



County of Calaveras Department of Planning

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Initial Study / Mitigated Negative Declaration

Review Period: December 30, 2024, through January 31, 2025

Initial Study ENVIRONMENTAL CHECKLIST

For: Jeremy and Lynette Smith-Covey dba 4 Horse Ranch

Conditional Use Permit 2024-013

Assessor's Parcel Nos. 048-009-052

1. Project Title: 2024-013 – Conditional Use Permit for Jeremy and Lynette Smith-Covey dba 4 Horse Ranch
2. Lead Agency Name and Address: Calaveras County Planning Department
891 Mountain Ranch Road
San Andreas, CA 95249
3. Contact Person and Phone Number: Madeleine Flandreau, Planner III, (209) 754-6394
4. Project Location: 2911 Patriot Way, Burson, CA, APN 048-009-052 in a portion of Section 21, T04N, R10E, MDM
5. Project Sponsor's Name and Address: Jeremy and Lynette Smith-Covey dba 4 Horse Ranch
2911 Patriot Way
Burson, CA 95252
6. General Plan Designation: Working Lands
7. Zoning: Rural Residential (RR)
8. Project Description: The applicant is requesting approval of a Conditional Use Permit (CUP) to permit a previously existing unpermitted private equestrian facility for up to 40 horses on a Rural Residential parcel. The facility is a registered nonprofit for equine education and therapy sessions for at risk youth and will be operated by the landowners and 1-6 volunteers/employees and will only be available for their private invited clients or guests, and not open to the general public. The facility proposes up to four lessons per day in husbandry, training, preparation for off-site riding, and roping clinics for at-risk youth. Approximately two to five teenaged clients will be on site daily, with adult volunteers/employees acting as chaperones. The applicant is also proposing to hold up to three birthday parties per year for up to 25 people. The horses are kept in paddocks with moveable fencing for periodic rotations. No development is proposed at this time.
9. Project Background: Multiple comment letters were submitted from the surrounding landowners, but largely in response to an appeal of an enforcement action in front of the Planning Commission (sitting as the Administrative Hearing Board) instead of in response to the request for the CUP. Comments were submitted both in opposition to and in favor of the operation. Neighbor complaints in opposition included concerns about flies, lack of appropriate care for horses, dust, vehicles frequently blocking the access easement due to lessons and events, and an inappropriate number of horses on-site. Several comment letters were also received in support of the operation, stating that 4 Horse Ranch provided a beneficial use to the community, providing trail riding and horse husbandry lessons for at-risk youth. The comments are mentioned here because several neighbors expressed confusion about comments made in response to the enforcement action not being treated as comments for purposes of the CUP application.

10. Surrounding land uses and setting:

The subject parcel is an approximately 20-acre lot which is accessed via Patriot Way, a private road accessed by State Route 12. The subject parcel contains a single-family residence and several storage sheds. There are also several fenced horse pastures, and one larger arena. Patriot Way is a 25-foot-wide private road and public utility easement which runs through the center of the lot to access two adjacent parcels to the north. Patriot Way is an unpaved gravel road and no additional frontage improvements or offers of dedication are required as part of this application. There is also a 50-foot-wide roadway easement along the southern property boundary that is dedicated access to the two parcels to the east. An unpaved parking area is located near the entrance to the parcel adjacent to the easement.

Location	General Plan Designation	Zoning	Land Use
North	Working Lands	Rural Residential (RR) General Agriculture (A1)	Residential
South	Rural Transition B, Commercial	General Agriculture (A1) Rural Residential (RR) General Commercial (C2)	Residential, Commercial
East	Working Lands	Rural Residential (RR)	Residential
West	Rural Residential	Rural Residential (RR)	Residential

11. Other public agencies whose approval is required: Calaveras Consolidated Fire Protection District; Calaveras County Environmental Management Agency; Calaveras County Public Works Department; Caltrans.

12. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? **NO**

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

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 | ☐ Agricultural 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 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 original scope of the proposed project **COULD** have had a potentially significant effect on the environment, there **WILL NOT** be a significant effect because revisions/mitigations to the project have been made by or agreed to by the applicant. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project **MAY** have a potentially significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** or its functional equivalent will be prepared.

☐ I find that the proposed project **MAY** have a potentially significant impact on the environment. However, at least one impact has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis, as described in the report's attachments. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the impacts not sufficiently addressed in previous documents.

☐ I find that, although the proposed project could have had a significant effect on the environment, because all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to applicable standards, and have been avoided or mitigated, pursuant to an earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, all impacts have been avoided or mitigated to a less-than-significant level and no further action is required.



Madeleine Flandreau
Project Planner

12/23/2024

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

Environmental Impact Analysis:

The applicants, Jeremy and Lynette Smith-Covey, own and operate 4 Horse Ranch on their approximately 20-acre residential property at 2911 Patriot Way, Burson (subject parcel). The applicants are requesting approval of a Conditional Use Permit (CUP) to permit a previously existing unpermitted private equestrian facility for up to 40 horses. No expansion of the pre-existing use is being proposed. The subject parcel has a General Plan land use designation of Working Lands and is zoned Rural Residential (RR). The RR zone is intended to provide lands for personal ranches in which residential use is the primary land use. The RR zone is established to permit small-scale farming primarily for personal use and not as the primary use for the property.

Only a “personal equestrian facility” is permitted by right in the RR zone*. County Code section 17.06.0785 provides that a “personal equestrian facility” means a facility that is used by the residents (owner/occupant) of the property for the raising, quartering, pasturing, training in riding of personal equines. Types of facilities would include barns, corrals, arenas, and paddocks. Personal equestrian facilities are intended for the personal enjoyment of the owner/occupant of the property and guests and not as a business or income source.” In the RR zone, the applicants are also allowed to breed their personal horses and sell the foal as an “agricultural operation.”

The applicants’ business uses on the subject parcel exceed a “personal equestrian facility” and include business uses that require a CUP because they constitute either an “equestrian facility, public or private” as defined in County Code. A "Private equestrian facility" means an equine facility, barn or stable that is used in part for and by the residents (owner/occupant) of the property and their private invited clients or guests for the purpose of raising, boarding, breeding, training, and riding, including lessons, education, and clinics. These activities may be undertaken for equines not owned by the resident of the property and such services are limited to invited (i.e., with reservations) guests/clients as a business or income source.” A "Public equestrian facility" means a facility that leases space for equines, and/or provides equestrian services to the general public/drop-in clients, such as trail rides and guided outfitter services. Types of public equestrian facilities may include, but are not limited to, public boarding stables, barns, public riding arenas, and may include facilities to accommodate events such as horse shows, expositions, and other exhibitions offered to the general public.”

The proposed uses requiring a CUP include horse husbandry lessons, training, roping clinics for at-risk youth, utilizing the subject parcel for guests to interact with horses before off-site trail rides, and hosting and charging for private birthday parties. Birthday parties constitute a special event and also require a CUP. The purpose of a CUP is to provide the general public with an opportunity to review a proposed land use that is generally consistent with the purpose of a base zoning district but has the potential to cause conflicts with neighboring land uses and zoning. The CUP is a discretionary permit, reviewed by the Planning Commission, which can approve a CUP by making the findings in Section 17.82.020 in the Calaveras County Code.

California’s Minimum Standards of Horse Care (February 2023) is referenced by Calaveras County Animal Services when determining proper care of equines including space requirements, nutrition, and husbandry. The County Code does not put a specific limit on the number of horses for a private/public

equestrian facility. Referencing the State’s Standards, Animal Services stated that the subject 20-acre parcel could accommodate up to 40 horses.

*This application was deemed complete under the previous Zoning Code and is being processed according to those standards.

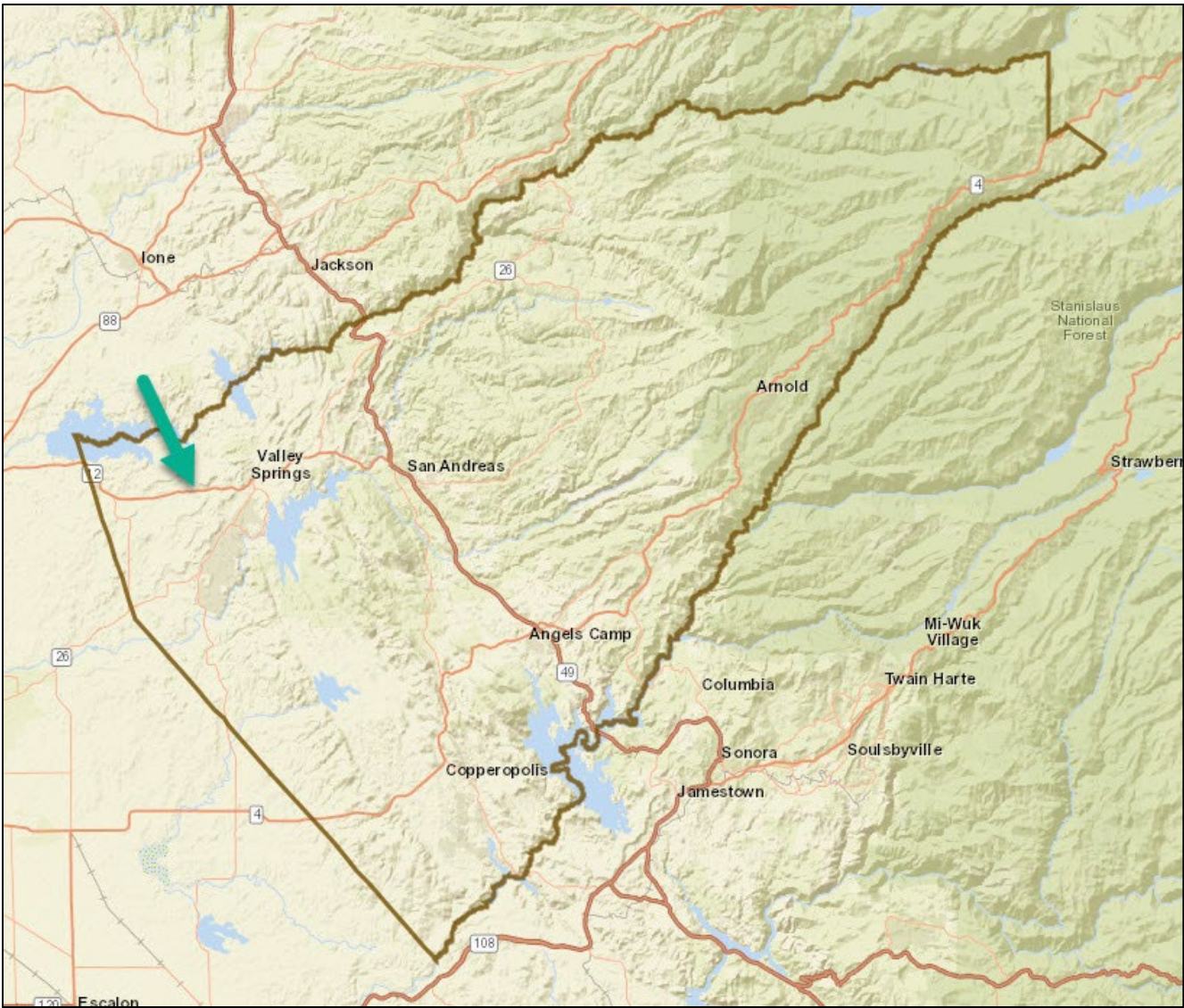


Figure 1- Location Map

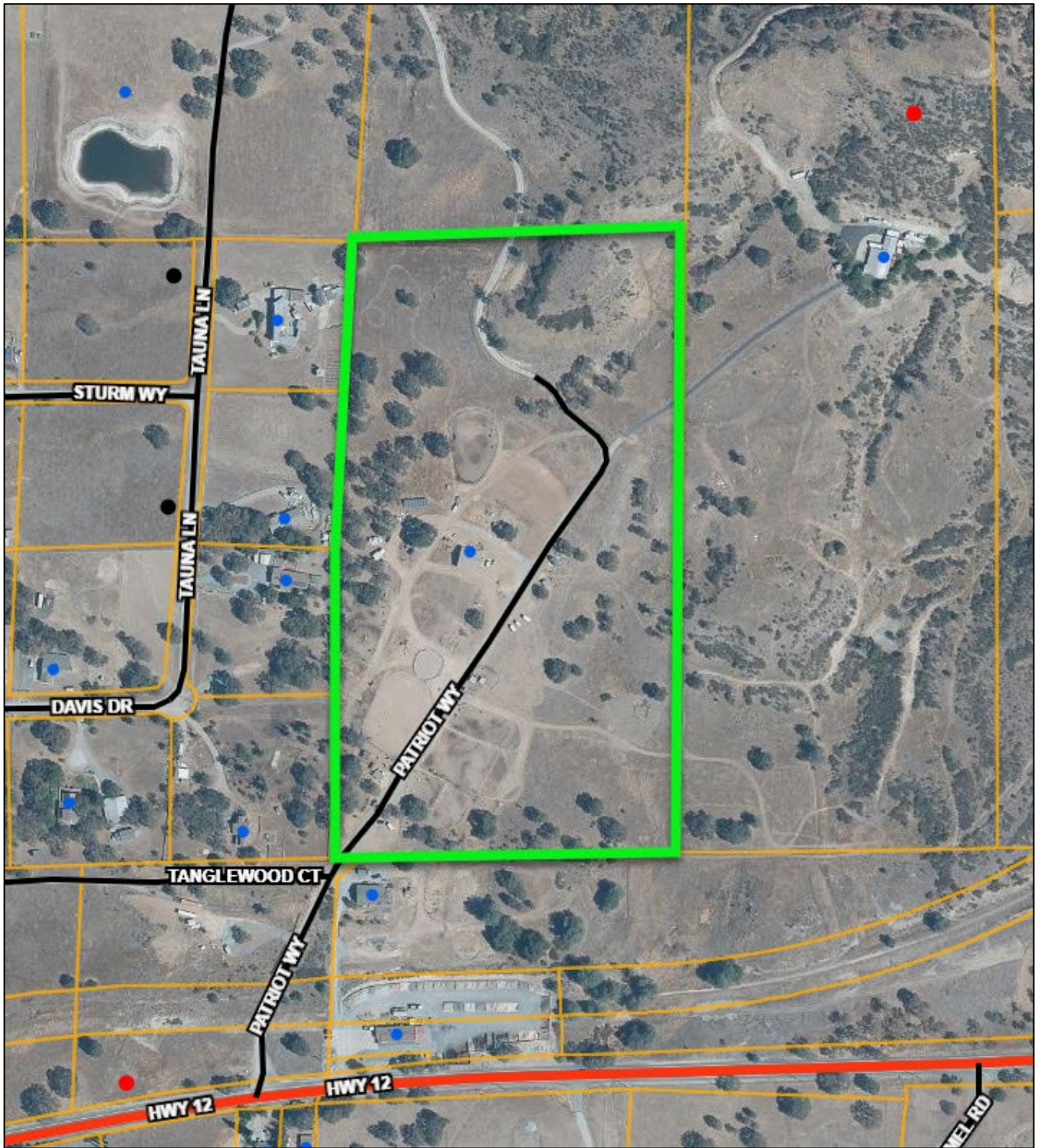


Figure 2- Aerial Photo (Parcel boundary lines shown in green do not reflect the actual location)



Figure 4- View of arena looking north toward the residence



Figure 5- View looking northeast at horse paddocks



Figure 6- View looking north along easement



Figure 7- view looking south at the parking area with trailer

I. AESTHETICS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Except as provided in Public Resources Code §21099, would the project:	☐	☐	☐	☒
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
a) No Impact – A scenic vista is an area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. The County General Plan’s Conservation and Open Space Element notes that the County’s scenic resources are some of its most valued assets and include forests, rolling hills, ranches, agricultural land, historic landscapes, oak woodlands, rock formations and other unique topographical features, river corridors, lakes, and streams. The Project site is located in a rural residential area within the community of Burson, near the intersection of State Route 12 and Burson Road which contains commercial businesses. The Project site is approximately 20 acres in size and developed with a single-family residence, a few small sheds, fenced paddocks, and a small arena. The surrounding parcels are also developed with residences. The parcel contains sparse oak trees and shrubs and is primarily pasture. This area of the county is not designated as a scenic vista by the County General Plan, nor does it contain any unique or distinguishing features that would qualify the site for designation as a scenic vista. As the Project would not include any physical changes to the Project site or the surrounding area, no impact to scenic vistas would occur.				
b) No Impact – The Project site is not located within view of a state scenic highway. The nearest officially designated State Scenic Highway is the portion of State Route 4 (SR 4) known as Ebbetts Pass National Scenic Byway, located approximately 30 miles east of the Project site (Caltrans, 2022). The nearest Eligible State Scenic Highway is State Route 49 (SR 49), located approximately 10 miles east of the Project site (Caltrans, 2022). As the Project site is not visible from any state scenic highways, no impact would occur to scenic resources within a State Scenic Highway.				

- c) **No Impact** – As described under response (a), above, the proposed Project would permit a previously existing unpermitted private equestrian facility and would not include any development or physical changes to the subject parcel or the surrounding area. The subject parcel is located in a non-urbanized area, and is primarily rural-residential, with larger agricultural parcels adjacent to a small subdivision. Moreover, because the interior of the property is largely screened from public view, and the fact that the parcel is already developed as an equestrian facility and no further development is proposed, any impact of scenic resources would be minimal. In addition, the site does not contain any unique visual features that would be adversely affected by the Project. Therefore, there would be no impact on the existing visual character of the subject parcel and the surrounding area.
- d) **No Impact** – All new lighting will adhere to Calaveras County Code 17.36.060(C) which states that exterior lighting shall be shielded and directed in such a manner that it does not shine directly into adjoining residences. No development is proposed with this application, however; with the adherence to outdoor lighting regulations at the time of future development, the proposed Project would not create new sources of substantial lighting or glare that would generate a significant impact.

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.

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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))? | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |

a-e) **No Impact** – The California Department of Conservation Farmland Mapping and Monitoring Program has published map data for Calaveras as of 2020. The California Important Farmland Finder tool was used to identify land surrounding the subject parcel. This land is categorized as “Grazing Land”, defined as “Land on which the existing vegetation is suited to the grazing of livestock. This category is used only in California and was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities”. This indicates this area including the subject parcel, is not a prime farmland, unique farmland, or farmland of Statewide importance.

According to the County General Plan, the proposed Project is not located on land classified as high capability agriculture. The applicants have a small-scale agricultural operation on-site which includes bee-keeping, goats, and sale of a few foals per year. No prime farmland will be converted as a result of this Project. The subject parcel is not restricted by a Williamson Act contract. Grazing The County’s General Plan and Zoning Ordinance does not consider the project site to be high capability timberland or a timber production zone, therefore, the proposed project would not result in loss or conversion of forest land to a non-forest use. The proposed Project is consistent with the County’s Zoning Ordinance, and the use defined under Chapter 17.22 of the Zoning Ordinance (2013). Thus, the proposed Project will not result in a conversion of farmland or forest land. In addition, no trees are proposed to be removed as part of this project. Therefore, no impact will occur.

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:

- | | <u>POTENTIALLY
SIGNIFICANT
IMPACT</u> | <u>LESS THAN
SIGNIFICANT
IMPACT WITH
MITIGATION</u> | <u>LESS THAN
SIGNIFICANT
IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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? | ☐ | ☐ | ☒ | ☐ |
| c) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☒ | ☐ |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | ☐ | ☒ | ☐ | ☐ |

a-b) **Less Than Significant Impact** – The proposed Project is located in the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD). CCAPCD manages the County’s air quality through education and enforcement of CCAPCD rules and California Air Resources Board (CARB) measures and regulations. Although the County has experienced relatively good air quality, it has been classified as a non-attainment area for the State and Federal ozone standards (1-hour and 8-hour) and particulate matter standards (PM₁₀). The primary source of ozone precursors (i.e., ROG and NOx) is mobile sources, including cars, trucks, buses, construction equipment, and agricultural equipment. Common sources of particulate matter pollution in the County include residential, development, and land management related activities such as woodstoves, windblown dust and/or diesel from construction activities, and forestry management burning. According to the County’s General Plan EIR, the nonattainment status of the County is predominantly attributable to the migration of pollutants from the Central Valley and the Bay Area into the County.

The Project proposes to operate a private equestrian facility which will hold lessons in husbandry 4 days per week. No physical changes or ground-disturbing activities are proposed so there would not be any temporary construction emissions. Project operations would however result in new sources of air pollutant emissions from vehicles as clients attend lessons, etc. Daily vehicle trips are expected to be from approximately 2-5 teenaged volunteers who will be on site, with 1-6 adult volunteers/employees acting as chaperones. However, this number of daily trips for the Project operations is not substantial enough to create emissions that would violate applicable air quality standards or substantially contribute to an existing or projected air quality violation.

The Project is consistent with the General Plan land use designation for the site and would not result in increased impacts associated with air quality. The Project would be subject to the applicable CCAPCD rules and regulations in addition to the General Plan policies and actions that aim to improve air quality and minimize pollutant concentrations. Therefore, the Project would have a less than significant impact related to the potential to conflict with or obstruct implementation of the applicable air quality plan, or to 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.

- c) **Less Than Significant Impact** – Sensitive receptors are those individuals within the population that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include children, the elderly, and those with pre-existing serious health problems affected by air

quality, and sensitive receptor locations include schools, parks and playgrounds, day care center, nursing homes, hospitals, and residences. The applicant shall be required to comply with Section 6.10.110 (Nuisance) of the County Code, which considers excessive dust a nuisance. The proposed project does not entail the use of environmental contaminants that would expose sensitive receptors to substantial pollutant concentrations and therefore a less than significant impact is expected.

- d) **Less than Significant with Mitigation** - There are four residential parcels located adjacent and to the west of the proposed project, the closest residence being located approximately 100 feet to the west from the nearest paddock area. The majority of the parcels in the vicinity (to the north, south, and east) are significant in size and allow for space between residential structures which reduces the effects of odor emissions. Equestrian-related odors (e.g.: manure) and other agricultural uses are anticipated to originate from the site that some find objectionable, including surrounding residences

Subsequently, a preliminary Animal Waste Management Plan was prepared for the proposed project that identifies best management practices to address potential odor impacts. The preliminary Waste Management Plan specifies waste collection techniques, storage and pick-up procedures as well as pest control measures and equipment maintenance procedures to be followed as a part of regular operation. Compliance with this plan would result in pastures being scraped regularly and stalls mucked to pull manure for distribution into manure piles, which are managed to create natural fertilized soils for use around the ranch. In addition, the applicants use a combination of fly spray, diatomaceous earth, lime, and chickens to keep fly numbers down. With implementation of the Animal Waste Management Plan, odors from the proposed use will be less than significant.

AQ-1
The applicants shall prepare and submit for review and approval a Final Waste Management Plan to the County's Environmental Management Department prior to implementation of CUP 2024-013. Odor complaints received by the County will result in an inspection of the site to ensure compliance with the Final Waste Management Plan. If the County determines that the site is in "non-compliance" with the Final Waste Management Plan, the County could revoke CUP 2024-013.

IV. BIOLOGICAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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 Wildlife or
U.S. Fish and Wildlife Service?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 Wildlife or US Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |

a) **Less Than Significant Impact** – A Biological Resources Assessment was conducted in 2008 by Moore Biological Consultants for a previously withdrawn project which included the subject parcel. The Assessment concluded that the potential for sensitive wildlife and plant species to occur on-site is very low, that there are no vernal pools or ponds to provide habitat for the California tiger salamander (CTS), the western spadefoot, or the California red-legged frog (CRLF). In addition, the parcel is over 1.5 miles to the north of critical habitat for CTS and 4 miles west of critical habitat for CRLF. It is unlikely that the proposed project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status, due to the location of the project site (parcel that has been historically used as agricultural uses within an agricultural zoning district) and lack of suitable habitat (there are no, creeks, wetlands, or riparian habitats located on the subject parcel, and a large percentage of the parcel has been disturbed). Furthermore, the project will not modify any habitat than what is currently existing as there is no ground disturbing construction proposed. Therefore, there is a less than significant impact on any habitat identified by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

b-c) **No Impact** – As the proposed Project would not include any physical changes to the environment. Project operations would not change the condition of the Project site with respect to biological resources or habitat types. The adjacent parcels are developed with residences and with commercial structures along State Route 12. The Project site is developed, and the proposed Project does not

involve any physical changes; therefore, implementation of the proposed Project will not impact any special-status species or their habitat. No riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service is known to exist on the Project site. According to the U.S. Fish and Wildlife Service National Wetlands Inventory map, no wetlands are located at or adjacent to the project site; therefore, no impacts will occur.

d-f) **No Impact** – There are no creeks, wetlands, or riparian habitats located on the subject parcel. As previously mentioned, the project site is disturbed by the existing horse facilities, and all improvements are existing. In addition, surrounding parcels have been developed with single-family homes, agricultural buildings, and agricultural uses, and commercial uses along State Route 12. Therefore, implementation of the proposed Project would not impact any migratory corridors or interfere with the movement of any fish or wildlife species. Furthermore, there are no native or protected trees on the Project site that would be removed as part of project operations. The Project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would not conflict with any local policies, ordinances or plans protecting biological resources, and no impact will occur.

V. CULTURAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

a-c) **No Impact** – A Cultural Resources Investigation was completed in 2005 by ASI for a previously withdrawn project. The report found no cultural resources that were eligible for the California Register, and the records search did not indicate any resources within a ¼ mile of the subject parcel. As described above, the Project site has been previously disturbed, and the proposed Project does not include any physical changes or ground disturbing activities. Therefore, no impact to historical, cultural, or archaeological resources would occur.

VI. ENERGY

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

a-b) **No Impact** – The proposed Project does not include any construction or physical changes which would result in an increased consumption of energy resources. Calaveras County has not adopted a local renewable energy or energy efficient plan. Therefore, Project operations would have no impacts.

VII. GEOLOGY AND SOILS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code	☐	☐	☐	☒

(1994), creating substantial direct or indirect risks to life or property?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | ☐ | ☐ | ☐ | ☒ |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☒ |

a-f) **No Impact** –There is no new development proposed with this application. Therefore, the Project would not expose people or structures to potential substantial adverse effects related to landslides or liquefaction and there is no new risk of harm to life or property sited on expansive soils. There are no known unique paleontological resources or sites or unique geologic features on or near the Project site. Therefore, no impact would occur.

VIII. GREENHOUSE GAS EMISSIONS

- | | <u>POTENTIALLY
SIGNIFICANT
IMPACT</u> | <u>LESS THAN
SIGNIFICANT
IMPACT WITH
MITIGATION</u> | <u>LESS THAN
SIGNIFICANT
IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|--------------------------|
| Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |

a-b) **Less than Significant Impact** – Auto emissions are the primary source of greenhouse gas (GHG) emissions in Calaveras County; however, the County has not adopted a plan or program to reduce GHG's so the proposed Project would not be in conflict with any such plan or program. Although the private equestrian facility would generate vehicular trips, the project's emissions would fall below the CCAPCD thresholds, and the impact is considered less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

- | | <u>POTENTIALLY
SIGNIFICANT
IMPACT</u> | <u>LESS THAN
SIGNIFICANT
IMPACT WITH
MITIGATION</u> | <u>LESS THAN
SIGNIFICANT
IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ |
| 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?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☒ | ☐ |

a-d) **No Impact** – According to the project application, the project is not expected to use or store hazardous materials on site. All applicable Federal, State, and County regulations will apply to all hazardous materials that may be used or stored on the Project site in the future. There are no existing or proposed schools within one quarter mile of the subject parcel. The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and as noted above, does not include the use or storage of hazardous materials on-site. Therefore, the project is anticipated to have no impact on creating a significant hazard to the public or the environment.

e) **No Impact** – The subject parcel is not within an airport land use plan or within 2 miles of a public airport or public use airport; therefore, no impact will occur.

f) **No Impact** – There is no adopted emergency response plan or emergency evacuation plan specifically involving the parcel in question. The proposed project does not impede any traffic or alter any roads. The proposed project has been reviewed by the Public Works Department. The existing private road and driveway will continue to serve the project and meets County Road Standards. There will be no impact to any adopted emergency response plan or emergency evacuation plan.

g) **Less than Significant Impact** – According to The California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP), this area of the county has a

moderate fire risk. The parcel is well maintained from a wildfire standpoint, with little vegetation due to previous disturbance. The Calaveras Consolidated Fire Protection District has reviewed the proposed Project, visited the site, and found the project appropriate as conditioned. The project will no expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts will occur.

X. HYDROLOGY AND WATER QUALITY

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
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:	☐	☐	☐	☒
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☐	☒
(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	☐	☐	☐	☒
(iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

a-e) **No Impact** – No construction is proposed with this application. Project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The Project does not propose any physical changes that would

introduce new impervious surfaces to a previously undeveloped area. Therefore, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. As the Project does not propose any physical changes, it would not result in any changes to existing topography or drainage patterns of the Project site or the surrounding areas. The Project site is not in a flood hazard, tsunami, or seiche zone. There is no water quality control plan or sustainable groundwater management plan for the area of the County in which the Project site is located. No impacts will occur.

XI. LAND USE AND PLANNING

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a-b) **No Impact** – The Project site is currently developed and is located in a residential area within the community of Burson, near the intersection of State Route 12 and Burson Road which contains a few commercial businesses. The General Plan land use designation of the parcel is Working Lands and is zoned Rural Residential. The proposed uses would be consistent with the approval of the CUP. Permitting a previously existing private equestrian facility will not create a barrier that would physically divide a community. Following approval of the use permit, the Project would have no impact related to conflicting with applicable land use plans, policies, regulations, or surrounding uses.

XII. MINERAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a-b) **No Impact** –The Project site is not located within the County’s Mineral Resource Overlay, nor is the Project site designated as Resource Production (RP) or Working Lands (WL), which are land use designations for areas within the County known to contain mineral resources. The Project site is not

within or adjacent to any active mining operations. The Project would not result in any physical changes. Thus, the Project would not result in the loss of availability of any known mineral resources of value to the region or result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

XIII. NOISE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project result in:				
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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
a) Less than Significant Impact – Certain land uses are particularly sensitive to noise and vibration. In general, these uses include residences, schools, hospital facilities, houses of worship, and open space/recreation areas where quiet environments are necessary for the enjoyment, public health, and safety of the community. As the Project would not result in any physical changes, no construction related noise impacts will occur.				

Pursuant to Chapter 9.02 Noise Control in County Code, the normally acceptable standards of outdoor noise levels for residential land use types are 60 dB and 70 dB for commercial land use types. The project site has historically been used as a horse boarding and riding facility (although it is currently unpermitted). The project will not increase the noise levels from what currently is existing. The proposed project will include occasional events throughout the year such as birthday parties. Therefore, the daily operation of the horse boarding facility is not expected to generate ambient noise levels inconsistent with the surrounding agricultural and residential area. No outdoor amplified music is being proposed as part of the project. A condition of approval will be made part of the CUP prohibiting amplified outdoor music.

The parcel is approximately 500 feet to the north of State Route 12, which according to the Noise Element of the County’s General Plan, has a noise contour of 66-70 Community Noise Equivalent Level (nearly the same as Ldn day-night average sound level). The parcel also has some agricultural activities occurring on-site, which can also be a source of noise. The County recognizes that noise

may be produced from normal agricultural operations but establishes, through its right to farm ordinance, that adjacent land uses should be prepared to accept such noise as a natural result of living in or near agricultural lands. The Project would be required to comply with the County’s noise standards enumerated in the County Noise Ordinance, which provides exterior noise level standards which may not be exceeded. The CUP process would allow the public an opportunity to voice concerns about potential noise impacts and would allow the County to impose conditions of approval to reduce potential noise impacts.

b-c) **No Impact** – Given that the Project would not introduce new sources of on- or off-site noise or vibration and would comply with all noise requirements, the Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the County General Plan or Noise Ordinance. Furthermore, the Project would not generate excessive groundborne vibration or groundborne noise levels. The Project site is not located within the vicinity of a private airstrip or an airport land use plan or within two miles of a public airport or public use airport.

XIV. POPULATION AND HOUSING

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a-b) **No Impact** – The project site includes an existing residence that is occupied by the property owners. The establishment of a private equestrian facility is not expected to induce permanent population growth directly or indirectly through extension of roads or other infrastructure since the improvements are existing and most people who utilize or would utilize the business (e.g.: husbandry and riding lessons) reside locally. Moreover, the project does not propose any new services that would induce substantial population growth or displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. No impacts would occur.

XV. PUBLIC SERVICES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Less than Significant Impact – Fire protection and emergency medical response services for the project vicinity are provided by the Calaveras Consolidated Fire Protection District (CCFPD). The project was referred to the CCFPD for comments regarding compliance with applicable provisions of the California Fire Code pertaining to emergency access, fire suppression systems, and fire detection/warning systems. The project will be required to comply with all of the requirements set forth by the CCFPD.

The Project was also circulated to the Sheriff’s Department and no comments were provided either in writing or verbally regarding the proposed Project significantly altering response times or other performance objectives. The Project does not propose new residential, or employment-generating uses that would induce substantial population growth and would not result in impacts to fire or police protection services resulting in the need for new or physically altered facilities. Thus, the Project would not require the need for new or physically altered fire or police station facilities in order to maintain acceptable service ratios, response times or other performance objectives. These entities currently provide services to the Burson area without difficulty.

The Project does not propose any physical changes and would not induce population growth within the County that would potentially result in a significant increase in the use of existing schools, parks, or other public facilities within the area. The Project would not involve the construction of new schools, parks, or other public facilities, nor would it result in the need for new or physically altered schools, parks, or other public facilities.

XVI. RECREATION

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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?	☐	☐	☐	☒

- 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? ☐ ☐ ☐ ☒

a-b) **No Impact** –The project would not warrant the need for a new park, or substantially accelerate the deterioration of any existing parks or other recreational facilities because the project would not increase the housing stock (population) in the County. No impact would occur.

XVII. TRANSPORTATION

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

a) **Less than Significant Impact** – The proposed Project would not generate additional bicycle or pedestrian traffic, and there are no bicycle or pedestrian facilities adjacent to the Project site. The Project would not conflict with any plans, ordinances, or policies addressing the circulation system. Under the proposed Project conditions, the number of vehicles entering and existing the subject parcel would consist of a maximum of 4 vehicles trips, 3 days per week from the volunteers/employees and teenaged clients, as most of the teenaged clients arrive by school bus. The Public Works Department did not have concerns or comments relative to potential circulation impacts as a result of Project implementation.

b) **Less than Significant Impact** – Although the Calaveras County Council of Governments (CCOG) previously prepared SB 743 vehicle miles traveled (VMT) implementation guidelines, no CEQA thresholds have been adopted at this time. The Governor’s Office of Planning and Research and the California Natural Resources Agency has certified and adopted changes to the CEQA Guidelines that identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project’s transportation impacts. The Technical Advisory on Evaluating Transportation Impacts in CEQA, states that “absent substantial evidence indicating that a project would generate a potentially significant level of VMT, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact.” As this Project would entail the operation of

a similar commercial use, it would not result in a significant change to the current vehicle miles traveled attributable to the current use, and therefore, would have a less than significant impact to transportation.

- c)
Less than Significant Impact
– The subject parcel takes access via Patriot Way from State Route 12. Patriot Way is an unpaved, private gravel road, which is a dedicated easement for access to the two residential parcels to the north. Caltrans requested additional information regarding the size of the vehicle transporting horses in and out of the subject parcel, as well as an off-tracking analysis and trip generation of said vehicles. The applicant uses a 2500 HD Chevy pickup truck (19 feet long) with a 3-horse trailer (23 feet long) once a week. The truck and trailer were determined to have the same tracking (the rear wheels of the trailer follow the same path as the front wheels of the truck while moving through a turn or a curve). The applicant also uses a 5-horse trailer, which is 38-feet long, approximately twice per month. This trailer will track the same as the truck as long as the applicant turns slowly, meaning that the tracking is similar. Caltrans had no additional comments or concerns regarding trip generation and off-tracking vehicles; however, they are requiring installation of a limit line and stop sign at the existing encroachment of Patriot Way with SR 12 which will be made a condition of approval.
- d)
Less than Significant Impact
– As stated in Section XV, Public Services, the project will be required to comply with all of the requirements set forth by the CCFPD, and therefore, the project’s potential impacts on the Fire District’s ability to provide fire protection services would be less than significant. Thus, the Project would not result in inadequate emergency access. No objection was provided either written or verbal from the Sheriff’s Office regarding the proposed Project significantly altering response times or other performance objectives.

XVIII. TRIBAL CULTURAL
RESOURCES

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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:				
a) 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	☐	☐	☐	☒
b) 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 Resources Code Section 5024.1, the lead agency shall	☐	☐	☐	☒

consider the significance of the resource to a California Native American tribe.

a-b) **No Impact** – As discussed in Section V, Cultural Resources, there are no known cultural or archaeological resources or dedicated cemeteries on the Project site. The Project site has been developed with a single-family residence, several storage sheds, multiple fenced horse pastures, and one larger arena. The Project does not include any physical changes or ground disturbing activities. Therefore, no impact to tribal cultural resources would occur. As part of the processing of the project application, County staff-initiated consultation with tribes that have requested formal notification of proposed projects within their geographic area of traditional and cultural affiliation per AB 52 Notification Request, Public Resources Code Section 21080.3(b). The Calaveras Band of Miwok Indians, California Valley Miwok Tribe, Lone Band of Miwok Indians, Buena Vista Rancheria, and Washoe Tribe of Nevada and California, have been notified of this project. The California Valley Miwok Tribe responded to the notification and had no comments or concerns with the Project. No responses were received from any of the other tribes, and the time to respond has expired.

XIX. UTILITIES AND SERVICE SYSTEMS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

a-e) **No Impact** – The subject property is not served by public water or by public sewer and instead relies on well water and an on-site wastewater system. A portable restroom unit is on-site and used by clients. Since well water and septic service is already available, and based on the project’s size and scope, the project would not require or result in the relocation or construction of new or expanded water or wastewater treatment facilities. In addition, the project will not require construction of new off-site electric power, natural gas, or telecommunication facilities. Nor would it generate demand for utilities requiring the relocation or construction of new or expanded facilities. Thus, no impact to water supplies or wastewater treatment capacity would occur as a result of the proposed Project.

Project operation would involve the routine disposal of horse manure. The applicant will be required to implement Mitigation Measure AQ-1 which requires a Final Waste Management Plan. Pursuant to the project applicant, the horse pastures are cleaned 7 days a week and the manure is subsequently stored on the north side of the property, away from the locations of visiting people. Weekly, the manure is turned to initiate and maintain the natural composting process and is subsequently used as an all-natural soil amendment on the subject property. The applicant plans to store all manure on-site as there is adequate space for composting of the manure. The project is not expected to be a source of significant additional solid-waste generation that would impact any landfills that serve the area.

XX. WILDFIRE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a-d) **No Impact** – The Calaveras County Emergency Operations Plan (EOP) outlines the functions, responsibilities, and regional risk assessments of Calaveras County for large scale emergencies such as wildland fires, hazardous materials incidents, flooding, and dam failure. The EOP addresses the planned response to extraordinary emergency situations and establishes a flexible, all hazards, emergency management organization required to facilitate the response to, and provide for short term recovery activities related to any significant emergency or disaster affecting Calaveras County. The EOP tasks the Calaveras County Sheriff’s Department with authority and responsibility for evacuation and movement of citizens in times of crisis, including the identification of evacuation routes (Calaveras County, 2019).

The Project does not propose activities that would substantially impair an adopted emergency response plan or emergency evacuation plan. All roads in the area would remain open. The project site is located on private property with adequate access to county roads. The project will not interfere with adjacent roadways that may be used for emergency response or evacuation. The project will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out. The Project would not require the installation or maintenance of new infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. The Project would not 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. No impact would occur in this regard.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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?	☐	☐	☒	☐
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)?	☐	☐	☐	☒

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐☒☐☐

- a) **Less than Significant Impact** – As the subject parcel is already developed with the equestrian facility, with fenced pastures and an arena; therefore, Project operation would not change the condition of the Project site with respect to biological resources or habitat types. As all structures are existing and the fact that the subject parcel is already disturbed, it is unlikely that special-status species and/or federally- or State-protected birds could be occupying the site. In addition, no ground-disturbing activities would occur with the potential to unearth deposits of cultural significance. As discussed throughout this Initial Study, the Project does not have the potential to substantially degrade the quality of the environmental or result in significant environmental impacts that cannot be reduced to a less than significant level with compliance with the established regulatory framework and/or implementation of standard conditions. Therefore, the Project would have less than significant impacts related to degradation of the quality of the environment, reduction of habitat, threatened species, and/or California’s history or prehistory.
- b) **No Impact** – Based on the analysis contained in this Initial Study, the proposed Project would not have cumulatively considerable impacts with compliance with the established regulatory framework and/or implementation of standard conditions. Implementation of standard conditions at the Project-level would reduce the potential for the incremental effects of the proposed Project to be considerable when viewed in connection with the effects of past projects, current projects, or probable future projects. As such, the Project’s incremental contribution towards cumulative impacts would not be considered significant.
- c) **Less than Significant Impact with Mitigation** –Previous sections of this Initial Study reviewed the proposed Project’s potential impacts to human beings related to several environmental significance criteria. As determined throughout this Initial Study, the proposed Project would not result in any potentially significant impacts that cannot be reduced to less than significant levels with compliance with the Mitigation Measures, established regulatory framework and/or implementation of standard conditions. The Project is subject to a land use permit that includes a public hearing process that ensures that any concerns regarding a project are vetted and addressed, prior to approval or denial of a project. The Project will be conditioned to reduce any off-site effects on humans and will be required to obtain the necessary approvals from the appropriate agencies (i.e. Fire, Environmental Health, Public Works, etc.)

REFERENCES

1. Calaveras County General Plan, November 12, 2019.
2. Calaveras County Municipal Code (previous not current).
3. Calaveras County Air Quality Management District, *Best Management Practices*, 2004.
4. Calaveras County, Office of Emergency Services, *Emergency Operations Plan*, September 2019.
5. Calaveras County Planning Department. Land Use Application completed by Lynette and Jeremy Smith-Covey, dated February 29, 2024.
6. California Department of Transportation. California Scenic Highway Mapping System.
<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>
7. California Department of Forestry. *Fire Hazard Severity Zones in State Responsibility Areas*. Adopted by CAL FIRE on November 7, 2007.
8. California Geological Survey (CGS), *Earthquake Zones of Required Investigation*,
<https://maps.conservation.ca.gov/cgs/EQZApp/app/>
9. California Department of Toxic Substances Control (DTSC), *EnviroStor Hazardous Waste and Substances Site List (Cortese)*,
https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29