reclamation districts, and MSRs and SOIs for County rural fire districts. LAFCo will continue to expend considerable resources defending litigation filed by Tracy Rural Fire Protection District and the City of Tracy if appealed (a decision is expected this fiscal year). The Commission will review and update, as needed, its operational policies and procedures.

San Joaquin Local Agency Formation Commission

SCHEDULE OF FEES

FEES FOR PROCESSING APPLICATIONS AND CHARGES FOR SERVICES

(Effective Date: ~~August 11, 2020~~ July 13, 2021)

	Fee
I. <u>ANNEXATIONS AND DETACHMENTS</u>	
Existing and New Development:	
Under 3 Acres	\$2,190
3 to 10 Acres	\$2,922
10.1 to 20 Acres	\$3,660
20.1 to 40 Acres	\$4,388
40.1 to 80 Acres	\$5,122
80.1 to 120 Acres	\$5,854
120.1 to 240 Acres	\$6,593
240.1 to 500 Acres	\$7,333
500.1 to 1,000 Acres	\$8,060
Over 1,000.1 acres \$8.05 per acre	
II. <u>LEGAL SERVICES</u>	Actual Cost \$1,000
Required for all services.	Deposit
Principle	\$375 per hour
Associate	\$300 per hour
Paralegal	\$175 per hour
III. <u>OTHER ACTIONS</u>	
Proposals requiring Protest Proceedings (Actual cost if Voter Election)	\$1,600
Special District Formation	\$8,500
Consolidation, Merger, Subsidiary District	\$1,000
Addition of Services	\$2,500
Dissolution	No Charge
Request for Reconsideration	\$1,500
Time Extension Request	\$ 400
Out-of-Agency Service for Designated Areas	\$2,500
Out-of-Agency Service	\$300 per single-family equivalent/per service
Sphere of Influence	
Amendment to a Municipal Service Review	\$2,500
Amendment in conjunction with annexation	1,500
Amendment not in conjunction with annexation	2,500
New or Update for Cities	\$4,000
New or Update for Special Districts	\$1,600
Removal of Territory	\$2,500
Amendment to a Municipal Service Review	1,200
Incorporation	Actual Costs (\$5,000 deposit)
Comprehensive Fiscal Analysis	Actual Cost (\$5,000 deposit)

		Fee
IV.	<u>ENVIRONMENTAL REVIEW</u>	
	CEQA Exemption	\$150
	Lead Agency other than LAFCo:	
	Review Environmental Impact Report	\$500
	Review Negative Declaration	\$250
	CEQA Exemption	\$150
	LAFCo as Lead Agency:	
	Initial Study (including Negative Declaration)	Actual Cost
	Preparation and processing of EIR	Actual Cost
	CEQA Exemption	\$300
	State Department of Fish and Wildlife Fee (with LAFCo as Lead Agency) includes County Clerk Processing Fee	
	Notices of Exemption	As Required by Fish and Wildlife Code
	If Negative Declaration	
	If Environmental Impact Report	
	County Clerk Processing Fee	\$50
V.	<u>MISCELLANEOUS FEES AND CHARGES</u>	
	For checking and approving boundary maps and legal descriptions (<i>Make check payable to Department of Public Works</i>)	\$700 or 20% of LAFCo Fee
	Special Commission meeting	\$2,000
	Staff Costs for Research, Technical Assistance, Mailing, Attendance at Meetings and unique/complex projects as determined by the Commission:	
	Executive Officer	\$190 \$150 per hour
	LAFCo Analyst	\$160 \$120 per hour
	Commission Clerk	\$80 \$60 per hour
	Meeting CDs (per CD)	\$20
	Document copying (per page)	\$.20
	Checking Sufficiency of Petition (per signature)	Fee set by the Registrar of Voters
Outside Consultants hired by LAFCo	Actual Costs plus 20%	
Meeting Transcripts	Actual Costs plus 20%	

Notes:

- Actual costs shall be determined by multiplying the documented actual hours by the hourly rate of salary plus benefits.
- The Commission may waive or adjust processing fees upon a determination that the proposal would further the purposes of the Local Government Reorganization Act of 2000. Requests for fee waivers or adjustments must be submitted in writing to the Commission prior to the submittal of any application.
- Processing and filing fees are due and payable upon filing of an application with LAFCo. No action shall be taken on any proposal or petition until appropriate fees have been paid.
- Upon Commission approval, the Executive Officer may require fees based on actual cost for unique/complex projects.

LAFCo

509 West Weber Avenue Suite 420 STOCKTON, CA 95203

EXECUTIVE OFFICER'S REPORT

- PROJECT:** BETHANY ROAD REORGANIZATION TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT AND ANNEXATION TO BYRON BETHANY IRRIGATION DISTRICT (LAFc 24-20)
- PROPOSAL:** Annexation of 3.0 acres to Mountain House Community Services District (MHCSd) and concurrent detachment from Tracy Rural Fire District and annexation to Byron Bethany Irrigation District
- APPLICANT:** MHCSd
- LOCATION:** South side of West Bethany Road, approximately 650 feet east of S. Henderson Road, Mountain House (Exhibit A: Vicinity Map)
- PURPOSE:** Development of a 12,000 square foot office and warehouse building, storm water treatment and retention basins, frontage improvements, and offsite sanitary sewer, water services and other required improvements. (Exhibit B: Justification of Proposal)
- PROCESS:** Proposed annexation area is uninhabited and has consent of the landowner

RECOMMENDATION

It is recommended that the Commission approve Resolution No. 1448 approving the annexation of the Bethany Road Reorganization to MHCSd and annexation to Byron Bethany Irrigation District.

BACKGROUND

In 1994, the County Board of Supervisors adopted the Mountain House Master Plan. The Mountain House Master Plan is intended to be a small full-fledged city with a population of approximately 44,000 residents, covering 4,784 acres or approximately 7.5 square miles, to be developed over a 30-year period. In 1996, LAFCo approved the formation of the MHCSd, an independent special district, and authorized the district to provide an array of services including police (current contract with San Joaquin Sheriffs), fire (current contract with French Camp Fire), library services, water, sewer, garbage, public recreation, road maintenance, street lights, graffiti abatement, CC&R (Master Restrictions) enforcement, telecommunication services, converting utilities to underground, transportation services, flood control protection, wildlife habitat mitigation, pest and weed abatement, and dissemination of information. LAFCo adopted the district's Sphere of Influence (SOI) to coincide with the master plan boundaries. (Exhibit C: MHCSd Master Plan). The Master Plan was designed to ensure that adequate services are provided in a cost effective manner to accommodate new growth.

In August 2020, the MHCSd Board of Directors approved an application submittal to LAFCo to annex 3.0 acres to the District. The parcel is within the MHCSd SOI. The property currently has a

5,750 square foot shop and office building and is served by an on-site well and septic system. After annexation it is proposed that a new 12,000 square foot office and warehouse building will be constructed as well as a storm water treatment and retention basins, frontage improvements, and offsite sanitary sewer, water services and other required improvements for the expansion. The zoning designation is I-G (General Industrial) and is in the Mountain House Old River Industrial Park Specific Plan.

ENVIRONMENTAL

As the Lead Agency, MHCS D certified a Mitigated Negative Declaration (State Clearinghouse No. 2020070583) and a Mitigation Monitoring and Reporting Program for the project on December 2020. As a Responsible Agency, LAFCo must consider the district's environmental report and make findings upon approval of the project. (Exhibit D: Notice of Determination).

FACTORS

Government Code Section 56668.3 (annexation to special districts) states that if a proposed change of organization consists of an annexation to a special district, the Commission shall consider the following factors:

- (1) *Whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district*

The landowner has applied for annexation into MHCS D in order to receive water and sewer services to develop the property. Annexation of the parcel does not impact the provision of services to inhabitants within MHCS D as they will continue to receive services at their present levels. The annexation will provide capital improvements and public services the Mountain House community. The developers will be responsible for the costs to install and maintain the necessary infrastructure to provide services to the property.

- (2) *Any factors which may be considered by the Commission as provided in §56668 (annexation to a city). The following factors from §56668 which are appropriate for this annexation include:*

Effect of the proposal on maintaining the physical and economic integrity of agricultural lands as defined by Section 56016

Agricultural lands are defined as land that is currently used for the purpose of producing an agricultural commodity for commercial purposes. The parcel proposed for annexation is developed with an existing 5,750 square foot shop and office building served by an on-site well and septic system. The property is not subject to an agricultural land mitigation program or the County Multi-Species Habitat Conservation and Open Space Plan program.

Definiteness and certainty of the boundaries

The proposed annexation site is one whole tax assessor parcel and is consistent with Commission policy.

The proposal's consistency with county general and specific plans

The Board of Directors of the MHCS D has determined that the annexing property is consistent with its Specific Plan I Planning Area for the Old River Park South Expansion Area. (Exhibit E: MHCS D Resolution of Application)

The ability of the District to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. (Exhibit F: Plan for Services)

Proposed improvements include constructing a new 12,000 square foot office/warehouse building, necessary parking stall, required storm water treatment and retention basins, landscaping, frontage improvements, and offsite sanitary sewer, water services and other required improvements. The building will serve as the regional headquarters for a General Engineering Contractor that focus on projects in the water and wastewater industry and will create 35 new full-time employee positions.

Water

The proposed annexation site is served by an onsite domestic commercial well and a 10,000 gallon storage tank with fire department connection. This system will be removed and/or abandoned once connected to MHCS D services.

MHCS D is within BBID's service boundary and receives 9,413 acre-feet per year of raw water from the District. Water is delivered to MHCS D's Water Treatment Plant which currently treats 12.5 million gallons per day (GPD) for distribution to the community. The treatment plant is sized to meet the expected demand of 20 MGD at buildout of MHCS D. MHCS D provided preliminary water demand data for the project as follows: 1,800 GPD/Acre without conservation measures and 1,600 GPD/Acre with conservation which is available for the project. The developer of the project will be required to purchase water treatment and water storage capacity from one of the Mountain House Master Development firms. The developer has reached an agreement as required with Mountain House Investors and Machado for treatment and storage. (Exhibit G-Letter from Community Development Director). An existing 12" waterline was installed in Bethany Road with the construction of the WWTP waterline project. The proposed development will connect to this stub for fire services, domestic water services, and irrigation services.

In order for the Bethany Road property to receive water service from MHCS D under the Water Service Agreement between BBID and MHCS D, the subject property will also need to annex into BBID. The property is within BBID's sphere of influence. This annexation proposal includes the annexation into BBID.

Sanitary Sewer Service

The proposed annexation site is served by an onsite septic system with 3,000 gallon solids tank and leach field. The system will be removed and/or abandoned and the project will connect to MHCS D services.

Expansion of the Wastewater Treatment Plan is anticipated in the spring of 2021. The expansion will increase treatment capacity from 3.0 MGD to a capacity of 5.4 MGD. MHCS D provided preliminary sewer demand for the project as follows: 1,600 gallons/acre/day for the average dry weather flow and 18,304 gallons/day for peak wet weather flow. An 8-inch sanitary sewer line will be installed to serve the proposed annexation area, including 736 feet of 8-inch diameter sewer line in Bethany Road and 1,214 feet of 8-inch diameter sewer line in the Henderson Road alignment which will connect to an existing 8-inch sewer line.

Drainage

Stormwater runoff will be treated onsite and discharged into an onsite retention basin. The drainage system has been designed to discharge treated storm water into the MHCS D Stormwater system in the future when infrastructure becomes available for connection.

Police Service

The San Joaquin County Sheriff's Office provides law enforcement services for MHCS D under contract which provides for six full-time equivalent deputies and one full-time deputy for the western portion of the county. The ratio of sworn officers to residents is 1.0 per 1,000 residents. MHCS D reported that response times for Priority 1 calls were 5-minutes, 16-minutes for Priority 2 calls, and 24-minutes for Priority calls. The Sheriff's Office operates at a police sub-station at the New Town Hall Complex.

Fire Service

The proposed site is within the Tracy Rural Fire District and will be detached from the district upon annexation. Fire protection and emergency medical services are provided to MHCS D by a combination effort between the Mountain House Fire Department and the French Camp McKinley Fire District. The fire station is located at 911 Tradition Street in Mountain House. A second station is planned and will be located off of Central Parkway, north of Byron Road. It is anticipated that fire response times to the proposed annexation site will be approximately 5 minutes. Response times will be greatly reduced to approximately 2 minutes when the new fire station is built within the next 5 years.

It is Commission's policy to consider if a detachment from a fire district would adversely affect the fire district's ability to provide adequate service and if adequate mitigation has been provided. Annexation of the Bethany Road property to MHCS D will result in a loss of annual property tax revenue and assessments to Tracy Rural in the amount of \$892.93. It is Commission's policy to require that the fire district demonstrate that the detachment will not negatively impact the district's budget or services to continue to provide services. Tracy Rural has not provided information in support of this finding and no financial mitigation has occurred.

Financial Ability to Provide Service

The applicant will be responsible for financing and constructing the necessary facilities for development. All infrastructure improvements shall be constructed to MHCS D standards and with construction-related inspections at appropriate intervals. Upon completion of the off-site sanitary sewer infrastructure improvements, the improvements will be turned over to the District following issuance of an appropriate Notice of Completion.

The comments of any affected local agency or other public agency. (Exhibit H: Referral Comments)

County Public Works: No comment.

Environmental Health: Any existing wells or septic system to be abandoned shall be destroyed by permit and inspection by the Environmental Health Department.

Any information or comments from the landowner, voters, or residents of the affected territory

None

(3) Any resolution raising objections to the action that may be filed by an affected agency

Affected agencies include the Tracy Rural Fire District and BBID. LAFCo has not received any resolutions raising objections to the action.

(4) Any other matters the Commission deems material

None.

DISCUSSION

The project represents a logical extension of the MHCS D boundary, the district has the ability to extend services to the project site and the project provides for the orderly development of this area of the District. The MHCS D Board of Directors has reviewed the project and determined that the project meets the MHCS D Master Plan, the requirements of its Specific Plan I, and Old River Industrial Park Section 4.4 planning area.

Attachments: LAFCO Resolution No. 1448

Exhibit A: Vicinity Map

Exhibit B: Justification of Proposal

Exhibit C: MHCSD Master Plan Map

Exhibit D: Notice of Determination

Exhibit E: Resolution of Application

Exhibit F: Plan for Services

Exhibit G: Letter for Community Development Director

Exhibit H: Referral Comments

PUBLIC HEARING

May 13, 2021

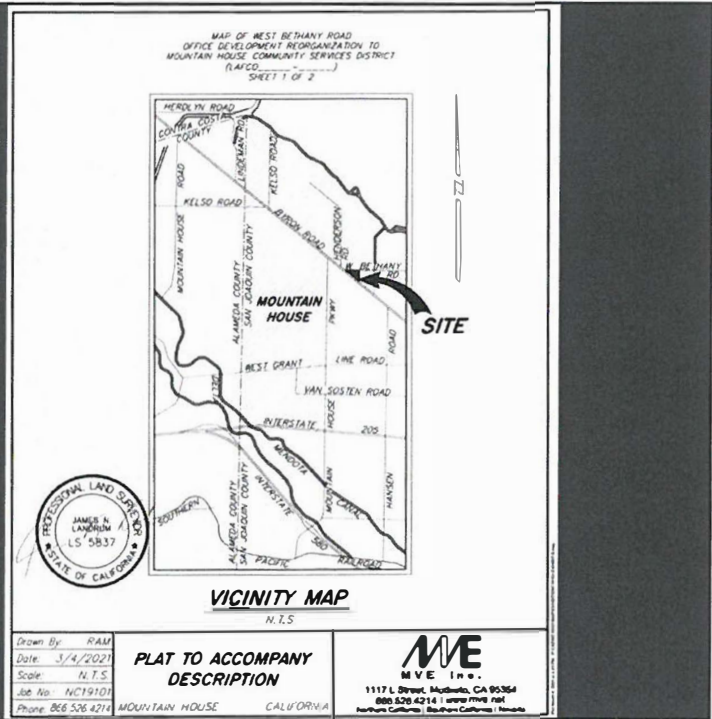
San Joaquin Local
Agency Formation
Commission

Bethany Road Reorganization to
Mountain House Community
Services District and Annexation to
Byron Bethany Irrigation District
(LAFC 24-20)

Proposal

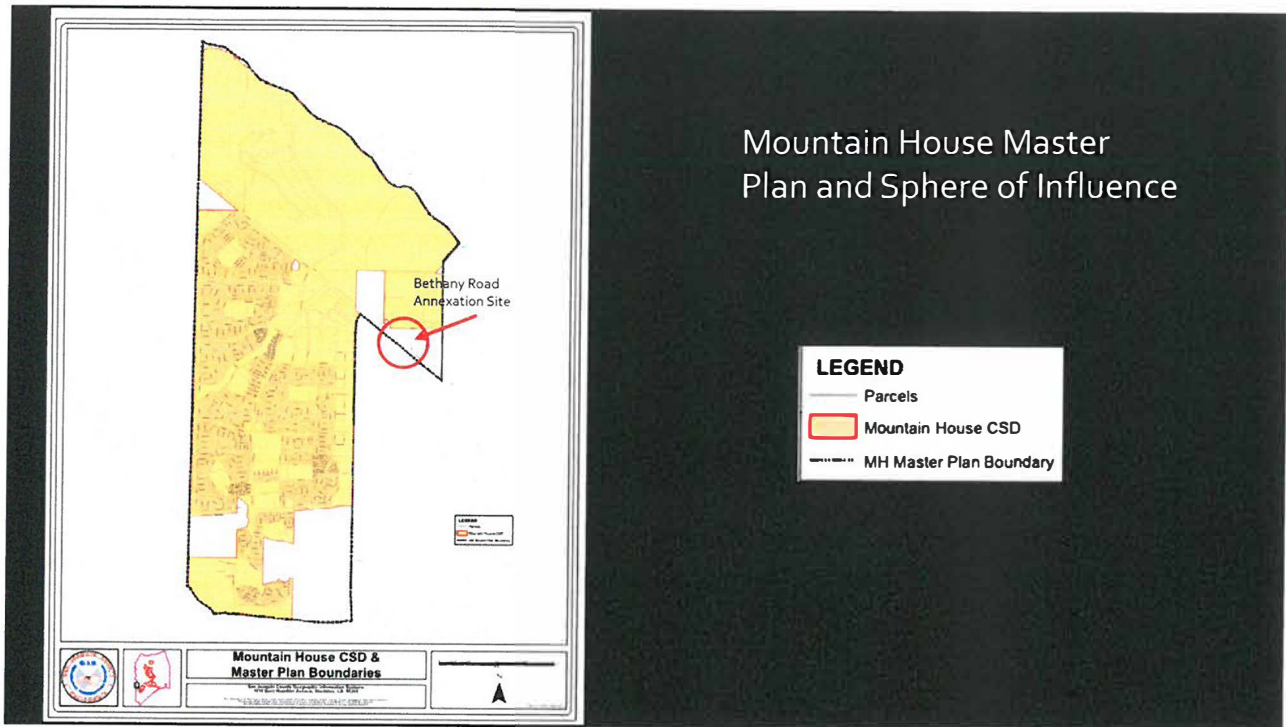
- Annexation of 3.0 acres to MHCSD and concurrent detachment from Tracy Rural Fire District
- Annexation to Byron Bethany Irrigation District
- Development on the site includes a 12,000 sq ft office and warehouse building, storm water treatment and retention basin, frontage improvements and offsite sewer and water improvements

Vicinity Map



Background

- In 1994 the County Board of Supervisors adopted the Mountain House Master Plan
- Mountain House is planned to become a small full-fledged city consisting of 44,000 residents
- In 1996 the Mountain House Community Services District (MHCS D) was formed and was authorized to provide an array of municipal services
- LAFCo adopted a Sphere of Influence that coincides with the Master Plan
- The 3-acre site proposed for annexation is within the Mountain House SOI



Environmental

Lead Agency
MHCSO certified a Mitigation Negative Declaration and Statement of Overriding Considerations and adopted a Mitigation Monitoring and Reporting Program

Responsible Agency
LAFCO must consider the District's environmental report and make findings upon approval of the project

Review Factors

- Is proposed change of organization for the interest of landowners or present or future inhabitants within the district and within the proposed territory?
 - Annexation does not impact the provision of services for inhabitants of the district
 - Annexation will provide capital improvements and public services to MHCS D
 - Developers will be responsible for the costs of installation of infrastructure

Review Factors

- Effect on maintaining physical and economic integrity of agricultural lands
 - Parcel is currently developed with an existing 5,750 sq ft shop and office building served by an on-site well and septic system
 - Is not prime agricultural lands
 - Not subject to agriculture or multi-species habitat mitigation
- Definiteness and certainty of boundaries
 - Annexation site is one whole assessor parcel and meets LAFCo policy

Review Factors

- District's ability to provide services including sufficiency of revenues
- Water: District will provide water via connection to existing waterline on Bethany Road
- Developer required to purchase water treatment and storage
- Agreement in place for this service
- Parcel must annex into Byron Bethany to receive water from MHCSD under its agreement with BBID
- Sewer: Developer will be required to install a sewer line in Bethany Road and Henderson Roads

Review Factors

- Drainage: Stormwater runoff to be treated onsite and discharged into onsite retention basin
- Fire Service: Parcel will detach from Tracy Rural Fire District and receive fire service from MHCSD
- Response times to site is approximately 5 minutes
- New fire station planned north of Byron Road will reduce response times to 2 minutes
- Tracy Rural has not demonstrated that detachment will negatively impact its service and has not sought financial mitigation

Review Factors

Financial Ability to Provide Services

- Developer will be responsible for financing and constructing facilities for development
- Off-site sewer facilities will be turned over to MHCSD

Discussion

- Logical extension of MHCSD boundaries
- The reorganization is necessary to provide services to a planned, well-ordered, and efficient urban development pattern
- MHCSD Board of Directors determined that the project meets the MHCSD Master Plan
- Annexation site is within the District's Sphere of Influence

RECOMMENDATION

It is recommended that the Commission approve Resolution No. 1446 approving the Bethany Road Reorganization to Mountain House Community Services District and Annexation to Byron Bethany Irrigation District.

RESOLUTION NO. 1448

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
APPROVING THE BETHANY ROAD REORGANIZATION TO MOUNTAIN HOUSE
COMMUNITY SERVICES DISTRICT AND CONCURRENT DETACHMENT FROM
TRACY RURAL FIRE DISTRICT AND ANNEXATION TO BYRON BETHANY
IRRIGATION DISTRICT (LAFC 24-20)**

WHEREAS, the above entitled proposal was initiated by resolution by the Mountain House Community Services District Board of Directors and on March 30, 2021 the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act of 2000; and

WHEREAS, the Commission held a telephonic public hearing on the proposed reorganization on May 13, 2021, pursuant to notice of hearing which was published, posted, and mailed in accordance with State law; and

WHEREAS, in accordance with Governor's Executive Order N33-20, LAFCo has arranged for members of the public to observe and address the meeting telephonically and by Zoom.

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the proposal and all persons were given an opportunity to address the hearing telephonically; and

WHEREAS, the Mountain House Community Services District Board of Directors certified and adopted a Mitigated Declaration (State Clearinghouse No. 2020070583) and a Mitigation Monitoring and Reporting Program;

WHEREAS the subject territory is uninhabited and has 100% owner consent;

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668.3 of the California Government Code and testimony and evidence presented at the public hearing held on May 13, 2021.

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Mitigated Negative Declaration (State Clearinghouse No. 2020070583 and a Mitigation Monitoring and Reporting Program as certified by the Mountain House Community Services District;

Section 2. Finds that the proposal is uninhabited and has 100% owner consent.

Section 3. Approves the annexation of Bethany Road annexation to Mountain House Community Services District and concurrent detachment from Tracy Rural Fire District and annexation to Byron Bethany Irrigation District with the boundary descriptions attached hereto as Exhibit A and B.

Section 4. Finds, that the Tracy Rural Fire Protection District has not demonstrated that the action will negatively impact the special district's budget or services or requires the continuation of services without the provision of adequate funding.

Section 5. The Executive Officer shall be instructed to withhold filing the Certificate of Completion until confirmation of payment of the annexation fee established by Mountain House Community Services District Code of Ordinances Section MH-3-1404.

Section 6. Finds, pursuant to Government Code Section 56856.5, the reorganization is necessary to provide services to a planned, well-ordered, and efficient urban development pattern that includes appropriate consideration of the reservation of open-space lands within those urban development patterns.

PASSED AND ADOPTED this 13th day of May 2021 by the following roll call vote:

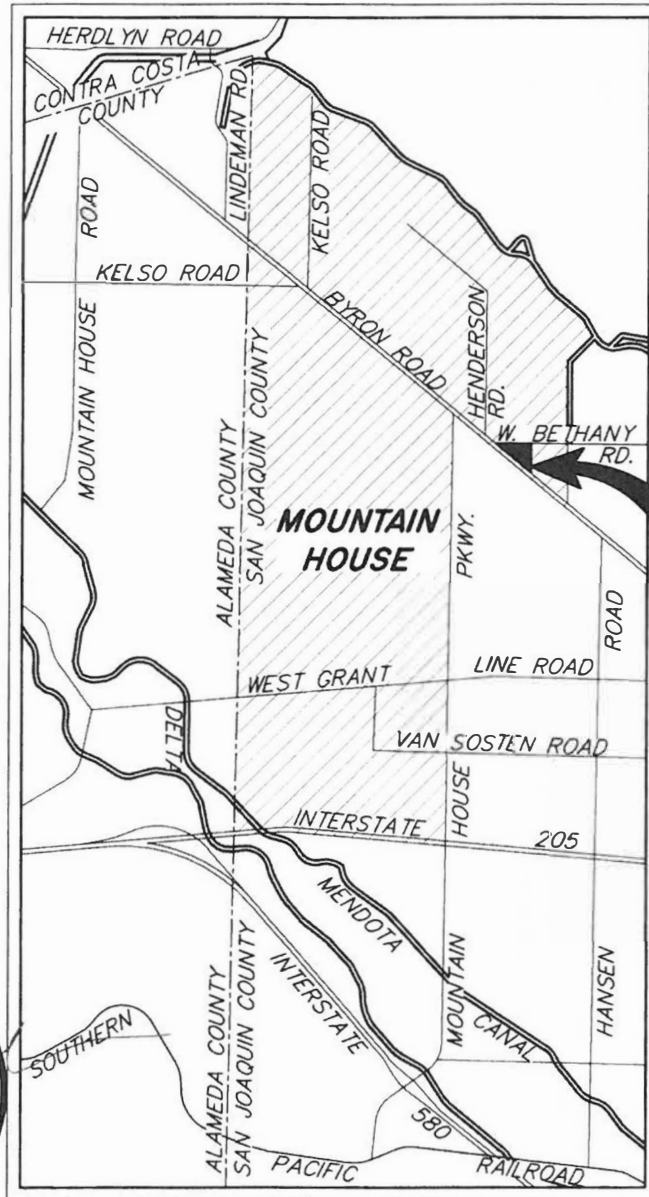
AYES:

NOES:

ABSENT:

MIGUEL VILLAPUDUA, CHAIRMAN
San Joaquin Local Agency
Formation Commission

MAP OF WEST BETHANY ROAD
 OFFICE DEVELOPMENT REORGANIZATION TO
 MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT
 (LAFCO-----)
 SHEET 1 OF 2



SITE



VICINITY MAP

N. T. S.

Drawn By: RAM
 Date: 3/4/2021
 Scale: N. T. S.
 Job No.: NC19101
 Phone: 866.526.4214

**PLAT TO ACCOMPANY
 DESCRIPTION**

MOUNTAIN HOUSE CALIFORNIA



1117 L Street, Modesto, CA 95354
 866.526.4214 | www.mve.net
 Northern California | Southern California Nevada

**San Joaquin
Local Agency Formation Commission**
509 West Weber Avenue Stockton, CA 95203
209-468-3198 FAX 209-468-3199

JUSTIFICATION OF PROPOSAL

Please complete the following information to process an application under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: (Indicate N/A if Not Applicable)

SHORT TITLE OF THE PROPOSAL: **West Bethany Road Office Development**_____

TYPE OF PROPOSAL

- City Incorporation
- Sphere of Influence Amendment
- District Formation
- Consolidation
- Sphere of Influence Update
- Annexation
- Detachment
- Addition of Services
- District Dissolution
- Reorganization (involving an Annexation and Detachment(s))

AGENCY CHANGES RESULTING FROM THIS PROPOSAL

Agency or Agencies gaining territory: **Mountain House Community Service District**_____

Agency or Agencies losing territory: **San Joaquin Resource Conservation District** _____
Tracy Rural Fire Protection District_____

NOTIFICATION

Please indicate the names, addresses and telephone numbers of all Applicants, Applicant's Agents, and all affected Agencies who are to receive the hearing notice and the Executive Officer's Report:

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Aaron J. Smud	21315 San Jose Road Tracy, CA 95304	(925) 605-6762
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Attach a separate sheet if necessary.)

PROJECT INFORMATION

Please provide project-related information for the following questions:

- 1. Do the proposed boundaries create an island of non-agency territory? Yes No
- 2. Do the proposed boundaries split lines of assessment or ownership? Yes No
- 3. Does the proposal involve public rights-of-way or easements? Yes No
- 4. Does the proposal involve public land or land assessed by the State? Yes No
- 5. Does any part of the proposal involve land under a Williamson Act Contract or Farmland Security Zone? Yes No
- 6. Does any part of the proposal involve land with a Wildlife/Habitat Easement or Agricultural Land Conservation Easement? Yes No

7. List the affected Assessor Parcel Numbers, Owners of record and Parcel Sizes:

<u>APN</u>	<u>Owner</u>	<u>Acreage</u>
209-150-29	Rankins AG, Inc	3.0 Acres

(Attach a separate sheet if necessary)

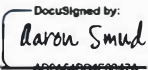
- 8. Physical Location of Proposal: **17400 West Bethany Road Tracy, CA** _____
(Street or Road, distance from and name of Cross Street, quadrant of City)
- 9. Has an application been filed for an underlying project (such as Development Plan, Conditional Use Permit, or Tentative Subdivision Map)? Yes No
If Yes, please attach a Project Site Plan or Tentative Subdivision Map.
If No, please provide an estimate of when development will occur: _____
- 10. List those public services or facilities which will be provided to the affected territory as a result of the proposed action: **Domestic Water and Sanitary Sewer**
- 11. Indicate which of these services or facilities will require main line extensions or facility upgrades in order to serve the affected territory: **Sanitary Sewer**
- 12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach a separate sheet if necessary) **See Attached Proposed Site Use**

INDEMNIFICATION AGREEMENT

As part of this application, applicant and real property in interest, if different, agreed to defend, indemnify, hold harmless, and release the San Joaquin Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the San Joaquin Local Agency Formation Commission, its agents, officers, attorneys, or employees.

Executed at Mountain House, California, on February 11, 2021.

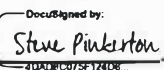
APPLICANT

Signature: 

Title: Manager

REAL PARTY IN INTEREST

(If different from Applicant)

Signature: 

Title: General Manager

SUBMITTALS


In order for this application to be processed, the following information needs to be provided:

1. Two copies of this Justification of Proposal, completed and signed with original signatures;
2. Five prints of a full-scale proposal map showing the affected territory and its relationship to the affected jurisdiction (Refer to Guide for Preparation);
3. Five copies of an 8.5" x 11" or 11" x 17" reduction of the proposal map;
4. Three copies of a metes and bounds description of the affected territory;
5. One certified copy of the City Council and/or Special District Board Resolution of Application, or a petition making application to LAFCo (as appropriate);
6. Written permission from each affected property owner (or signature form);
7. One copy of the project environmental document (One Compact Disc if more than 25 pages);
8. One copy of the project Notice of Determination;
9. Three 8.5" x 11" copies of the Vicinity Map (if not included on the proposal map);
10. One copy of the plan for providing services along with a schematic diagram of water, sewer and storm drainage systems (refer to Government Code Section 56653);
11. One copy of the Pre-Zoning map or description (as required by Section 56375);
12. One copy of the Statement of Open Space (Ag) Land Conversion (refer to Section 56377);
13. One Copy of the Statement of Timely Availability of Water Supplies (refer to Section 56668(k));
14. One copy of the Statement of Fair Share Housing Needs (if residential land uses are included in the proposal) (refer to Section 56668(l));
15. One copy of the project design (site plan, development plan, or subdivision map);
16. One copy of the Residential Entitlement matrix form (if residential land uses are included in the proposal); and
17. Filing and processing fees in accordance with the LAFCo Fee Schedule and the State Board of Equalization Fee Schedule.

Additional information may be required during staff review of the proposal.

CERTIFICATION

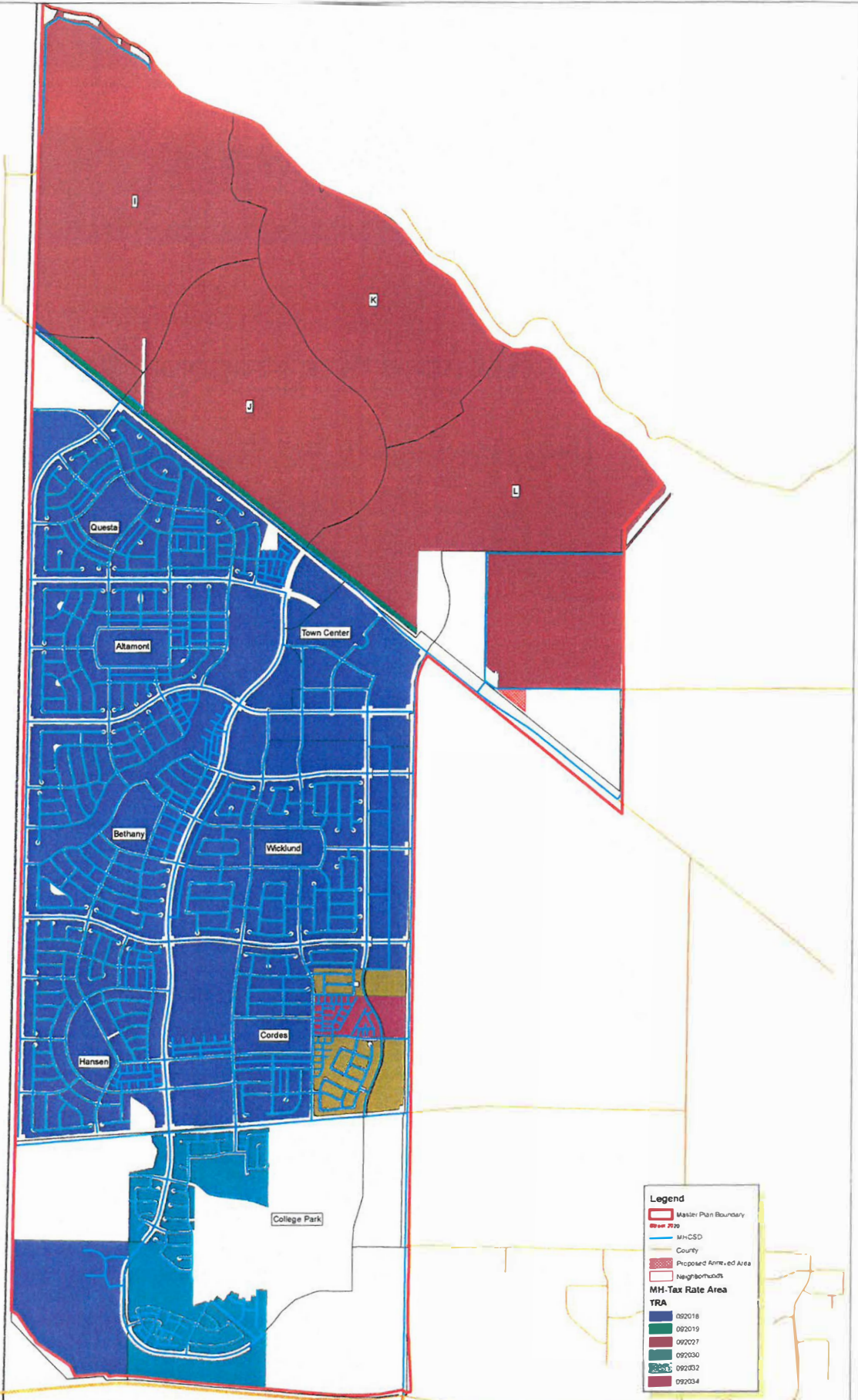
The undersigned hereby certifies that all LAFCo filing requirements will be met and that the statements made in this application are complete and accurate to the best of my knowledge.


(Signature)

Print or Type Name: Rochelle Henson, Principal Planner

Date: 2/11/21

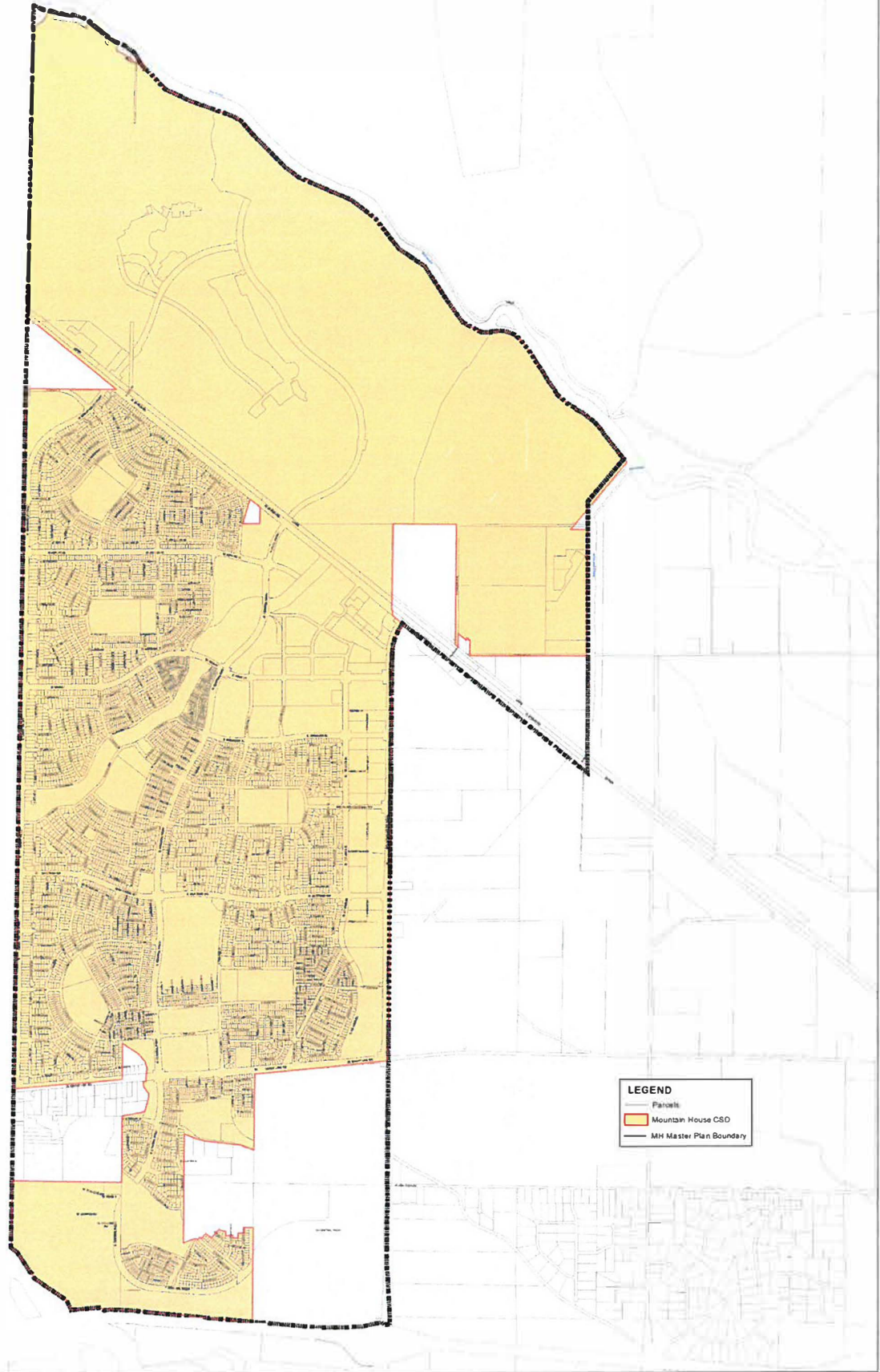
Daytime Telephone: 209-831-5648



Mountain House Community Service District

Proposed Annexed Area





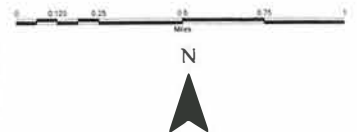
LEGEND
— Parcels
Mountain House CSD
— MH Master Plan Boundary



Mountain House CSD & Master Plan Boundaries

San Joaquin County Geographic Information Systems
1810 East Hazelton Avenue, Stockton, CA 95205

The information on this map is based on the most current information available to San Joaquin County Geographic Information Systems. The County of San Joaquin does not warrant its accuracy, completeness, or suitability for any particular purpose. The information on this map is not intended to replace engineering, financial or primary records research.



May 13, 2020 G/S ml



SAN JOAQUIN COUNTY
— COUNTY —
Greatness grows here.

Community Development Department

Planning · Building · Neighborhood Preservation

NOTICE OF DETERMINATION

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

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

County Clerk, County of San Joaquin

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number: SCH# 2020070583

PROJECT TITLE: Master Plan Amendment No. PA-2000063, Specific Plan Amendment No. PA-2000064, & Site Approval No. PA-2000065

PROJECT LOCATION: The project site is located at the Mountain House Old River Industrial Park expansion area located on the north side of W. Bethany Road, 650 feet east of S. Henderson Rd., Mountain House, San Joaquin County. (APN/Address: 209-150-29/17400 West Bethany Road, Tracy) (Supervisorial District: 5)

PROJECT DESCRIPTION: This project consists of three (3) applications a Master Plan Amendment, a Specific Plan I Amendment, and a Site Approval in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area). The Master Plan Amendment PA-2000063 (MP) consists of a revision to Section 3.7 (o) - Industrial and Office Use Policies of the Master Plan. The Specific Plan Amendment PA-2000064 (SP) would revise Figure 4.1 (Specific Plan I Expansion and Focus Areas) and Figure 4.13 (Old River Industrial Park Illustrative Concept Plan). The underlying project is for a Site Approval Application PA-2000065 (SA) to convert an existing Farm Service Headquarters facility to a Construction Services - Heavy Operation. The project proposes the utilization of an existing 5,800 square foot building. The project also includes the construction of a 12,000 square foot office and warehouse building and will include fifty (50) parking stalls for thirty-five (35) employees and five (5) customers per shift 7:00 a.m. to 5:00 p.m. Monday through Friday. The project is located in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area).

The Property is zoned AU-20 (Agriculture-Urban Reserve, 20-acre minimum) and the General Plan designation is I/G (General Industrial).

PROPONENT: Rankins AG, Inc. / Pinnacle Ridge, LLC

This is to advise that the San Joaquin County Board of Supervisors has approved the above described project on December 8, 2020, and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.
6. Findings were not made pursuant to the provisions of CEQA.

This is to certify that a complete record of project approval is available for review by the general public at the office of the San Joaquin County Community Development Department, 1810 East Hazelton Avenue, Stockton, CA 95205; or via website at <https://www.sjgov.org/commdev>.

Signature: Date: 12/9/20

Name: Allen Asio Title: Deputy County Clerk

Signed by Lead Agency

DEC 10 2020

Filed Doc #: 39-12102020-378
12/10/2020 10:02:23 AM
Steve J. Bestolarides
San Joaquin County Clerk

Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

PROJECT ENVIRONMENTAL DOCUMENTS:

EXISTING PROPERTY DETAILS:

The subject property was developed by Rankin Ag, Inc. in 1998 to become the firm's farm services headquarters. County approved improvements included grading of the entire site. Grading also included the construction of an onsite storm water detention basin. A new commercial domestic well and 10,000 gallon water storage tank with fire department connection. A new onsite sanitary sewer septic system. Construction of 5,750 +/- SF prefabricated steel shop and office building. Landscaping and fencing were installed around the property perimeter. All other final surfaces were either paved for parking or covered with gravel surfacing for equipment and material storage.

As part of the San Joaquin County approval process for this prior project the Conditions of Approval required a Habitat Mitigation Plan as developed by San Joaquin County Multi-Species Conservation Department. The Open Space Land conversion took place at this time and required a fee be paid and survey plan be administered for the loss of (3 acres) Agricultural land prior to issue of any building permits. An Initial Study Negative Declaration was adopted by the County for this original project.

CURRENT PROJECT ENVIRONMENTAL STUDY:

Because of the above reasons the current proposed development, identified as Master Plan Amendment No. PA-2000063, Specific Plan Amendment No. PA-2000064, & Site Approval No. PA-2000065 has not been considered "Open Space Land" by the County. An Environmental Habitat Mitigation Plan has not been required by SJCOG.

The County developed at Initial Study and adopted a Mitigated Negative Declaration after review and approval from the Board of Supervisors. See attached Initial Study Negative Declaration. On December 9, 2020 a Notice of Determination was also provided by San Joaquin County Community Development Department. See Attached Notice of Determination. During this process the project was reviewed by SJCOG, State Fish and Game, Environmental Health and other agencies.

Refer to Attached Exhibits:

- 1. Initial Study/Negative Declaration**
- 2. Notice of Completion & Environmental Document**
- 3. Notice of Determination**

INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Rankins AG Inc.

PROJECT TITLE/FILE NUMBER(S): PA-2000063(MP), PA-2000064(SP), & PA-2000065(SA)

PROJECT DESCRIPTION: This project consists of three (3) applications including a Master Plan Amendment, a Specific Plan I Amendment, and a Site Approval in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area). The Master Plan Amendment PA-2000063 (MP) consists of a revision to Section 3.7 (o) - Industrial and Office Use Polices of the Master Plan. The Specific Plan Amendment PA-2000064 (SP) would revise Figure 4.1 (Specific Plan I Expansion and Focus Areas) and Figure 4.13 (Old River Industrial Park Illustrative Concept Plan). The underlying project is for a Site Approval Application PA-2000065 (SA) to convert an existing Farm Service Headquarters facility to a Construction Services- Heavy Operation. The project proposes the utilization of an existing 5,800 square foot building. The project also includes the construction of a 12,000 square foot office and warehouse building and will include fifty (50) parking stalls for thirty-five (35) employees and five (5) customers per shift 7:00 a.m. to 5:00 p.m. Monday through Friday. The project is located in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area).

The project site is located at the Mountain House Old River Industrial Park expansion area located on the north side of W. Bethany Road, 650 feet east of S. Henderson Rd., Mountain House

ASSESSORS PARCEL NO.: 209-150-29

ACRES: 3.0

GENERAL PLAN: I/G (General Industrial)

ZONING: AU-20 (Urban Agriculture 20-acre minimum)

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
Utilization of an existing 5,800 square foot building and a 12,000 square foot office and warehouse building.

SURROUNDING LAND USES:

NORTH: Vacant Land, Mountain House Neighborhood K and Old River Industrial Park

SOUTH: Agricultural, Byron Rd, and Union Pacific Railroad,

EAST: Vacant, Urban Agriculture

WEST: Mountain House Town Center.

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (7/30/20); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (Traffic Assessment dated March 2, 2020 by KD Anderson & Associates, Inc). Copies of these reports can be found by contacting the Community Development Department.

TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No

GENERAL CONSIDERATIONS:

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

Yes No

Nature of concern(s): Enter concern(s).

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

Yes No

Agency name(s): Enter agency name(s).

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

Yes No

City: City of Tracy

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

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

Signature *A. Hinde*

Date 7/31/20

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
-----------------------------------------------	-----------------------------------------------------------------------	---------------------------------------------	----------------------	------------------------------------------

I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new-source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-d) This project consists of three (3) applications including a Master Plan Amendment, a Specific Plan I Amendment, and a Site Approval in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area) to convert an existing Farm Service Headquarters facility to a Construction Services- Heavy Operation and to construct a 12,000 square foot office and warehouse building. The proposed project and land use improvements for the project site are subject to the site planning and architecture standards contained in the Mountain House Commercial, Office, and Industrial Design Manual. The project site and design of the buildings will also be subject to the Design Review Process to ensure the architecture, character, and quality envisioned for the site and the community are maintained. Therefore, the proposed project will have a less than significant impact on aesthetics for the Mountain House community and its surroundings.

Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact Analyzed In The Prior EIR

II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

- | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-e) This project consists of three (3) applications including a Master Plan Amendment, a Specific Plan I Amendment, and a Site Approval in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area) to convert an existing Farm Service Headquarters facility to a Construction Services- Heavy Operation and to construct a 12,000 square foot office and warehouse building.

The current zoning for the property is AU-20 (Urban Agriculture, 20-acre minimum) the proposed project will not affect adjacent agricultural uses, agricultural zoning within or adjacent to Mountain House nor will it effect existing Williamson Act contracts. Therefore, the proposed application request(s) will have no impact on agriculture and forestry resources.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
--------------------------------------	-------------------------------------------------------------	------------------------------------	--------------	---------------------------------

III. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-d) The San Joaquin Valley Air Pollution Control District (APCD) has been established by the State in an effort to control and minimize air pollution. The project was referred to the APCD for review on June 9, 2020. A response from APCD dated July 9, 2020 stated that the project is not expected to exceed the requirements for annual emissions of criteria pollutants. As a condition of approval, the project will be subject to the District's rules and regulations including District Rule 9410, Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). At the time of development, the applicant will be required to meet all applicable SJVAPCD rules and regulations. Therefore, any impacts to air quality will be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
--------------------------------------	-------------------------------------------------------------	------------------------------------	--------------	---------------------------------

IV. BIOLOGICAL RESOURCES.

Would the project:

- | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-f) The California Department of Fish and Wildlife Natural Diversity Database does not list any rare, endangered, or threatened species or habitat located on or near the site. Referrals have been sent to the San Joaquin Council of Governments (SJCOG) and SJCOG determined that the applicant is subject to and may participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). If the applicant chooses to participate, then the proposed project is consistent with the SJMSCP, as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. If the applicant chooses not to participate, then the applicant will be required to participate in a similar mechanism that provides the same level of mitigation.

The project will not have an effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland. Therefore, impacts will be less than significant.

The project will not conflict with the provisions of an adopted Habitat Conservation Plan, natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analzyed No Impact	In The Prior EIR
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V. CULTURAL RESOURCES.

Would the project:

- | | | | | | |
|----------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-c) The development approval of the project will include conditions of approval and mitigation measures to avoid potential impacts to cultural resources. In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (**California Health and Safety Code - Section 7050.5**).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VI. ENERGY.

Would the project:

- | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact Analyzed No Impact Prior EIR

VII. GEOLOGY AND SOILS.

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-f) The geology of San Joaquin County is composed of high organic alluvium, which is susceptible to earthquake movement. The project will have to comply with the California Building Code (CBC) which includes provisions for soils reports for grading and foundations as well as design criteria for seismic loading and other geologic hazards based on fault and seismic hazard mapping. All recommendations from a soils report must be incorporated into the construction plans. Therefore, impacts to seismic-related (or other) landslide hazards will be less than significant.

The proposed development project will not affect geology and soils, since it will not change geotechnical standards or development patterns. The project site is relatively flat terrain and a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans.

Therefore, the risk of being located on an unstable unit can be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

- | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the underlying project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO2) and, to a lesser extent, other GHG pollutants, such as methane (CH4) and nitrous oxide (N2O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO2 equivalents (MTCO2e/yr).

As noted previously, the underlying project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA and the District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.¹¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change.

11 San Joaquin Valley Air Pollution Control District. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. December 17, 2009. San Joaquin Valley Air Pollution Control District. District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency. December 17, 2009.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-g) The proposed application(s) would not result in, create or induce hazards and associated risks to the public. Construction activities for the project typically involve the use of toxic or hazardous materials such as paint, fuels, and solvents. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid potential health and safety risks associated with hazardous materials. No significant impacts are anticipated related to the transport, use, or storage of hazardous materials during construction activities are anticipated.

The nearest airport is the Byron Airport, located approximately 5 miles northwest of the project site. The proposed structures will not exceed 50 feet in height. Project referrals have been sent to Caltrans Division of Aeronautics, Contra Costa County ALUC, SJCOG ALUC, and Byron Airport. Any comments or conditions of approval received from the agencies will be included in the final conditions of approval to ensure any impacts are reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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X. HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a-e) The proposed project's impacts on hydrology and water are expected to be less than significant. The project will be served by a public water system and a public sewer system. The applicant has provided a will-serve letter from the Mountain House Community Services District (MHCSD) confirming that MHCSD will provide sewer, storm drainage and water services to the project site. Therefore, these public services will ensure that the project's impact on these resources will be less than significant.

The project would be required to comply with the National Pollutant Discharge Elimination Systems (NPDES) permit program. Also, the proposed facility would be required to implement additional water quality Best Management Practices (BMP's), depending on the operations that are proposed at each facility. These BMP's would be determined on a case-by-case basis and approved by the MHCSD. Therefore, project impacts related to hydrology and water quality will be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XI. LAND USE AND PLANNING.

Would the project:

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in Land use/operational conflicts between existing and proposed on-site or off-site land uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-d) This project is a Master Plan, Specific Plan I Amendment, and Site Approval application to convert an existing Farm Service Headquarters facility to a Construction Services-Heavy operation. The Site Approval application proposes the utilization of an existing 5,800 square foot building, and includes the construction of a new 12,000 square foot office and warehouse building.

Master Plan Amendment and Specific Plan I Amendments

Mountain House Master Plan, Chapter 3 has a specific policy regarding the siting of uses for General Industrial parcels in the Mountain House community.

Master Plan Section 3.7 INDUSTRIAL AND OFFICE USE POLICY o) states the following

Existing Language:

- o) General Industrial areas shall be provided for building contractors, yard storage, building material suppliers and similar businesses with very low density employment. General Industrial areas shall be separated from residential or other sensitive land uses by non-sensitive land uses or other appropriate buffers.

To strengthen the existing Master Plan policy language and provide for additional economic development opportunities in the General Industrial areas the project applicant is requesting to amend the existing language contained in Master Plan Section 3.7 Industrial and Office Use Policy (o).

New Language:

- o) General Industrial areas shall be provided for ~~building contractors, yard storage, building material suppliers and similar businesses with very low density employment.~~ general and special trade contractors engaged in heavy construction other than buildings. Outdoor yard storage areas of equipment and materials is permitted and shall be screened with fences and walls as provided for in the Mountain House Commercial, Office, and Industrial Design manual. Special control measures are required for uses within the General Industrial areas and shall be separated from residential or other sensitive land uses by non-sensitive land uses or other appropriate buffers.

Based on the proposed underlying project involving general and specialized trade contractors who engage in a variety of construction projects i.e. highways, tunnels, street construction, water, sewer, and pipeline construction. This update will ensure consistency with the proposed project and existing approved Mountain House documents, future planned land uses, and existing community approvals. This minor text change to the

Master Plan General Industrial policy will also support the emerging demands in the heavy construction trade and will modernize the existing language which in turn helps to create strong, vibrant, and economically viable General Industrial projects for the Mountain House community.

No other text changes to the Master Plan document are proposed with this application request.

Specific Plan I Amendment

The Specific Plan Amendment would revise Figure 4.1 (Specific Plan I Expansion and Focus Areas) and Figure 4.13 (Old River Industrial Park Illustrative Concept Plan). These changes to the figures will ensure compatibility with the proposed underlying project and consistency with the existing Master Plan land use designation of General Industrial.

The construction and operation of the proposed project will not physically divide an established community. The project is an orderly extension of the development that is established within the Specific Plan I Old River Expansion and Focus Area for the Mountain House community. This area is planned for Industrial development consistent with the Master Plan and Specific Plan I documents and existing community approvals.

Site Approval

The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, because the project is consistent with all applicable Master Plan, Specific Plan I, land use policies and regulations of the County Development Code and General Plan. Therefore, the project's impact on land use would be less than significant.

The proposed project will not result in conflicts between existing and proposed on-site or off-site land uses because the underlying project to convert an existing Farm Service Headquarters facility to a Construction Services- Heavy Operation is consistent with all land use policies and regulations of the 2035 General Plan and Master Plan. The project parcel will be rezoned from AU-20 (Urban Agriculture, 20-acre minimum) to I/G (General Industrial). The Construction Services – Heavy use type may be conditionally permitted in the I-G (General Industrial) zone with an approved Site Approval application.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XII. MINERAL RESOURCES.

Would the project:

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The project will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology". Therefore, the project will have no impact on the availability of mineral resources or mineral resource recovery sites within the Mountain House community.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIII. NOISE.

Would the project result in:

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) For a project 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:-

- a-c) The proposed project development will have a less than significant impact on existing noise or exposure to noise in general, since the applications do not change approved noise standards for transportation noise sources or density. Previous acoustical analyses have been conducted for the project site as required in the Final EIR for the Mountain House community. However, the development project may have equipment utilized in the grading of the site that will temporarily increase the area's ambient noise levels. Underlying projects when approved will be required to comply with Development Title Section 9-1025.9 (c) (3) which states that:

Noise sources associated with construction are exempt from the provisions of the Noise Ordinance provided such activities do not take place before 6:00 a.m. or after 9:00 p.m. on any day.

As such, noise generation from the proposed underlying projects will be reduced to less than significant with this added condition.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIV. POPULATION AND HOUSING.

Would the project:

- | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) The proposed project development will not result in displacement of the population and affect the amount of proposed or existing housing in Mountain House. Therefore, the projects impact on population and housing will be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a) The proposed development project for a Construction Services – Heavy Operation, is located in the Community of Mountain House. The Master Plan and Specific Plan I documents for the Community of Mountain House addresses the provisions of public health and safety services including police, fire, and emergency response services which includes the County's Sheriff's Department, the Tracy Rural Fire Protection District, and the County EMS system, respectively. There will be no substantial increase on public services as a result of this project therefore, it will result in a less than significant impact.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analized No In The Prior EIR
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XVI. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

a-b) The proposed project will consist of the construction of a Construction Services- Heavy operation. The proposed project will have no impact on the provision of required recreational facilities and programs for Community Parks specified by the Mountain House Community Services Districts "Parks, Recreation, and Leisure Plan".

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analzyed No Impact	In The Prior EIR
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XVII. TRANSPORTATION.

Would the project:

- | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-d) Master Plan Chapter Nine, Transportation and Circulation addresses the expected traffic volumes and anticipates the need for and timing of circulation improvements required to serve the community through buildout. Under the proposed project conditions the site is expected to have a less than significant impact on existing adjacent roadways and intersections. A traffic analysis was conducted by KD Anderson & Associates, Inc, dated March 2, 2020 for the proposed project. Based on the analyses contained in the report it was determined that under existing plus project conditions, all study intersections are expected to continue operating at acceptable LOS B or better with negligible (less than five seconds) increases in delay. The project proposes two driveway access points to the site from Bethany Road. KD Anderson & Associates, Inc concludes that sight distance is available for both driveways. Therefore, the proposed project and proposed final circulation and roadway layout for the project will have a less than significant impact on existing roadway levels of service.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVIII. TRIBAL CULTURAL RESOURCES.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

a) This project consists of three applications including a Master Plan Amendment, a Specific Plan I Amendment, and a Site Approval in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area) to convert an existing Farm Service Headquarters facility to a Construction Services- Heavy Operation and to construct a 12,000 square foot office and warehouse building. The project site is developed with a commercial building and a parking lot.

At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-e) The applicant has provided a will serve letter from the Mountain House Community Services District (MHCS D) confirming that MHCS D will provide sewer, storm drainage and water services to the project site. The utility infrastructure consisting, of a water distribution system, a sanitary sewer drain system, have been constructed for the development of the project site. The utilities would be extended to the proposed project site. Therefore, the project would not result in significant impacts on utilities and service systems and no mitigation measures are necessary.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

a-d) The project is outside of high fire hazard severity zones and will not be impacted by wildfires.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
--------------------------------------	-------------------------------------------------------------	------------------------------------	--------------	---------------------------------

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------	--------------------------

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

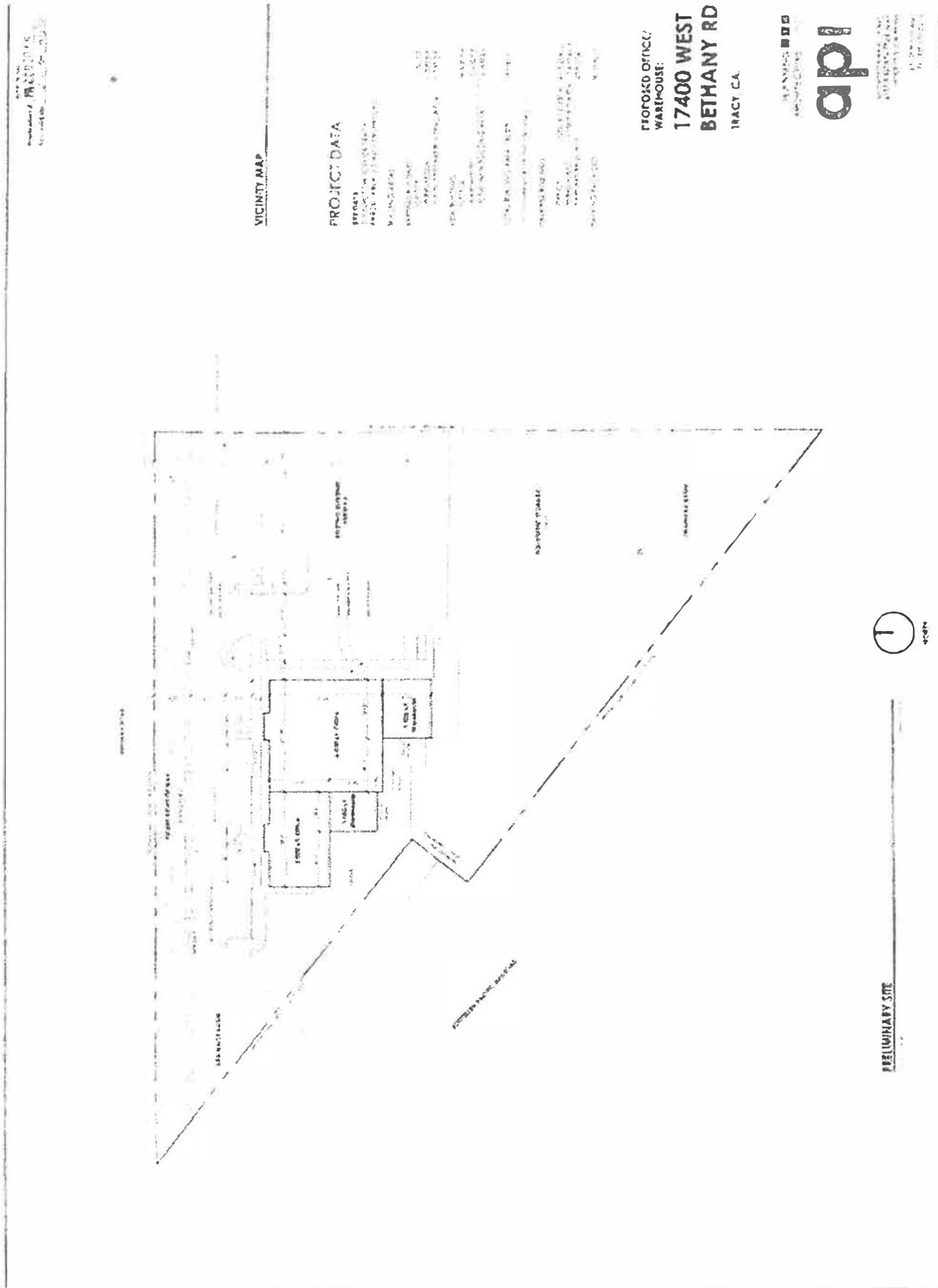
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact Discussion:

a-c) The proposed application does not have the potential to degrade the environment or eliminate a plant or animal community. The project would not result in significant cumulative impacts or cause substantial adverse effects on human beings, either directly or indirectly.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

ATTACHMENT: (MAP[S] OR PROJECT SITE PLAN[S])



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: PA-20000063,64,65 (MP,SP,SA)

Lead Agency: Community Development Department Contact Person: Frank Girardi
Mailing Address: 1810 E Hazelton Avenue Phone: (209) 468-8469
City: Stockton, CA Zip: 95205 County: San Joaquin

Project Location: County: San Joaquin City/Nearest Community: Tracy
Cross Streets: Bethany Rd and Byron Rd Zip Code: 95391
Longitude/Latitude (degrees, minutes and seconds): ... N / ... W Total Acres:
Assessor's Parcel No.: 209-150-29 Section: 10 Twp.: 02S Range: 04E Base:
Within 2 Miles: State Hwy #: I-205 & I-580 Waterways: Delta Mendota Canal; California Aqueduct;
Airports: Byron/Bethany Railways: UPRR Schools: Lammersville E.S.

Document Type:

- CEQA: [] NOP [] Draft EIR NEPA: [] NOI Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[X] Mit Neg Dec Other:

Local Action Type:

- [] General Plan Update [X] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [X] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [X] Site Plan [] Land Division (Subdivision, etc.) [] Other:

Development Type:

- [] Residential: Units Acres
[] Office: Sq.ft. Acres Employees [] Transportation: Type
[X] Commercial: Sq.ft. 12,000 Acres 0.29 Employees 35 [] Mining: Mineral
[] Industrial: Sq.ft. Acres Employees [] Power: Type MW
[] Educational: [] Waste Treatment: Type MGD
[] Recreational: [] Hazardous Waste: Type
[] Water Facilities: Type MGD [X] Other: Old River Expansion Area - SPI Planning Area

Project Issues Discussed in Document:

- [] Aesthetic/Visual [] Fiscal [] Recreation/Parks [] Vegetation
[X] Agricultural Land [X] Flood Plain/Flooding [] Schools/Universities [X] Water Quality
[X] Air Quality [] Forest Land/Fire Hazard [] Septic Systems [X] Water Supply/Groundwater
[] Archeological/Historical [X] Geologic/Seismic [X] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[] Coastal Zone [X] Noise [] Solid Waste [X] Land Use
[X] Drainage/Absorption [X] Population/Housing Balance [X] Toxic/Hazardous [] Cumulative Effects
[] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Farm Service; AU-20 (Urban Community-20-acre minimum); I-G (General Industrial); Old River Industrial Expansion Area.

Project Description: (please use a separate page if necessary)

This project consists of a Master Plan Amendment, a Specific Plan I Amendment, and a Site Approval in the Specific Plan I planning area of Mountain House (Old River Park South Expansion Area). The underlying project is for a Site Approval Application PA-2000065 (SA) to convert an existing Farm Service Headquarters facility to a Construction Services- Heavy Operation. The project proposes the utilization of an existing 5,800 square foot building. The project also includes the construction of a 12,000 square foot office and warehouse building.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input checked="" type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District #10 | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB #5S |
| <input type="checkbox"/> Caltrans Planning | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input checked="" type="checkbox"/> State Lands Commission |
| <input checked="" type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region #3 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date 7/31/20 Ending Date 8/30/20

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: <u>SCHACK & COMPANY, INC c/o Dylan Wooten</u>
Address: _____	Address: <u>1025 N. CENTRAL AVE</u>
City/State/Zip: _____	City/State/Zip: <u>TRACY, CA</u>
Contact: _____	Phone: <u>209-835-2178</u>
Phone: _____	

Signature of Lead Agency Representative:  **Date:** 7/31/20

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



**BEFORE THE BOARD OF DIRECTORS OF THE
MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**

RESOLUTION

No. 2020-38

**RESOLUTION OF THE MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT
TO SUBMIT AN APPLICATION TO THE SAN JOAQUIN LOCAL AGENCY
FORMATION COMMISSION FOR THE ANNEXATION OF CERTAIN SPECIFIC
PLAN AREA I LANDS LOCATED NORTH OF BYRON ROAD**

WHEREAS, the Mountain House Community Services District (“District”) was formed on May 20, 1996, to provide capital improvements and public services to the Mountain House Community; and

WHEREAS, the San Joaquin County issued a Notice of Intent to Adopt a Mitigated Negative Declaration for the proposed Project on July 31, 2020; and

WHEREAS, the Developer desires to annex land identified in Exhibit A (“Annexing Property”) into the District; and

WHEREAS, the Annexing Property is consistent with Specific Plan I, as well as the District’s most recent Sphere of Influence and Municipal Service Review, approved by the San Joaquin Local Agency Formation Commission (“LAFCo”) on January 12, 2017; and

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Title 14 of the California Code of Regulations section 15096 this Board of Directors has received and considered the Mitigated Negative Declaration and finds as follows:

1. The conditions set forth in Title 14 of the California Code of Regulations section 15162, 15163, and 15164 are not present.
2. The conditions giving rise to the preparation of additional environmental documents tiered from a program EIR, as set forth in Title 14 of the California Code of Regulations section 15168, are not present.

BE IT FURTHER RESOLVED that the District does hereby approve submission of an application to the San Joaquin Local Agency Formation Commission for the annexation of the Annexing Property as follows:

1. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Act of 2000, being Part 1 (commencing with section 56000) of Division 3 of Title 5 of the California Government Code.
2. This proposal is a reorganization that includes the annexation of the subject territory to the District and the detachment of the same from the Tracy Rural Fire Protection District.
3. The proposal shall be subject to the following term and condition:

The completion of the annexation is conditioned upon the property owner's payment of the annexation fee established by Mountain House Community Services District Code of Ordinances section MH-3-1404. The executive officer shall not record the certificate of completion until he or she has confirmed that such payment has been made.
4. The description of the affected territory is described in Exhibit A to this Resolution.
5. The reason for this annexation proposal is to provide capital improvements and public services to the Mountain House Community, consistent with the planned land uses for the community.
6. The District requests that the application be submitted, and the proceedings be taken pursuant to the Cortese-Knox-Hertzberg Local Government Act of 2000.
7. This proposal is consistent with the District's Sphere of Influence and Municipal Service Review approved by LAFCo on January 12, 2017.

BE IT FURTHER RESOLVED that the District does hereby approve the Plan for Services on file herein and authorizes the General Manager and General Counsel to make changes therein that may be requested by LAFCo.


PASSED AND ADOPTED this 20th day of August 2020, by the following vote of the Board of Directors of the Mountain House Community Services District, to wit:

AYES: HARRISON, LUCID, SU, TINGLE

NOES:

ABSENT: MORENO

ABSTAIN:


BERNICE KING TINGLE, PRESIDENT
Board of Directors of the Mountain House
Community Services District, County of San
Joaquin, State of California

ATTEST: NICOLE M. F. ADAMO
District Clerk
of the Mountain House Community
Services District, County of San
Joaquin, State of California

By: 
3568303.1



Exhibit A: Legal Description

PLAN FOR SERVICES:

INTRODUCTION:

Pursuant to Section 56653 of the Government Code, San Joaquin LAFCo requires that any application for a change of organization or a re-organization include a plan for providing municipal services. In accordance with Section 56653 of the Government Code, this exhibit includes the following information:

1. An enumeration and description of the services to be extended to the affected territory.
2. The level and range of those services.
3. An indication of when those services can feasibly be extended to the affected territory.
4. An indication of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
5. Information with respect to how those services will be financed.

The proposal before LAFCO consists of one legal parcel defined in Grant Deed with Document Number 97029254 Recorded on 03/25/1997, San Joaquin County Records.

PROJECT DESCRIPTION:

Located in unincorporated San Joaquin County, west of Tracy near Mountain House, the subject property was developed in 1998 by Rankin Ag, Inc. as their farm services headquarters. Improvements included site grading, paving, landscaping, fencing and the construction of a 5,750+/- SF shop/office building. The property is currently serviced by an overhead electrical service, on-site domestic well, and septic system. The parcel is Zoned AU-20, but is designated for I-G (General Industrial) as shown in the Mountain House Old River Industrial Park Specific Plan.

The applicant proposes to annex one legal parcel of approximately 3 +/- acres to the Mountain House Community Services District (MHCS District) with concurrent detachment from the Tracy Rural Fire Protection District. The land proposed for annexation is zoned for General Industrial use on the General Plan. New Industrial Building will be constructed following completion of the reorganization. (Refer to Map Exhibits for locations and configurations).

Proposed improvements include constructing a new 12,000+/- SF office/warehouse building, necessary parking stalls, required storm water treatment and retention basins, landscaping, frontage improvements, and offsite sanitary sewer, water services and other required improvements.

MUNICIPAL SERVICES:

Mountain House Community Services District will provide a number of municipal services to the annexation territory including: wastewater collection, treatment and disposal; park facilities and recreation services; and general administrative services. Law enforcement services are provided under contract with the San Joaquin County Sheriff's Office. Fire protection and emergency medical services are provided through a Joint Powers Agreement (JPA) with the French Camp McKinley Fire District and the Mountain House Fire Department (MHFD). School facilities and education services are provided by the Lammersville Joint Unified School District. Solid waste (garbage) services and recycling are provided under a franchise agreement with West Valley Disposal. Electrical service is provided by Modesto Irrigation District (MID); natural gas is provided by Pacific Gas and Electric Company (PG&E); telephone service is provided by AT&T; cable television and internet-related services are provided by Comcast Business. Animal Control field services are provided jointly by the Stockton Police Department and San Joaquin County. Library services are provided by the Mountain House Branch Library, operated by the Stockton-San Joaquin County Library System. Public transit services are not currently available within Mountain House.

The Stormwater will be contained and treated on site. The infrastructure improvements required for the annexation area are currently undergoing detailed design and the designs are substantially complete.

WATER SUPPLY:

MHCSD obtains its raw water supply under contract from Byron Bethany Irrigation District (BBID) for up to 9,413 acre-feet per year (average daily volume of 8.4 million gallons per day (mgd)). Raw water is delivered to the District's state of the art Water Treatment Plant (WTP), where currently 12.5 million gallons per day (MGD) is treated and made available for distribution to the community. These facilities are sized to meet the expected demand of 20 MGD at build out of the Mountain House community. The District has the ability to purchase additional raw water from BBID if BBID has available water. The WTP is currently sized at approximately 15 million GPD, with an increase to 20 MGD at build-out.

The subject property is currently serviced by an onsite domestic commercial well and a 10,000 gallon storage tank with fire department connection. This system will be removed and/or abandoned once connected to MHCSD services.

Preliminary water demand calculations for the proposed development are estimated to be as follows:

Water Use Without Conservation: 1,800 GPD/ Acre ¹
Water Use With Conservation: 1,600 GPD/Acre ¹
1,800 GPD/acre x 2.86 acres = 5,148 GPD Without Conservation
1,600 GPD/acre x 2.86 acres = 4,576 GPD With Conservation

¹ Table 3-5 of the 2016 Mountain House Master Plan Update, Limited and General Industrial with and without Conservation

The required water supply demand are currently available from MHCS D's System, but both water treatment and water storage capacity must be purchased from one of the Mountain House Master Development firms. (Refer to attached Water Supply Capacity Agreement Exhibit 3) between Pinnacle Ridge, LLC (Applicate) and Mountain House Investors, LLC (Developer).

A 12" PVC waterline was installed within the street right-of-way of Bethany Road that services the existing Waste Water Treatment Plant (WWTP). A 12" water line stub was installed to the property line of the subject parcel for future connection with the construction of the WWTP waterline project. The proposed development will connect to this stub for new fire services, domestic water services, and irrigation services. District approved water meters, double detector check valves, and other required appurtenances will also be installed. (Refer to Exhibit 1).

WASTEWATER:

MHCS D is responsible for collection, treatment, and disposal of wastewater. During 2007, the existing Phase II Wastewater Treatment Plant (WWTP) treatment system and associated infrastructure were replaced with a 3.0 MGD Sequential Batch Reactor system. Lined aeration lagoons exist for emergency treated effluent storage. Treated effluent is discharged to Old River under orders and permits issued by the Regional Water Quality Control Board. A major expansion of the WWTP is expected to start construction in the spring of 2021. This expansion will increase treatment capacity by 2.4 MGD, creating a total treatment capacity of 5.4 MGD.

Approximately 80% of service area for wastewater collection system drains by gravity to the WWTP through a backbone collection system. The remaining 20% is pumped to the treatment plant through lift stations and force mains. At the present time MHCS D does not recycle any treated effluent.

The subject property is currently serviced by an onsite septic system with 3,000 gallon solids tank, and leach field. This system will be removed and/or abandoned once connected to MHCS D services.

Preliminary calculations for the proposed development's sewer demand are estimated to be as follows:

<p><u>Sewer:</u> Average Dry Weather Flow (ADWF): 1,600 Gallons/Acre/Day²</p> <p>ADWF = 1,600 gpd/acre x 2.86 acres = 4,576 Gallons/Day</p> <p><u>Peak Wet Weather Flow (PWWF) = Design Flow = Peaking Factor (PF)³ x (ADWF)</u></p> <p>PWWF = 4,576 GPD x 4.0 = 18,304 Gallons/Day</p>

² Table 5.2.1, sewage quantities, MHSCD standard specifications & details, Limited Industrial Use

³ Peak Factor per Detail No. SS-01

The required sewer wastewater demand are currently available from MHCS D's System, and the District has the ability to assign the required sewer capacity to the subject property since this development is a job-creating proposed use. (Refer to attached Sewer Capacity Agreement Exhibit 4) between Pinnacle Ridge, LLC (Applicate) and Mountain House Community Service District (District).

An 8-inch sanitary sewer lines will be installed to serve the proposed annexation area, including 736 feet of 8-inch diameter sewer line in Bethany Road and 1,214 feet of 8-inch diameter sewer line in the Henderson Road alignment which will connect to an existing 8-inch stubbed line (Refer to Exhibit 1).

STORM DRAINAGE:

The Stormwater runoff for the annexation area will be treated onsite by bio-retention areas which are sized for 85% of 24-hour event, and then discharge into an onsite retention basin which sized for 100-year 48-hour event. All Stormwater treatment and storage will remain onsite with construction of the proposed improvements. However, the system has been designed to allow the discharge of treated storm water into the MHCSD Stormwater system in the future when infrastructure becomes available for connection. (Refer to Exhibit 2).

STREETS AND ROADS:

West Bethany Road, which runs along the northern property line of the annexation property, is classified as a Collector Road. The portion of Bethany Road adjacent to the annexation property will ultimately be converted to a cul-de-sac once overall development of the area progresses and additional infrastructure is completed.

The subject project design has accounted for these proposed ultimate roadway improvements including necessary right of way, required land dedications, future utility improvements and frontage landscaping. The development of the proposed property will conform to the requirements for the future Old River Industrial Park design and Mountain House Commercial Design Standard Guidelines.

LAW ENFORCEMENT:

The San Joaquin County Sheriff's Office (SO) provides law enforcement services to the Mountain House community by contract with MHCSD. The contract calls for the SO to provide six full time equivalent (FTE) deputies to serve a population of over 15,000 residents (0.4 sworn officers per 1,000 residents). These deputies are supplemented by one full-time County deputy for the western portion of the County (Beat 10). The combination of assigned Mountain House deputies and the Beat 10 deputies increase the staffing level to 1.0 sworn officers per 1,000 residents.

The SO also provides an administrative command structure, investigative services, technical support (evidence gathering, video/picture logging), community-oriented policing, a citizen's academy, and incarceration services at the County Jail. The California Highway Patrol (CHP) also assists the SO with traffic enforcement within the community. Currently, the SO utilizes a portion of the New Town Hall Complex for a police sub-station.

In 2019, response times ranged from 5-minutes for Priority 1 calls (immediate dispatch, crime in progress including assault, homicide, kidnapping, robbery, home invasion, bomb threat, etc.); to 16-minutes for Priority 2 calls (family disturbance, suspicious person, theft of property, etc.) and 24-minutes for Priority 3 calls (delay in reporting crime, property theft or damage, mail theft, noise complaints, etc.). Crime rates are typically low within Mountain House with emphasis on proactive community-oriented policing.

FIRE PROTECTION:

Fire protection and emergency medical services (EMS) are provided by a combination effort between the Mountain House Fire Department (MHFD) and the French Camp McKinley Fire District (FCMFD). This Joint Powers Agency (JPA) allows for coordinated fire and EMS services. The MHFD operates out of Fire Station 98 (Mountain House Station No. 1) located at 911 Tradition Street. A second station is planned for the northerly portion of the District, north of Byron Road,

The station has a staffing level of four personnel, 24 hours per day, seven days per week, which include one Company Officer, one Fire Apparatus Engineer, one Firefighter, and one day-shift coverage Firefighter. Station personnel are supported by FCMFD with 19 Firefighters and 19 Reserve Firefighters. Also available from FCMFD are the following: one full-time Fire Chief, one Assistant Fire Chief/Fire Marshall, and one Battalion Chief for Training and Operations.

Station No. 16-1 houses two Type 1 Fire Engines, one Ladder Truck, and one Type 6 Quick Response Vehicle. Additional apparatus are available from FCMFD Station No. 11-1 located at 310 East French Camp Road, French Camp, including two Type 1 Fire Engines, one Medium Rescue Vehicle, and one Type 6 Wildland Engine.

Mountain House Fire Department (MHFD) responds to approximately 500 calls for service per year, which are dispatched through the Valley Regional Emergency Communications Center (VRECC). Average response time within the Mountain House community is 6-minutes for EMS calls, and 5.5 minutes for fire calls. Contractual response time 90th percentile requirements are 7 minutes and 19 seconds; well within the actual response times. MHFD has estimated an approximate response time to the subject property of 5 minutes from Station 16-1 at 911 Traditions. Once the proposed Station 16-2 is built on Central Parkway, the response time would be reduced to approximately 2 minutes. These response times are considered appropriate and will not be affected by the proposed annexation.

Current estimated response time to the subject property from Tracy Rural Fire Protection District is approximately 8 to 10 minutes according to Senior Fire Inspector Flanoy Garrett. The station that would likely service the property is Tracy Fire Station 91 located at 1701 W 11th Street Tracy. The estimated travel route would be down Byron Hwy and crossing the railroad tracks at either Henderson or Reeves Road, both of which are at grade crossings. Based on this information response times will substantially improve if serviced by MHFD.

The proposed project has been reviewed by the County Building Department to consider current fire code requirements. The new building will include a complete fire suppression system, including automatic smoke/heat detectors, fire alarm, automatic sprinklers, and other required appurtenances. Site improvements will also add two new fire hydrants, post indicator valves, and fire department connection points.

As required by the Mountain House Master Plan a second fire station will be constructed off of Central Parkway, North of Byron Road. This Fire Station will be constructed as part of Mountain House Developers large development project which currently has approved tentative maps with plans to begin construction within the next year. The Fire Station is planned to be built within the next five years. Once this station is built, response time will be reduced dramatically (as discussed above) and emergency access will not require crossing railroad tracks. However, in the interim The Mountain House Fire Chief has reviewed the proposed development details, estimated response times, and alternate (southern) access routes to the site in the event of a

blockage of the Henderson Road at-grade railroad crossing. His assessment has identified no reason why MHFD would be unable to service this property. (Refer to Mountain House Fire Chief Letter Exhibit 5)

It should also be noted per discussions with Southern Pacific Railroad it was determined that the Byron Highway Spur is no longer an active through route, it ends in Tracy. The railroad spur is only used for intermittent train car staging. Southern Pacific Railroad was not able to provide train traffic, frequency, or total count data for that section of track. However, in the twelve months Pinnacle Ridge has been occupying the subject property, train cars have only been stored in the vicinity once. The utilization of this section of track is very low and it appears unlikely it would create access issues at the Henderson Road at grade crossing. Emergency vehicles could also access the site from alternate routes including Wickland Road and Reeves Road in the rare event that Henderson Road is blocked.

Upon detachment of the annexation area from the Tracy Rural Fire Protection District (TRFPD), the current assessment and property tax allocated to TRFPD will be re-allocated to MHCSD. The total loss in revenue to Tracy Rural would be approximately \$892.93 annually including the loss of assessment and property taxes.

SCHOOLS:

Public education is provided by the Lammersville Joint Unified School District, which operates Mountain House High School and five elementary schools – Wicklund, Hanson, Cordes, Bethany, and Sebastian Questa. The school district offices are also located within the MHCSD. No new students will be generated by the proposed industrial use planned for the annexation area.

SOLID WASTE DISPOSAL:

Garbage service and recycling are provided by West Valley Disposal Services under a franchise agreement with the District. Services include weekly garbage pick-up; and commercial services including bin and debris boxes; corrugated cardboard and white paper recycling; and wood, plastic and glass recycling. The company also sponsors Annual Spring Cleanup and Leaf Season services at no charge. For the annexation area, a trash enclosure is being provided that is designed to house the appropriately sized collection bin for solid waste management on-site.

ELECTRICITY:

Electrical service to the Mountain House community is provided by Modesto Irrigation District (MID) through a dedicated 69 kV transmission line from the Western Area Power Administration (WAPA) Switching Station near Tracy to the Mountain House Sub-station. MID currently serves 121,000 electrical customers of which 4,500 are in Mountain House. This service began on January 1, 2001. New electrical service is available and will be extended to serve new development under existing franchise agreements.

The annexation area will be served via MID overhead existing service lines along Bethany Road. A “drop service” will be provided from an existing power pole and go underground to a transformer on-site to provide electric service to the new building. The existing building on-site already has electric service.

NATURAL GAS:

Pacific Gas and Electric Company (PG&E) currently provides natural gas service to the Mountain House community. There is no natural gas service on Bethany Road east of the Southern Pacific Railroad tracks. Therefore, no natural gas service is proposed to serve the annexation area.

TELEPHONE:

Telephone service to the Mountain House Community is provided by AT&T as a successor company to SBC Communications. New telephone service is available and will be extended to serve new development under existing franchise agreements. The annexation area will be served by AT&T from existing facilities on-site and Bethany Road.

CABLE TELEVISION AND INTERNET-RELATED SERVICES:

Cable television services and bundled internet-related services are provided to the Mountain House community by Charter Communications. New cable television and internet-related services are available and will be extended to serve new development under existing franchise agreements. The annexation area will be served by Comcast Business services via aerial service that will provide cable television and internet service to the site.

LIBRARIES:

The Mountain House Branch Library currently operates in a section of the New Town Center Complex. The library offers a circulation collection in English, Spanish, Hindi, and Punjabi. There is also computer work stations with free Wi-Fi, a small reference collection, reading programs and a significant activities program, and copying and typewriter services.

PUBLIC TRANSIT:

The San Joaquin Regional Transit District, the Regional Transit Provider for San Joaquin County, provides public transit services to Mountain House, as well as Intercity, Interregional, and Rural Transit Services countywide. Currently, RTD provides a local Hopper service between Wicklund Stop in Mountain House, Delta College, Walmart and Downton Tracy.

The Altamont Corridor Express provides rail service between Stockton and San Jose on a daily weekday basis. The closest train station to ACE is located in Tracy or Vasco Stations. Currently, there is a RTD direct shuttle service between Mountain House and Tracy ACE station in the morning and evening hours. This service has been temporarily suspended due to COVID-19, but will likely return after the pandemic.

Valley Link is a proposed project that will connect Northern San Joaquin County communities to the Tri-Valley and Bay Area Rapid Transit (BART) through fast rail service via the route of the historic Transcontinental Railroad right-of-way through the Altamont Pass. This approximately 12-mile, abandoned right-of-way, deeded to Alameda County by Southern Pacific in 1984, provides an unprecedented opportunity to deliver a fast and efficient inter-regional rail service - connecting people, housing and jobs in the Northern California Megaregion and providing much-needed congestion relief in one of the Bay Areas most congested corridors. The project is currently in the environmental phase and if approved and funded, will provide rail link between Pleasanton BART

station to Lathrop. There is currently a proposed stop for Mountain House near Mountain House Parkway.

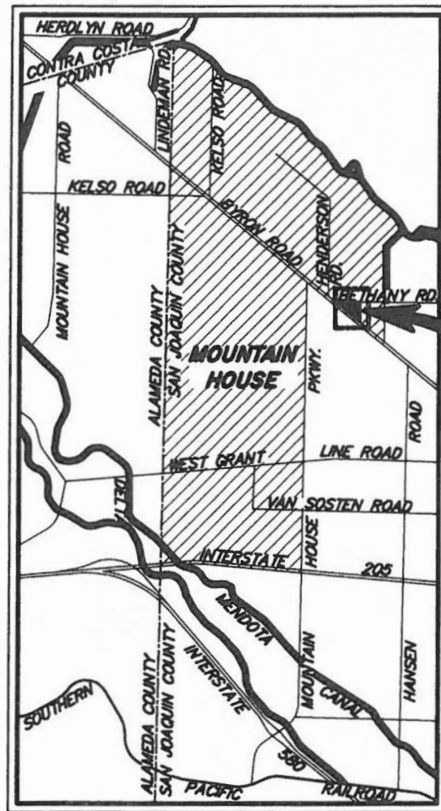
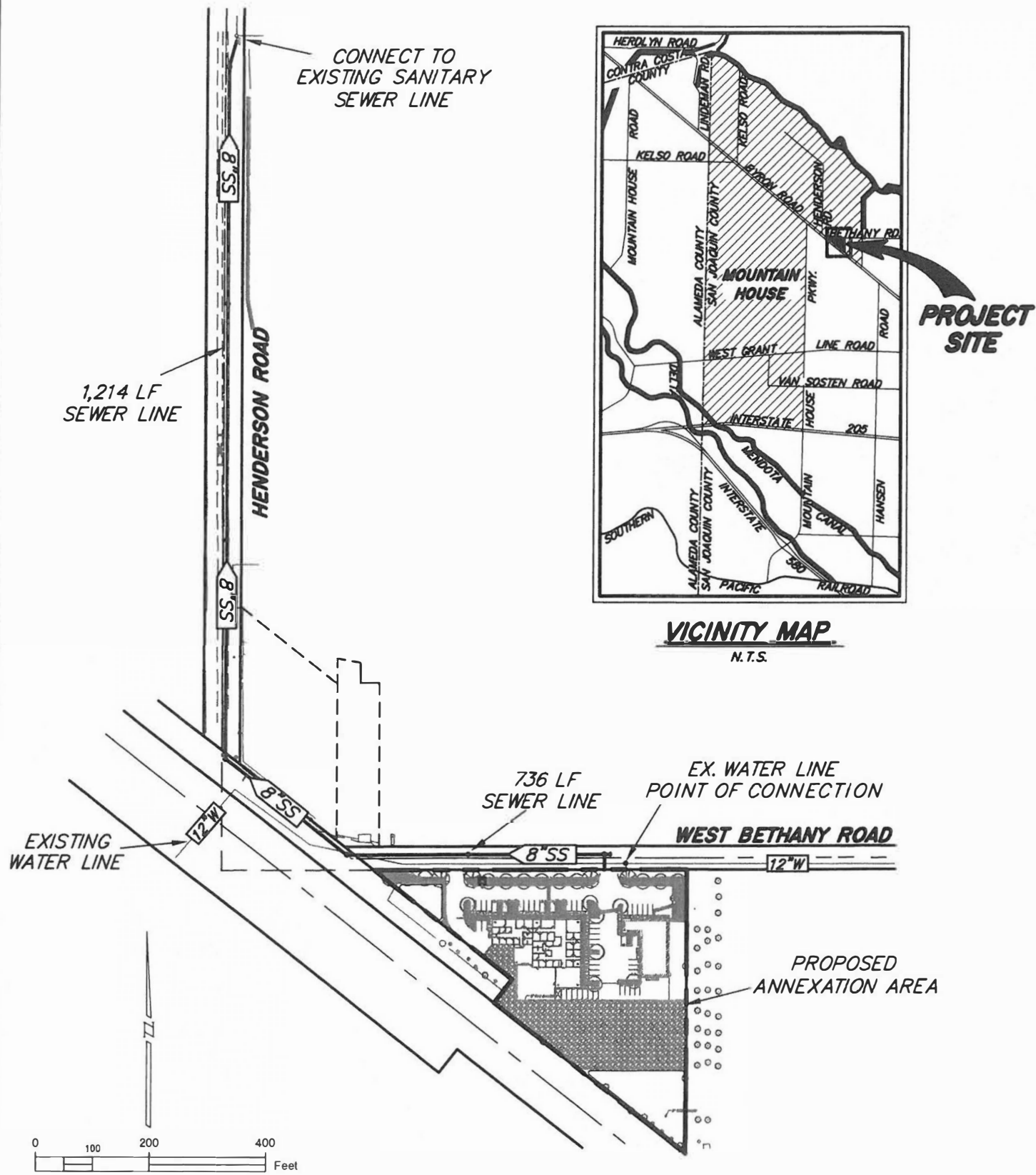
FUNDING:

Funding for new infrastructure improvements within the annexation area will be provided by the Developer pursuant to MHCSD policies and ordinances. All infrastructure improvements shall be constructed to District standards and with construction-related inspections at appropriate intervals by District personnel.

Upon completion of the off-site sanitary sewer infrastructure improvements, they shall be turned over to the District following issuance of appropriate Notices of Completion.

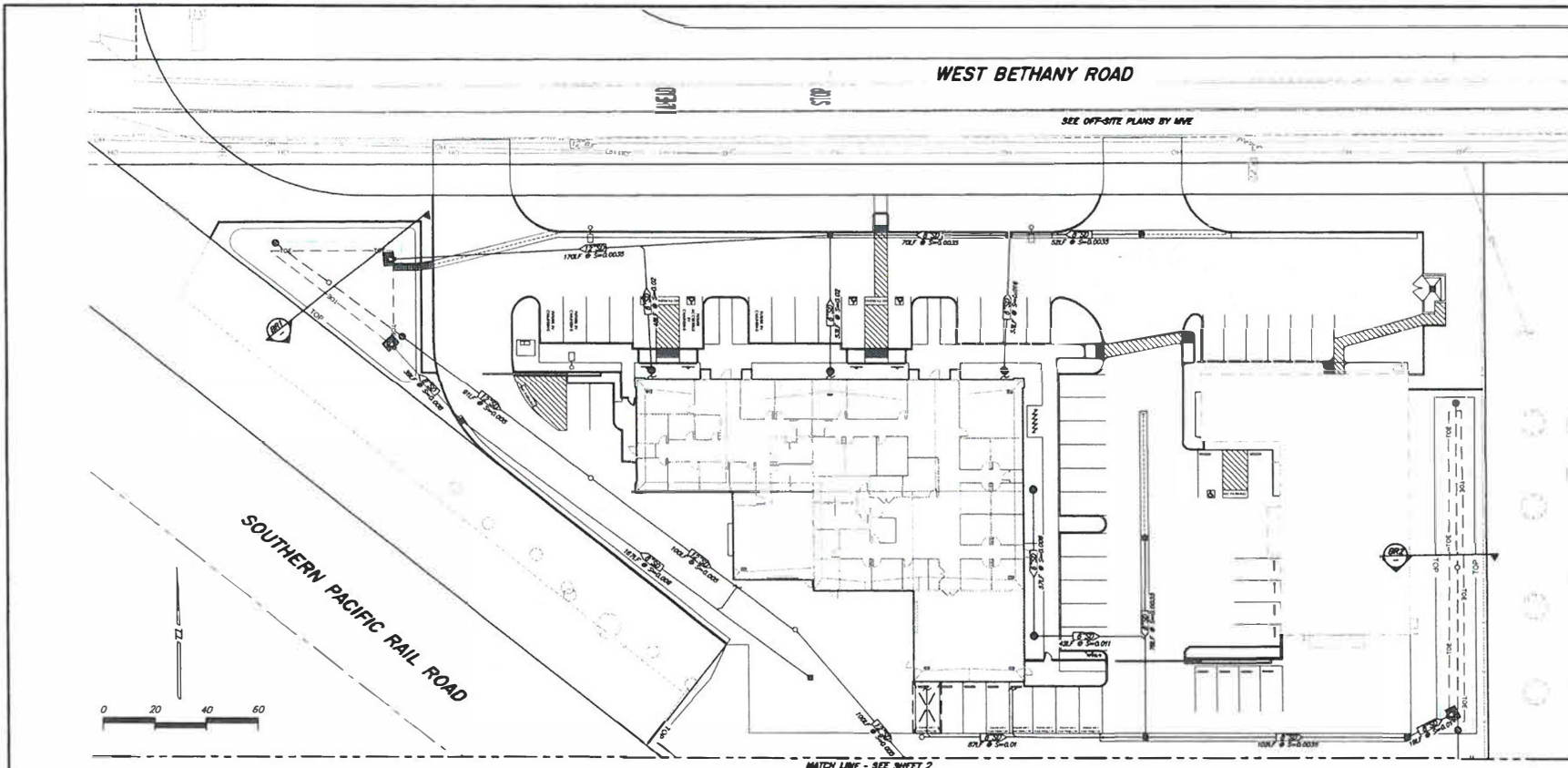
Estimated infrastructure costs for the proposed annexation area are as follows:

On-Site Improvements	\$580,000
20% Soft Costs	\$116,000
Off-Site Sanitary Sewer Improvements	\$223,000
20% Soft Costs	\$44,600
	<hr/>
Grand Total:	\$963,600



VICINITY MAP
N.T.S.

<p>EXHIBIT 1</p> <p>ANNEXATION AREA</p> <p>SEWER AND WATER LINE SCHEMATIC</p>		<p>MVE MVE Inc.</p> <p>1117 L Street, Modesto, CA 95354 866.526.4214 www.mve.net</p> <p>Northern California Southern California Nevada</p>	<p>SHEET</p> <p>1</p>
MOUNTAIN HOUSE	CALIFORNIA		<p>OF 1</p>

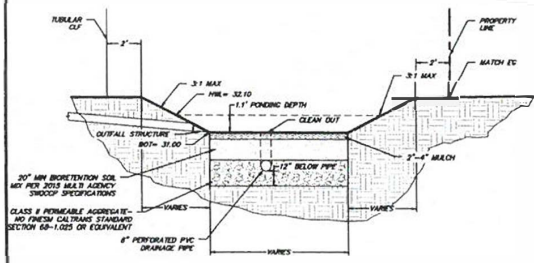


BIORETENTION AREA-BR1 NOTES

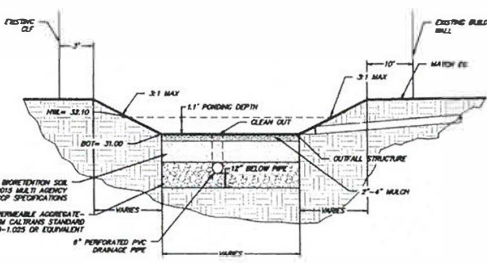
1. DEPTH OF PONDING = 1.1 FT
2. AVERAGE AREA OF PONDING = 1184 SF
3. FREEDBOARD = 1 FT
4. DEPTH OF PLANTING MEDIA = 1.7 FT
5. AREA PLANTING (BOTTOM OF TREATMENT AREA) = 892 SF
6. DEPTH OF GRAVEL BELOW PIPE = 1 FT
7. AREA OF GRAVEL = 892 SF
8. AREA OF PROJECT TREATED BY TREATMENT AREA = 62,132 SF
9. MAXIMUM ALLOWABLE AREA OF TREATMENT = 75,824 SF
10. VOLUME REDUCTION FROM LID CONTROL PER S.J.C. SWOOP SPECIFICATIONS = 256.7 CF
11. LENGTH OF UNDERDRAIN PIPE = 61 LF

BIORETENTION AREA-BR2 NOTES

1. DEPTH OF PONDING = 1.1 FT
2. AVERAGE AREA OF PONDING = 1093 SF
3. FREEDBOARD = 1 FT
4. DEPTH OF PLANTING MEDIA = 1.7 FT
5. AREA PLANTING (BOTTOM OF TREATMENT AREA) = 658 SF
6. DEPTH OF GRAVEL BELOW PIPE = 1 FT
7. AREA OF GRAVEL BELOW PIPE = 658 SF
8. AREA OF PROJECT TREATED BY TREATMENT AREA = 68,548 SF
9. MAXIMUM ALLOWABLE AREA OF TREATMENT = 72,138 SF
10. VOLUME REDUCTION FROM LID CONTROL PER S.J.C. SWOOP SPECIFICATIONS = 667.9 CF
11. LENGTH OF UNDERDRAIN PIPE = 126 LF



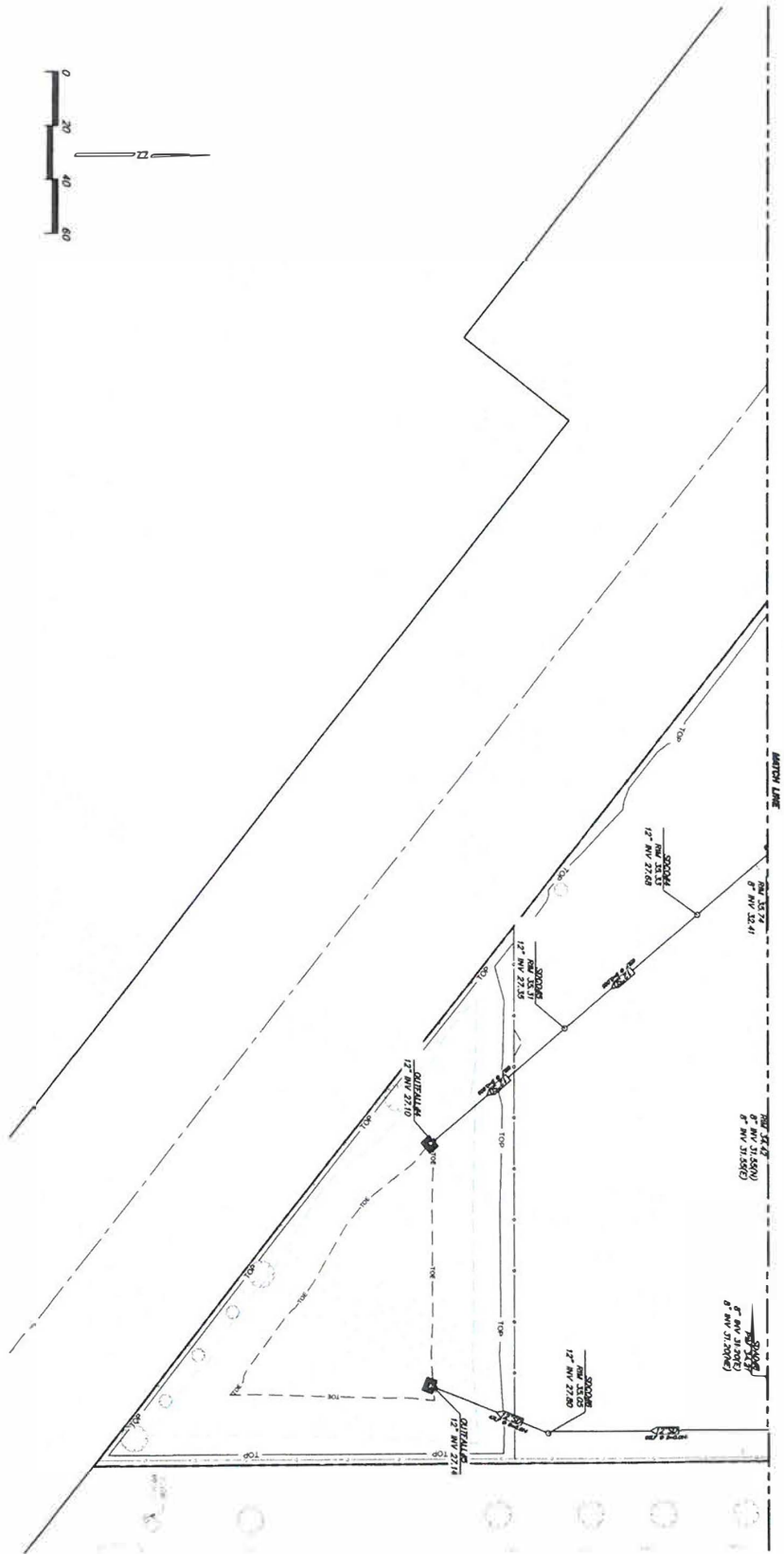
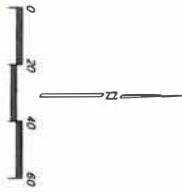
BIORETENTION AREA - BR1



BIORETENTION AREA - BR2

FOR REVIEW - NOT FOR CONSTRUCTION

	<p>APPROVED BY: _____ DATE: _____</p> <p>NAME: _____</p> <p>TITLE: _____ DATE: _____</p>
<p>MVE Inc.</p> <p>1117 L Street, Modesto, CA 95204 (520) 428-0244 www.mve.net</p> <p>Northern California Southern California Nevada</p>	
<p>MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT</p> <p>EXHIBIT 2</p> <p>ANNEXATION AREA</p> <p>STORMWATER PLAN</p>	
<p>COMP. FILE NO. _____</p> <p>PLAN FILE NO. _____</p> <p>SHEET: 1 OF 2</p>	



MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

EXHIBIT 2

**ANNEXATION AREA
STORMWATER PLAN**

MVE inc.

1117 L Street, Modesto, CA 95364 | 888.629.4214 | www.mveinc.com
Northern California | Southern California | Nevada



MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

APPROVED BY: _____

NAME _____

TITLE _____

DATE: _____

REVISIONS			
NO.	DESCRIPTION	DATE	APP.



French Camp McKinley Fire District



"It is the Mission of the French Camp McKinley Fire District to protect life, property and the environment through professional and efficient emergent and non-emergent services"

Proudly Providing Services to the Mountain House CSD through a cooperative partnership.

Mary Nicholson
Board Chair

Gorman Houbein
Vice Chair

J. Larry Lee
Director

Philip George
Director

Vacant
Director

Mario McArn: Fire Chief
Phone: 209-982-0592 Office: 209-982-0721

December 31, 2020

Rochelle Henson,
Principle Planner,
Mountain House CSD
512 East Main Street
Mountain House, CA 95391

SUBJECT: 17400 BETHANY ROAD

An assessment of the travel time to 17400 Bethany Road from Mountain House Station One and the proposed Station Two are as follows:

- The distance and response time to 17400 from Station 16-1 at 911 Tradition is 2.1 miles, with an approximate five-minute non-emergency travel time.
- The distance and response time to 17400 from the proposed area of Station 16-2 (i.e., Central Parkway) is 1 mile, with an approximate two-minute non-emergency travel time.

Please let us know if you have additional Questions. I can be contacted at 209-982-0721

Mario McArn, Fire Chief
French Camp-McKinley Fire District



Mountain House Community Services District

251 E Main Street, Mountain House, CA 95391
Tel (209) 831-2300 • Fax (209) 831-5610
www.mountainhousecsd.org

February 10, 2021

Pinnacle Ridge Group, LLC
Attn: Aaron Smud
21315 San Jose Road
Tracy, CA 95304

SUBJECT: Utility Capacity Allocation and PLEP Requirement
17400 W. Bethany Road, Tracy CA - APN: 209-150-29

In accordance with the CBG analysis, dated August 20, 2020, the Alpine Summit Development (Pinnacle Ridge Group, LLC) will generate an Average Dry Weather Flow (ADWF) of 4,576 gallons per day (GPD). To serve the project, the Mountain House Community Services District (MHCS D) will assign 4,576 gpd of MHCS D's Unassigned Capacity Reservation to Pinnacle Ridge Group (Alpine Summit development). Pursuant to PAA-2 with Trimark Communities, LLC, certain sewer capacity was reserved to MHCS D for specific purposes, including assigning it to lands zoned for commercial, industrial or office uses. Such capacity may only be assigned at the time the permit is issued for the construction of a building, but it is MHCS D's intention to assign it to you at the time that such a permit is issued.

Furthermore, it is our understanding that Pinnacle Ridge Group has reached an agreement with Mountain House Investors and Machado to allocate the assigned capacity for Water Treatment, Water Storage, and PLEP requirements to Pinnacle Ridge. See Attached Letter.

Please be advised of the MHCS D's policy that all required improvements to public facilities, including connections to the existing sewer system, and needed maintenance shall be funded by the applicant. All such requirements will be determined as part of the Final Plan process or issuance of a building permit.

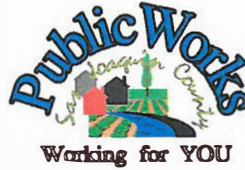
Sincerely,

Anush Nejad, P.E.
Community Development Director

Attachment: MHI Letter

c: San Joaquin County Community Development
Steve Pinkerton, General Manager
Rochelle Henson, Principal Planner

3692023.1



Department of Public Works

Kris Balaji, Director of Public Works
Fritz Buchman, Deputy Director/Development
Jim Stone, Deputy Director/Operations
Kristi Rhea, Business Administrator

April 15, 2021

MEMORANDUM

TO: James E. Glaser, Executive Officer
LAFCo
CONTACT PERSON: Elizabeth Contreras, LAFCo Analyst

FROM: Alex Chetley, Engineering Services Manager *AC*
Development Services Division

SUBJECT: BETHANY ROAD REORGANIZATION TO MHCSD AND ANNEXATION TO BYRON
BETHANY IRRIGATION DISTRICT (LAFC 24-20)
To annex a 3-acre parcel to the District.

LOCATION: Located on the south side of West Bethany Road, approximately 650 feet east of South
Henderson Road, Mountain House.

COMMENTS:

- **No Comments**

AC:SC

X:\LAFCO\LAFCo Referrals\Bethany Road Reorganization to MHCSD (LAFC 24-20)\Comments to LAFCo (LAFC 24-20).doc



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Muniappa Naidu, REHS

Steven Shih, REHS

April 19, 2021

To: San Joaquin County Community Development Department
Attention: James E. Glaser, Executive Officer.

From: Aldara Salinas; 209-616-3019
Environmental Health Specialist

RE: **PA-2000063 (MP), Referral SU0014047**
17400 W. Bethany Rd, Tracy

The San Joaquin County Environmental Health Department (EHD) recommends the following conditions as a part of developing this project:

1. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4)