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RECEIVED

SEP 29 2017

San Joaquin County
Community Development

September 28, 2017

Via Email and Overnight Mail

Kerry Sullivan
Director, Community Development Department
San Joaquin County
1810 E. Hazelton Avenue
Stockton, CA 95205
Email: ksullivan@sjgov.org

Mimi Duzenski
Clerk of the Board
San Joaquin County
44 North San Joaquin Street
Sixth Floor Suite 627
Stockton, CA 95202
Email: mduzenski@sjgov.org

Via Email Only

Stephanie Stowers, sstowers@sjgov.org

Re: Cover Letter for the Appeal of San Joaquin County Planning Commission's Approval of the Initial Study/Negative Declaration and Use Permit Application No. PA-1700032 of Delicato Vineyards (c/o Quartaroli and Associates) (Planning Commission Hearing on September 21, 2017, Action Item 1)

Dear Ms. Sullivan, Ms. Duzenski, and Ms. Stowers:

We are writing on behalf of **San Joaquin County Residents for Responsible Development** ("San Joaquin Residents") to appeal the San Joaquin County ("County") Planning Commission's September 21, 2017 approval of the Initial Study/Negative Declaration ("IS/ND") and Use Permit #PA-1700032 (UP) for the Delicato Vineyards Project ("Project"). Enclosed is the County's appeal application

3815-024acp

September 28, 2017

Page 2

form, supporting documentation, and check for the \$648.00 appeal application fee. The supporting documentation includes (1) a copy of San Joaquin Residents' September 20, 2017 "Comments on the Revised Initial Study/ Negative Declaration for the Proposed Delicato Vineyards Project: Use Permit # PA-1700032, SCH # 2017032056"; and (2) a thumb drive containing electronic copies of the supporting documents referenced in the Comments and relied upon in support of the appeal.

Sincerely,



Linda Sobczynski

Enclosures

LTS:acp



APPLICATION – APPEAL OF PLANNING COMMISSION ACTION

SAN JOAQUIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

FILE NUMBER: - PA-1700032 (UP)

TO BE COMPLETED BY THE APPLICANT PRIOR TO FILING THE APPLICATION

APPLICANT INFORMATION

Name: Linda Sobczynski on behalf of San Joaquin Residents for Responsible Development
 Address: 601 Gateway Blvd., Suite 1000
 South San Francisco, CA 94080
 Phone: (650) 589-1660

BASIS FOR APPEAL

Be thorough in your statement, because only the findings and facts you raise in your appeal statement will be included in the staff's report to the Board of Supervisors. (Attach additional sheets if necessary.)

Action being appealed: Action Item 1: Use Permit Application No. PA-1700032 of Delicato Vineyards (c/o Quartaroli and Associates)

Date of Planning Commission action: Thursday, September 21, 2017 at 6:30 P.M.

State the basis of the appeal. List any findings of fact made by the staff which you feel were wrong and your reasons:

San Joaquin County's adoption of the Revised Initial Study/ Negative Declaration ("IS/ND") for the Proposed Delicato Vineyards Project and approval of Use Permit # PA-1700032 violated CEQA and the California Water Code. (1) The County violated the CEQA by failing to provide San Joaquin Residents for Responsible Development ("San Joaquin Residents") with 30 days to review and respond to the IS/ND; (2) the County violated the Water Code by failing to prepare and include a Water Supply Assessment with the IS/ND; (3) the County violated CEQA by approving an IS/ND instead of preparing an EIR despite the submittal of substantial evidence supporting a fair argument that Project construction and operation may result in significant effects on the environment; (4) the County violated CEQA by relying on findings in the IS/ND that were not supported by substantial evidence; and (5) the County violated CEQA by approving an IS/ND that did not comply with CEQA's informational and procedural requirements. A more detailed description of the grounds for appeal and supporting evidence are set forth in San Joaquin Residents' September 20, 2017 "Comments on the Revised Initial Study/ Negative Declaration for the Proposed Delicato Vineyards Project: Use Permit # PA-1700032, SCH # 2017032056." A copy of that comment letter and its referenced supporting documents are attached and incorporated herein as part of this appeal.

List any condition(s) and or findings being appealed and give reasons why you think it should be modified or removed:

For the reasons stated above, San Joaquin Residents is appealing the following approvals (1) the IS/ND for the Delicato Vineyards Expansion Project, (2) Use Permit # 1700032, and (3) Use Permit Application No. 1700032's revised Conditions of Approval.

SIGNATURE

Signature: *Linda Sobczynski*

Date: 9/28/17

STAFF USE ONLY

Remarks: *Email - 9/28. Hard copy 9/29 received w/ check*

Date appeal filed: 9/29/17

Fee: *51048*

Receipt No: *R-187373*

Appeal Accepted by: *STS*