Initial Study/Mitigated Negative Declaration

Stanislaus Regional Housing Authority

DRAFT

Lead Agency:
Tuolumne County
Community Development Department
48 Yaney Avenue
Sonora, California 95370
209-533-5633
www.tuolumnecounty.ca.gov

Owner/Applicant:
Stanislaus Regional Housing Authority

November 8, 2024

INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study/Proposed Mitigated Negative Declaration (IS/Proposed MND) has been prepared by Tuolumne County to evaluate potential environmental effects resulting from the General Plan Amendment to HDR, Zone Change to R-3, and Site Development Permit to allow the development of residential units.

This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the *State CEQA Guidelines* (California Code of Regulations Section 15000 et seq.). An initial study is prepared by a lead agency to determine if a project may have a significant effect on the environment (*State CEQA Guidelines* Section 15063[a]), and thus to determine the appropriate environmental document. In accordance with State CEQA Guidelines Section 15070, a "public agency shall prepare…a proposed negative declaration or mitigated negative declaration…when: (a) The Initial Study shows that there is no substantial evidence…that the project may have a significant impact on the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the project plans or proposal are agreed to by the applicant and such revisions would reduce potentially significant effects to a less-than-significant level." In this circumstance, the lead agency prepares a written statement describing its reasons for concluding that the project would not have a significant effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). By contrast, an EIR is required when the project may have a significant environmental impact that cannot clearly be reduced to a less-than-significant effect by adoption of mitigation or by revisions in the project design.

As described in the environmental checklist (Section 2), the project would not result in any unmitigated significant environmental impacts. Therefore, an IS/Proposed MND is the appropriate document for compliance with the requirements of CEQA. This IS/Proposed MND conforms to these requirements and to the content requirements of *State CEQA Guidelines* Section 15071.

PUBLIC REVIEW REQUIREMENTS

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the project. Tuolumne County is the CEQA lead agency. The purpose of this document is to present information to decision-makers and the public about the environmental consequences of implementing the project. This disclosure document is being made available to the public for review and comment. This IS/Proposed MND will be available for a 30-day public review period from November 12, 2024, to December 13, 2024.

Supporting documentation referenced in this document is available for review at:
Tuolumne County Community Development Department
48 Yaney Avenue, Sonora, CA 95370

Comments must be postmarked by December 9, 2024, and should be addressed to:
Natalie Rizzi, Senior Planner
Tuolumne County Community Development Department
2 South Green Street, CA 95370
nrizzi@co.tuolumne.ca.us

After comments are received from the public and reviewing agencies, the Tuolumne County Board of Supervisors may (1) certify the MND and approve the project; (2) require additional environmental analysis; or (3) disapprove the project. If the project is approved, the applicant may proceed with the project.

PROJECT INFORMATION

DATE: November 8, 2024

SURFACE/MINERAL RIGHTS OWNERs Stanislaus County Housing Authority

APPLICANT: Stanislaus Regional Housing Authority

PROJECT DESCRIPTION: LUNR-24-2 for the following:

1. Resolution for a General Plan Amendment to amend the General Plan land use designation of the 4.3± acre site from Public (P) and Estate Residential (ER) to High Density Residential (HDR).

2. Ordinance for a Zone Change to rezone the 4.3± acre site from R-1 (Single Family Residential) and RE-2 (Residential Estate, Two Acre Minimum) to R-3 (Multiple Family Residential) under Title 17 of the Tuolumne County Ordinance Code.

3. Site Development Permit to allow the development of an apartment complex, consisting of 56 residential units and associated amenities.

4. Exhibit map T-24-22 to allow for the vacation of public utility easements and merger of six parcels totaling 4.3± acres.

5. Approval of the Mitigative Negative Declaration for a General Plan Amendment, Zone Change and Site Development Permit.

LOCATION: The project site consists of six parcels totaling 4.3± acres located at 14562 Peaceful Valley Road, approximately 2,200 feet northwest of the intersection of Peaceful Valley Road and Mono Way. Located within a portion of Section 33, Township 2 North, Range 15 East, Mount Diablo Baseline and Meridian and within Supervisorial District 1.

SITE DESCRIPTION: The project site consists of six parcels totaling 4.3± acres located at 14562 Peaceful Valley Road in East Sonora, approximately 2,200 feet northwest of the intersection of Peaceful Valley Road and Mono Way. The site is located adjacent to a cul-de-sac along Peaceful Valley Road. Highway 108 bounds the north side of the project site and Peaceful Valley Road bounds the southern side of the project site. Assessor's Parcel Number 045-220-023 was originally developed with a primary single-family dwelling, Accessory Dwelling Unit, garage, carport, and water well, all of which were approved for demolition under Demolition Review Permit D21-005. The structures are still currently on the site.

Assessor's Parcel Numbers 045-220-022 and 045-220-020 were dedicated as Road and Public Utility Easements under the County jurisdiction. The applicant has submitted Exhibit Map T-24-22 to vacate the easements and merge all the parcels to consist of one 4.3-acre parcel.

The project site is located within the area that is subject to the East Sonora Community Plan, found in Volume III of the 2018 Tuolumne County General Plan. The

project is therefore required to comply with the East Sonora Design Guidelines.

DETAILED PROJECT DESCRIPTION:

The project consists of the development of 56 residential apartment units and associated amenities, including a community room, community kitchen, maintenance room, laundry facilities, and playgrounds. There would be 20 three-bedroom units, 15 two-bedroom units, 18 one-bedroom units, and 3 studio units. The units and community space would be spread between four separate buildings.

There would be on site parking lots as well as on-street parking along Peaceful Valley Road. The on-site parking would include solar carport structures. A total of 91 parking spaces would be provided.

The project would be served via public water and sewer provided by the Tuolumne Utilities District (TUD).

The project also includes a General Plan Amendment to HDR and a Zone Change to R-3 to allow for the multi-family use. The proposed General Plan Amendment would be as follows:

APN	Size (Acres)	Current General Plan Designation	Proposed General Plan Designation	Current Zoning Designation	Proposed Zoning Designation
045-220-023	3.62	ER & P	HDR	RE-2	R-3
045-220-022	0.15	None	HDR	None	R-3
045-220-021	0.43	ER & P	HDR	RE-2	R-3
045-220-019	0.08	P	HDR	R-1	R-3
045-220-018	0.03	P	HDR	R-1	R-3
045-220-020	0.31	None	HDR	None	R-3

The parcels would be merged via an application with the Tuolumne County Surveyors Office, Exhibit Map T-24-22. The Exhibit Map also includes the easement vacation request for APNs 045-220-022 and 045-220-020.

The applicant would be required to improve Peaceful Valley Road to current Title 11 standards as part of the project, which would include widening and providing a paved shoulder. The applicant would also be required to provide sidewalks along the project site's frontage.

Other Agency Approvals:

In addition to County review and approval, the project would require permit issuance approvals from other agencies. These agencies would serve as responsible and trustee agencies pursuant to *CEQA Guidelines* Section 15381 and Section 15386, respectively. This document provides the necessary environmental information for discretionary actions by these agencies.

- California Department of Fish and Wildlife (CDFW) –Reviews/approves project for compliance with applicable rules and regulation, specifically impacts to sensitive plant, animal, and wetland/riparian habitat. Collects CDFW filing fee for review of project environmental document.

- US Fish and Wildlife Service – Reviews/approves applicable rules and regulation, specifically impacts to sensitive plant, animal, and wetland/riparian habitat. The authority to contact regarding buffer protection zones for elderberry shrubs.
- Native American Heritage Commission
- State Water Resources Control Board
- Tuolumne County—for encroachment permits, grading permits, and building permits.

Consultation Pursuant to Public Resources Code Section 21080.3.1:

In accordance with Senate Bill 52, formal consultation letters were sent to the contacts for the Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians Tribes. AB 52 consultation letters we sent via certified mail on April 18, 2022. Additionally, since the project includes a General Plan Amendment, consultation letters required under SB 18 were sent out to Tribes on May 9, 2024 to the Tribal Contact list provided by the Native American Heritage Commission. SB 18 letters were sent via certified mail and email. The Tuolumne Band of Me-Wuk Indians provided a response on April 24, 2024 and the Chicken Ranch Rancheria of Me-Wuk Indians responded and requested consultation on May 9, 2024. County Staff met with the Chicken Ranch Rancheria Cultural Manager on September 5, 2024. Details regarding the responses and request for consultation are discussed in the “Cultural Resources” and “Tribal Cultural Resources” Sections below in this report.

FIGURE 1 – PROJECT SITE

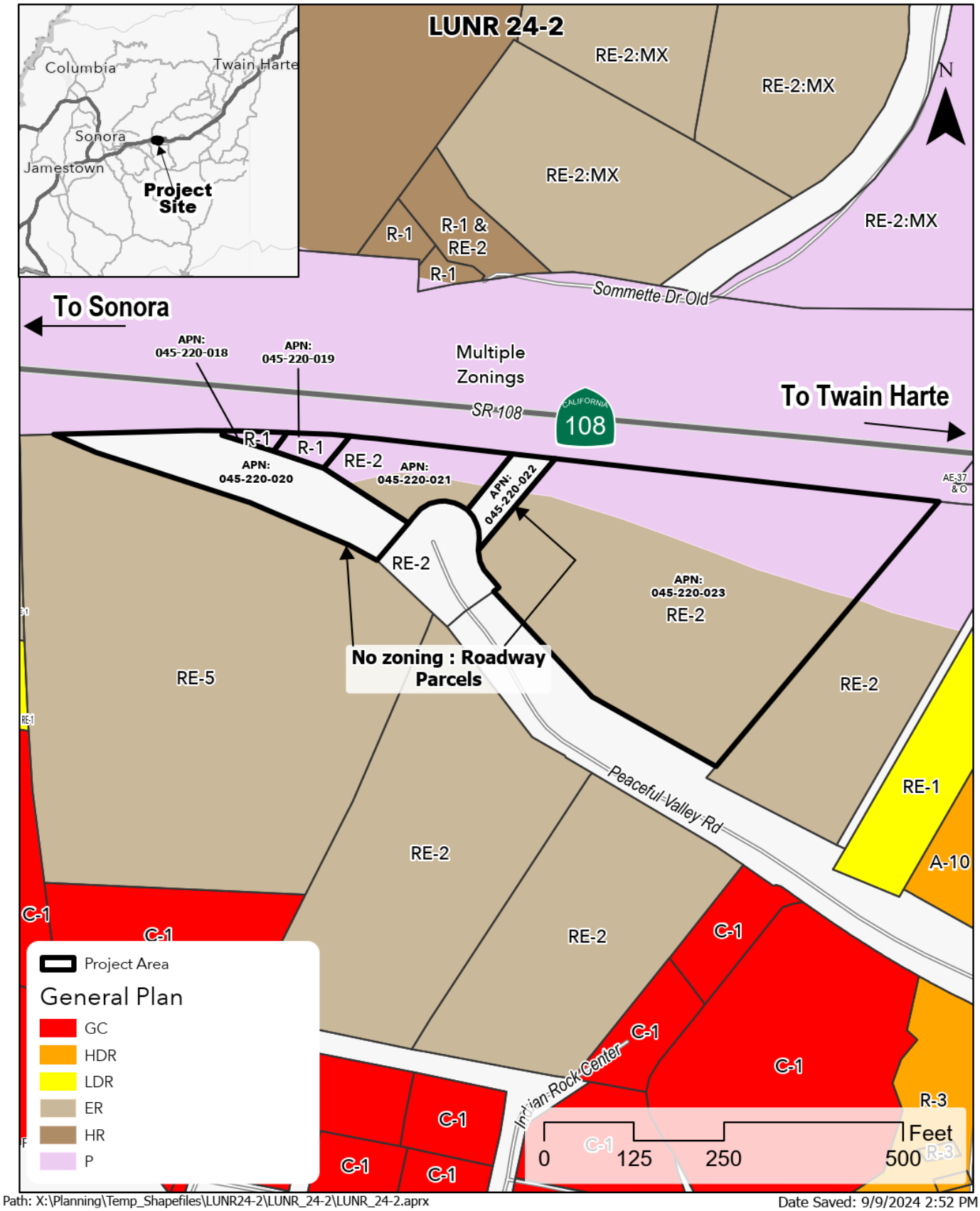

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FIGURE 2 – PROJECT SITE PLAN

PROJECT SUMMARY:

PARKING	
• ON SITE SURFACE LOTS:	76
• OFF SITE PARALLEL PARKING:	15
TOTAL PARKING :	91
UNITS	
• 3 BEDROOM UNITS:	20
• 2 BEDROOM UNITS:	15
• 1 BEDROOM UNITS:	18
• STUDIOS:	3
TOTAL DWELLING UNITS:	56
SITE	
• SITE AREA:	4.362 ACRES
• DENSITY RATIO:	13-14 UNITS/ ACRE

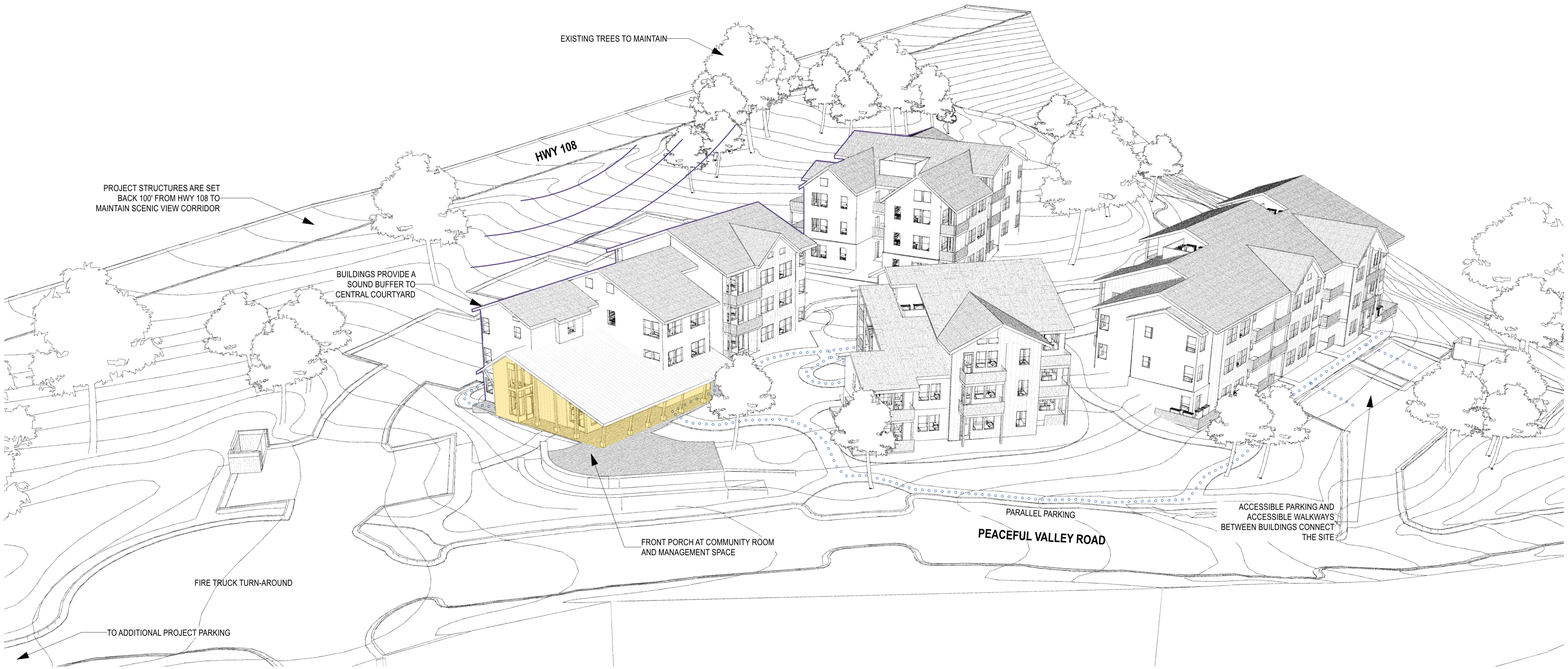
SITE PLAN LEGEND:

- EXISTING TREE TO REMAIN
- DENSE UNDERBRUSH - AREA NOT SURVEYED
- ACCESSIBLE UNITS AT GROUND LEVEL
- COMMON SPACE

SITE PLAN - SCALE 1" = 30'

VALLEY DALE FHA | Site Plan | 1-24-2024 | mogavero ARCHITECTS | A.3

FIGURE 3 – PROJECT PLAN



BIMcloud: bimcloud.mogaveroarchitects.com - BIMcloud/221023 - Valley Dale FHA- Printed: Tuesday, January 23, 2024; 4:33 PM

PROJECT DESCRIPTION:

The project is located at the end of Pleasant Valley Road in Tuolumne County on a wedge-shaped parcel bordered by HWY 108 to the north.

New construction for multifamily apartment buildings is comprised of 56 residential units, a community room, community kitchen, computer room, management offices, maintenance room, and laundry facilities. The apartments are a mix of studio units, one-bedroom units, two-bedrooms units, and three-bedrooms units.

The sloping topography of the site limits buildable area. However, the site design takes advantage of the terrain by incorporating stepped building foundations and placing each building at it's location with sloped walkways to connect them. The varying building heights invite residents from the low arrival point at the West end of the site through a central courtyard and up into the community.

The buildings encircle the central community courtyard that includes patios for barbequing, shade structures, and playgrounds for both small children and teenagers.

Numerous existing trees remain, though some have been removed due to poor health, fire danger, or impractibility. Landscape improvements include a limited amount of lawn area and planting of new water-efficient trees and shrubs.

Surface parking is provided offsite and onsite and includes solar carports.

DESIGN SHEETS

A.1	Cover	A.10	BLDG A Roof Plan
A.2	Survey	A.11	BLDG B Roof Plan
A.3	Site Plan	A.12	BLDG C Roof Plan
C.1	Preliminary Topography and Demolition Plan	A.13	BLDG D Roof Plan
C.2	Preliminary Calculated Site Plan	A.14	BLDG A - Elevations
C.3	Preliminary Grading and Drainage Plan	A.15	BLDG B - Elevations
C.4	Preliminary Composite Utility Plan	A.16	BLDG C - Elevations
L0.1	Landscape Planting Plan	A.17	BLDG D - Elevations
A.4	Fire Access Site Plan	A.18	Rendering
A.5	BLDG A - Ground Floor Plan	A.19	Rendering
A.6	BLDG A - Typical Upper Floor Plan	A.20	Color & Material Board
A.7	BLDG B - Floor Plans		
A.8	BLDG C - Floor Plans		
A.9	BLDG D - Floor Plans		

VALLEY DALE FHA | Cover | 1-24-2024 | mogavero ARCHITECTS | A.1

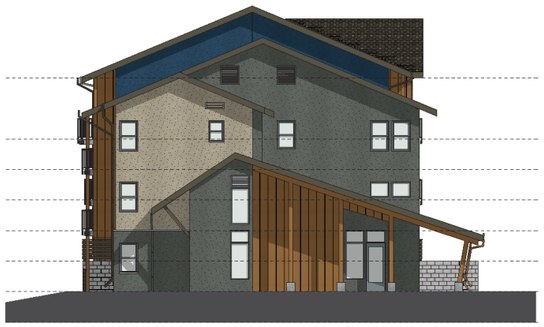
FIGURE 4- VISUAL SIMULATIONS

VIEW FROM PEACEFUL VALLEY ROAD

VALLEY DALE FHA | Rendering | 1-24-2024 | mogavero ARCHITECTS | A.18

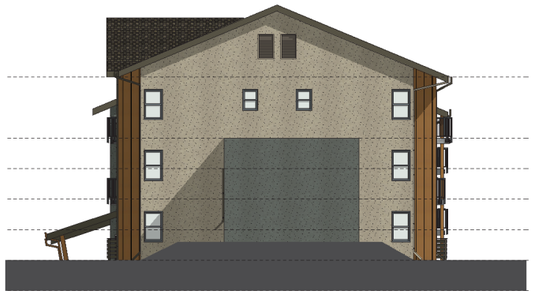
VIEW FROM HIGHWAY 108

FIGURE 5 – ELEVATION



BLDG A WEST ELEVATION - SCALE 1/8" = 1'-0"

BLDG A NORTH ELEVATION - SCALE 1/8" = 1'-0"



BLDG A EAST ELEVATION - SCALE 1/8" = 1'-0"

BLDG A SOUTH ELEVATION - SCALE 1/8" = 1'-0"

DUNN-EDWARDS DE5452

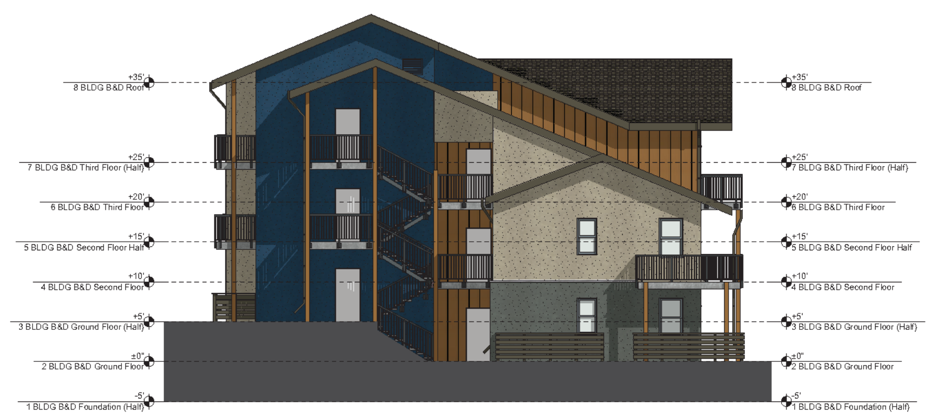
DUNN-EDWARDS DE6114

DUNN-EDWARDS DET622

DUNN-EDWARDS DET554

COLOR SCHEME

VALLEY DALE FHA | BLDG A - Elevations | 1-24-2024 | mogavero ARCHITECTS | A.14



BLDG B WEST ELEVATION - SCALE 1/8" = 1'-0"

BLDG B NORTH ELEVATION - SCALE 1/8" = 1'-0"

BLDG B EAST ELEVATION - SCALE 1/8" = 1'-0"

BLDG B SOUTH ELEVATION - SCALE 1/8" = 1'-0"

DUNN-EDWARDS DE5452

DUNN-EDWARDS DE6114

DUNN-EDWARDS DET622

DUNN-EDWARDS DET554

COLOR SCHEME

VALLEY DALE FHA | BLDG B - Elevations | 1-24-2024 | mogavero ARCHITECTS | A.15

■ BLDG C EAST ELEVATION - SCALE 1/8" = 1'-0"

■ BLDG C NORTH ELEVATION - SCALE 1/8" = 1'-0"

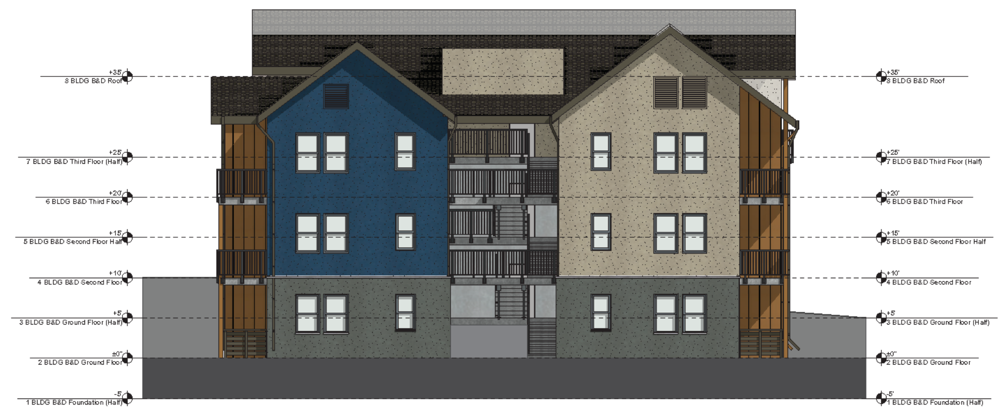
■ BLDG C WEST ELEVATION - SCALE 1/8" = 1'-0"

■ BLDG C SOUTH ELEVATION - SCALE 1/8" = 1'-0"

DUNN-EDWARDS DE5452 | DUNN-EDWARDS DE6114 | DUNN-EDWARDS DET622 | DUNN-EDWARDS DET554

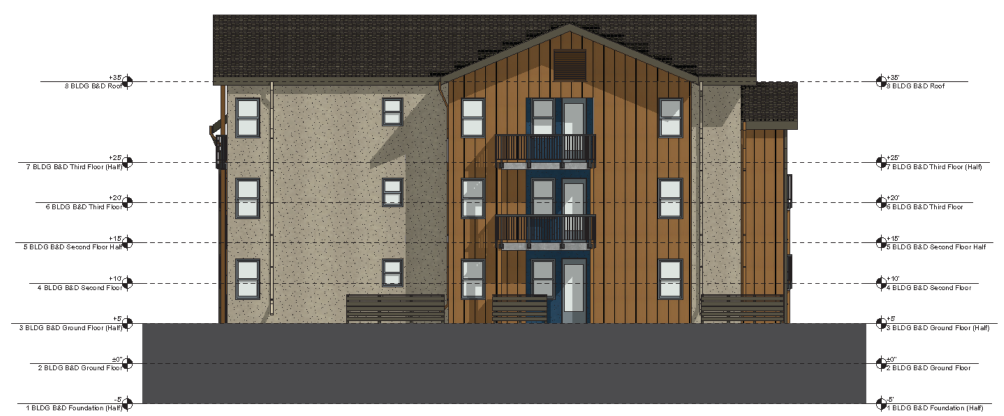
■ COLOR SCHEME

■ VALLEY DALE FHA | BLDG C - Elevations | 1-24-2024 | mogavero ARCHITECTS | A.16



BLDG D WEST ELEVATION - SCALE 1/8" = 1'-0"

BLDG D NORTH ELEVATION - SCALE 1/8" = 1'-0"



BLDG D EAST ELEVATION - SCALE 1/8" = 1'-0"

BLDG D SOUTH ELEVATION - SCALE 1/8" = 1'-0"

DUNN-EDWARDS DE5452

DUNN-EDWARDS DE6114

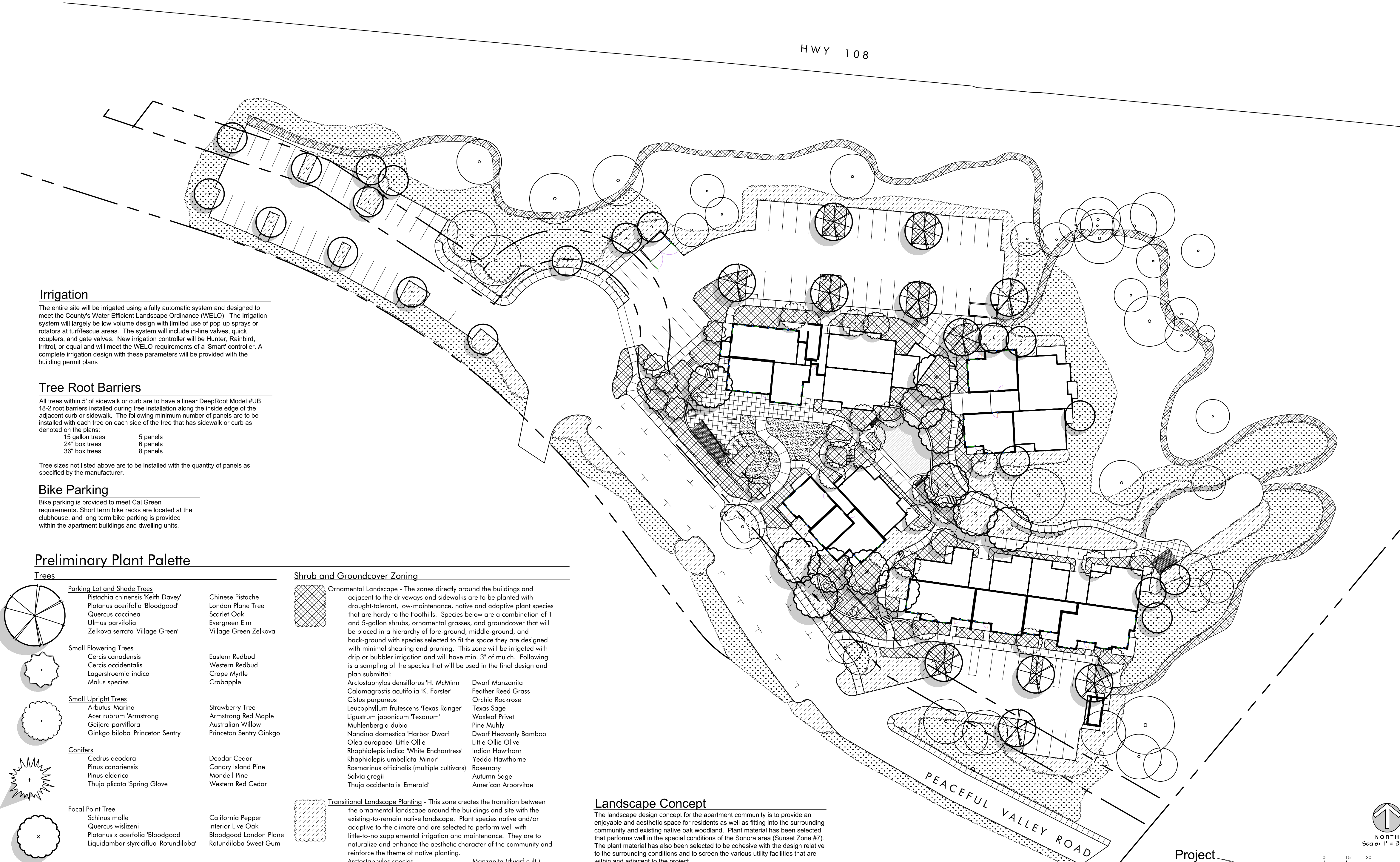
DUNN-EDWARDS DET622

DUNN-EDWARDS DET554

COLOR SCHEME

VALLEY DALE FHA | BLDG D - Elevations | 1-24-2024 | mogavero ARCHITECTS | A.17

FIGURE 6 – PRELIMINARY LANDSCAPING PLAN



Irrigation

The entire site will be irrigated using a fully automatic system and designed to meet the County's Water Efficient Landscape Ordinance (WELO). The irrigation system will largely be low-volume design with limited use of pop-up sprays or rotators at turf/fescue areas. The system will include in-line valves, quick couplers, and gate valves. New irrigation controller will be Hunter, Rainbird, Irritrol, or equal and will meet the WELO requirements of a 'Smart' controller. A complete irrigation design with these parameters will be provided with the building permit plans.

Tree Root Barriers

All trees within 5' of sidewalk or curb are to have a linear DeepRoot Model #UB 18-2 root barriers installed during tree installation along the inside edge of the adjacent curb or sidewalk. The following minimum number of panels are to be installed with each tree on each side of the tree that has sidewalk or curb as denoted on the plans:

15 gallon trees	5 panels
24" box trees	6 panels
36" box trees	8 panels

Tree sizes not listed above are to be installed with the quantity of panels as specified by the manufacturer.

Bike Parking

Bike parking is provided to meet Cal Green requirements. Short term bike racks are located at the clubhouse, and long term bike parking is provided within the apartment buildings and dwelling units.

Preliminary Plant Palette

Trees

Parking Lot and Shade Trees

Pistachia chinensis 'Keith Davey'	Chinese Pistache
Platanus acerifolia 'Bloodgood'	London Plane Tree
Quercus coccinea	Scarlet Oak
Ulmus parvifolia	Evergreen Elm
Zelkova serrata 'Village Green'	Village Green Zelkova

Small Flowering Trees

Cercis canadensis	Eastern Redbud
Cercis occidentalis	Western Redbud
Lagerstroemia indica	Crape Myrtle
Malus species	Crabapple

Small Upright Trees

Arbutus 'Marina'	Strawberry Tree
Acer rubrum 'Armstrong'	Armstrong Red Maple
Geijera parviflora	Australian Willow
Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo

Conifers

Cedrus deodara	Deodar Cedar
Pinus canariensis	Canary Island Pine
Pinus eldarica	Mondell Pine
Thuja plicata 'Spring Glove'	Western Red Cedar

Focal Point Tree

Schinus molle	California Pepper
Quercus wislizeni	Interior Live Oak
Platanus x acerfolia 'Bloodgood'	Bloodgood London Plane
Liquidambar styraciflua 'Rotundiloba'	Rotundiloba Sweet Gum

Perimeter Screen and Shade Trees

Laurus nobilis 'Saratoga'	Saratoga Laurel
Nyssa sylvatica	Black Gum
Magnolia grandiflora 'Samuel Sommer'	Southern Magnolia
Quercus ilex	Holly Oak

This plan represents the design style and theme of the landscape design and planting. These plans are preliminary and may change through the design process. The final planting plan may not contain all of the above plants in the sizes as shown. Additionally some new plant species may be used in the final design. This plan does however indicate the overall level of landscape development that will be carried through with the final design.

Final landscape design shall meet Tuolumne County codes and requirements as well as Project Specific Conditions of Approval. Final design is subject to approval through the building permit review process.

Shrub and Groundcover Zoning

Ornamental Landscape - The zones directly around the buildings and adjacent to the driveways and sidewalks are to be planted with drought-tolerant, low-maintenance, native and adaptive plant species that are hardy to the Foothills. Species below are a combination of 1 and 5-gallon shrubs, ornamental grasses, and groundcover that will be placed in a hierarchy of fore-ground, middle-ground, and back-ground with species selected to fit the space they are designed with minimal shearing and pruning. This zone will be irrigated with drip or bubbler irrigation and will have min. 3" of mulch. Following is a sampling of the species that will be used in the final design and plan submittal:

Arctostaphylos densiflorus 'H. McMinn'	Dwarf Manzanita
Calamagrostis acutifolia 'K. Forster'	Feather Reed Grass
Cistus purpureus	Orchid Rockrose
Leucophyllum frutescens 'Texas Ranger'	Texas Sage
Ligustrum japonicum 'Texanum'	Waxleaf Privet
Muhlenbergia dubia	Pine Muhly
Nandina domestica 'Harbor Dwarf'	Dwarf Heavanly Bamboo
Olea europaea 'Little Ollie'	Little Ollie Olive
Rhaphiolepis indica 'White Enchantress'	Indian Hawthorn
Rhaphiolepis umbellata 'Minor'	Yeddo Hawthorne
Rosmarinus officinalis (multiple cultivars)	Rosemary
Salvia gregii	Autumn Sage
Thuja occidentalis 'Emerald'	American Arborvitae

Transitional Landscape Planting - This zone creates the transition between the ornamental landscape around the buildings and site with the existing-to-remain native landscape. Plant species native and/or adaptive to the climate and are selected to perform well with little-to-no supplemental irrigation and maintenance. They are to naturalize and enhance the aesthetic character of the community and reinforce the theme of native planting.

Arctostaphylos species	Manzanita (dwarf cult.)
Baccharis pilularis 'cultivars'	Dwarf Coyote Brush
Berberis species	Barberry
Carpenteria californica	Bush Anenome
Ceanothus thyrsiflorus 'Skylark'	California Lilac
Heteromeles arbutifolia	Toyon
Muhlenbergia rigens	Deer Grass
Rhamnus californica	Coffeeberry

Existing-To-Remain Native Planting - This zone consists of the existing native landscape that is to predominately remain as is with no changes. Dead wood, over-grown, and otherwise poor performing plants may be trimmed and/or 'cleaned up' for aesthetic and safety reasons. All riparion and wetland zones are to remain untouched, and existing habitat is to remain predominately as is. Any new planting in this zone will be limited to hydroseeding native grasses and wildflowers, but the intent is for these areas to remain un-touched during construction. This is a non-irrigated zone.

Lawn - Sodded lawn with pop-up spray irrigation designed to meet County and WELO requirements.

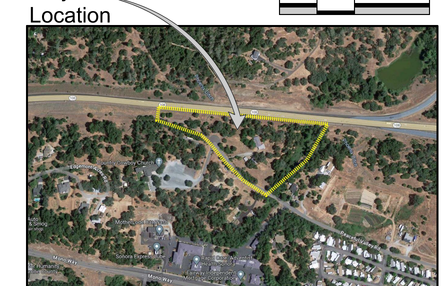
Landscape Concept

The landscape design concept for the apartment community is to provide an enjoyable and aesthetic space for residents as well as fitting into the surrounding community and existing native oak woodland. Plant material has been selected that performs well in the special conditions of the Sonora area (Sunset Zone #7). The plant material has also been selected to be cohesive with the design relative to the surrounding conditions and to screen the various utility facilities that are within and adjacent to the project.

Landscape includes a minimal amount of lawn that has been placed to maximize recreational use by the residents directly adjacent to the Community Building. Drought tolerant hardy shrubs and groundcover are proposed for the perimeter of the landscape, and low to medium water use shrubs around buildings and at high profile areas.

Special considerations have been provided in selecting plant material that respects the needs of the residents. Clear and secure view corridors have been provided to ensure the safety of residents entering the building as well as moving through the parking lot and site. Shade tree coverage throughout the parking lot has been provided to mitigate heat gain.

Project Location



Vicinity Map

Not to scale

KLA
LANDSCAPE ARCHITECTURE PLANNING

www.kla-ca.com

151 N. Norlin St., Sonora, CA 95370
(209)532-2856

LICENSED LANDSCAPE ARCHITECT
THOMAS W. HOLLOWAY #3589
Signature
10-31-24
Renewal Date
Date
STATE OF CALIFORNIA

Revisions

Date	By
Modification	

Valley Dale
Sonora, CA

Mogavero Architects
1331 T Street
Sacramento, CA 95811
(916)764-2746

The original size of this drawing is 24" x 36". If the plan is a different size than 24x36 do not scale off of the drawing.

Preliminary Landscape Plan

Scale: 1" = 30'-0"
Date: January 12, 2024
Drawn / Checked: NAB / TWH
Project No: 23-2503
Sheet Number: L0.1

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ENVIRONMENTAL EVALUATION

TERMINOLOGY DEFINITIONS: The following terminology from Appendix G of the *State CEQA Guidelines* is used in this environmental analysis to describe the level of significance of potential impacts to each resource area:

- ***Potentially Significant Impact*.** This term applies to adverse environmental consequences that have the potential to be significant according to the threshold criteria identified for the resource, even after mitigation strategies are applied and/or an adverse effect that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared consistent with CEQA.
- ***Less-than-Significant Impact with Mitigation*.** This item applies to adverse environmental consequences that have the potential to be significant but can be reduced to less-than-significant levels through the application of identified mitigation strategies that have not already been incorporated into the proposed project.
- ***Less-than-Significant Impact*.** This term applies to potentially adverse environmental consequences that do not meet the significance threshold criteria for that resource. Therefore, no mitigation measures are required.
- ***No Impact.*** This term means no adverse environmental consequences have been identified for the resource or the consequences are negligible or undetectable. Therefore, no mitigation measures are required.

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 and 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
☒	None with Mitigation Implemented				

DETERMINATION (To be completed by the Lead Agency) on the basis on the initial evaluation:

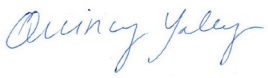
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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, and a MITIGATED NEGATIVE DECLATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, 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 the 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 DECLARTION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Quincy Yaley, AICP
Environmental Coordinator

10/30/2024
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.

AESTHETICS:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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 experiences from publicly accessible vantage point). 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?	☐	☒	☐	☐

Environmental Setting:

Visual or aesthetic resources are generally defined as the natural and built features of the landscape that can be seen. The combination of landform, water, and vegetation patterns represents the natural landscape that defines an area's visual character, whereas built features such as buildings, roads, and other structures reflect human or cultural modifications to the landscape. These natural and built landscape features or visual resources contribute to the public's experience and appreciation of the environment. Depending on the extent to which a project's presence would alter the perceived visual character and quality of the environment, visual or aesthetic impact may occur. It should be noted that visual change in and of itself does not necessarily represent an adverse impact, and in some cases may result in a beneficial visual effect.

The aesthetic analysis is based on field observations and the review of information including site maps, drawings, technical data, and aerial and ground level photographs of the area. In addition, as part of this study, planning documents pertinent to visual quality including the Tuolumne County General Plan were reviewed. The analysis also responds to the California Environmental Quality Act (CEQA) guidelines for visual impact analysis as well as the goals, programs, and implementation programs outlined in the Tuolumne County General Plan and the Tuolumne County Ordinance Code.

The Tuolumne County General Plan recognizes agricultural and timberlands as having historically defined the rural character and scenic beauty of the County. There are no scenic vistas within the project vicinity at the project site, and the project does not contain agricultural or timberlands. There are existing light sources on the site associated with the surrounding commercial and residential land uses.

There are no officially designated state scenic highways within Tuolumne County, although portions of State highways 49, 108, 120 are eligible for designation. These portions have been identified as locally designated scenic routes. State Highway 49 has been recognized as a locally designated scenic route from the Mariposa County Line to Route 120 near Moccasin Creek and from Route 120 at Chinese Camp to the Calaveras County line, exclusive of the City of Sonora. State Highway 108 from the intersection with State Highway 49 easterly to the Mono County line has also been recognized as a locally designated scenic highway. The portion of State Highway 108 adjacent to the project site is considered eligible for designation and is recognized as a locally designated scenic highway.

The project site is located within the area that is subject to the East Sonora Community Plan contained within Volume III of the 2018 Tuolumne County General Plan. Policy ES-A.2 and Implementation Program ES-A.a

indicate that the project is subject to the East Sonora Design Guidelines.

Assessor's Parcel Number 045-220-023 was originally developed with a primary single-family dwelling, Accessory Dwelling Unit, garage, carport, and well, all of which were approved for demolition under Demolition Review Permit D21-005. The structures are still currently on the site. Parcels immediately adjacent to the project site are developed with residential and rural uses, with the State Highway 108 bypass directly north of the site.

Figure 1 above in this report shows the project site and surrounding parcel General Plan and zoning designations. Parcels to the north of the project site contain the Public (P) General Plan land use designation and contain State Highway 108. Parcels immediately south of the project site contain the Estate Residential (ER) General Plan designation and contain residential uses. Parcels to the east of the project site contain the HDR General Plan designation and contain residential uses.

Potentially affected viewers in the area includes motorists and other viewers along State Highway 108, Peaceful Valley Road, and Mono Way. Peaceful Valley Road and Mono Way are both publicly dedicated, County-maintained roads. State Highway 108 is a publicly dedicated state-maintained road. Motorists would represent the largest of the affected viewer groups and include the public views of the project site.

Analysis:

a) A scenic vista is considered a view of an area that has remarkable scenery or a natural or cultural resource that is indigenous to the area. There are three vista points within Tuolumne County that have been officially designated by the California Department of Transportation (Caltrans) as a scenic vista point. Two of these are found at Lake Don Pedro and the third one is the "Rim of the World" which is along State Highway 120 east of the community of Groveland. There are no scenic vistas within the vicinity of the project site and designated scenic vistas would not be impacted by the proposed project. There would be no impacts to a scenic vista.

b) Tuolumne County does not currently have any officially designated state scenic highways, although portions of State highways 49, 108, 120 are eligible for designation. These portions have been identified as locally designated scenic routes. State Highway 49 has been recognized as a locally designated scenic route from the Mariposa County Line to Route 120 near Moccasin Creek and from Route 120 at Chinese Camp to the Calaveras County line, exclusive of the City of Sonora. State Highway 108 from the intersection with State Highway 49 easterly to the Mono County line has also been recognized as a locally designated scenic highway. The project site is located directly adjacent to a portion of State Highway 108 that is eligible for designation as a state scenic highway and is recognized as a locally designated scenic route.

   The project would consist of the development of 56 residential apartment units and associated amenities. The site plans (Figures 1 and 2) indicate that the project would maintain a 100-foot building setback from State Highway 108. The plans indicate that many of the existing trees between the highway and proposed buildings within this setback would be retained (Figures 1 and 2). As discussed in item c below, the project would comply with the East Sonora Design Guidelines. The preliminary landscaping plan includes shade trees and screening trees along the project's perimeter (Figure 6).

   In accordance with the Tuolumne County Hillside and Hilltop Development Guidelines, the buildings have been designed to be set into the natural slope and mimic the natural topography of the site. The intent of the Hillside and Hilltop Development Guidelines is to reduce impacts related to aesthetics. Visual Renderings (Figure 3) indicate that the project would comply with the Tuolumne County Hillside and Hilltop Development Guidelines. Building plans will be required to be consistent with those included in this environmental document and confirmation of compliance with the guidelines will be re-verified at the time of building permit submittal by the LUNR Division. Prior to the to the final building inspection prior to the issuance of a Certificate of Occupancy the site will be inspected for compliance with the

approved building plans and design criteria by the LUNR Division. There would be a less than significant impact.

c) The project site is within the area that is subject to the East Sonora Community Plan and the East Sonora Design Guidelines. The project must be found to be compatible with the East Sonora Design Guidelines and must implement design features as indicated in the guidelines. The discussion will focus on consistency with the East Sonora Design Guidelines as this would be the County's applicable regulations governing scenic quality of the site.

The East Sonora Design Guidelines provide information as to how future development should be constructed. Much of the East Sonora Design Guidelines pertain to design and architectural features of buildings. Visual renderings and elevations were included in the submittal package and are included as Figures 4 and 5 above in this report.

Some of the applicable criteria from the East Sonora Design Guidelines regarding building design and architectural features are as follows:

- Minimize the visual impact of large buildings and facades by incorporating windows, structural bays, roof overhangs, awnings, column details, stone or wood appearance and other details.
- Use dormers to break up larger roofs and to create a rhythm along large facades.
- Incorporate special features such as overhang porches, canopies, lanterns, and cupolas to mark entries and to screen mechanical equipment.
- Use of muted colors are encouraged, such as greens, browns, tans, grays and beige.
- Appropriate façade materials include:
    - Board and batten siding, horizontal wood or wood appearing siding, decorative wood siding, or fiber cement board siding,
    - Brick, stone, rock, or granite,
    - Heavy timber, and
    - Corrugated metal siding where appropriate.
- Appropriate details include:
    - Porches, canopies, balconies, and covered walkways where appropriate;
    - Brick or stone detailing;
    - Refined millwork and finished carpentry on wood structures; and
    - Metal detailing, brackets at roof eaves and under balconies, porches and canopies, where appropriate.

Applicable guidelines that pertain to high density residential developments are as follows:

- Encourage varying roof forms to create distinctive buildings and differentiate between units. The use of two alternate façade colors is encouraged for each unit to create personality and individuality.
- Create community pride and interaction through architectural integrity and site design. Consider the use of front porches, community gardens and the separation of pedestrian and vehicle circulation.

Applicable guidelines that pertain to lighting are as follows:

- Parking lot lighting should be consistent with East Sonora's small town and rural character. "Acorn" type fixtures and other well articulated fixtures are appropriate.
- Prevent nuisances resulting from unnecessary light intensity, direct glare or light pollution; protect the ability to view the night sky by regulating unnecessary upward light projection through dark sky standards; phase out non-conforming fixtures; and promote lighting practices and systems that conserve energy. Guidance may be found at the International Dark Sky Association

http://www.darksky.org/.

- Parking lot lighting should be designed for pedestrian comfort and safety as well as automobile safety that concentrates light downward into traffic and crosswalk areas.
- Good lighting uses only the amount of light needed for the intended task, whether it is intended to illuminate a parking lot, pedestrian walkway, signage, for security, or to highlight specific architectural features.
- Use efficient, high quality light fixtures to control light output and to reduce energy waste.
- Photovoltaic light fixtures, solar powered lights, are encouraged and should be utilized where feasible.

Mitigation Measure AES-1 below requires submittal of a photometric lighting plan prior to the issuance of a building permit. The lighting plan will be required to comply with the East Sonora Design criteria for lighting as listed above.

The objective of landscaping as contained in the East Sonora Design Guidelines is to increase the quality of the built/developed environment with the appropriate integration of landscaping. The East Sonora Design Guidelines for landscaping are as follows:

- Landscaping should define specific areas by focusing on entrances to structures and parking areas, creating edges, and providing screening for loading and equipment areas.
- Encourage water conservation through the retention of existing, on-site vegetation, as well as the integration of native or drought tolerant species of plants.
- Utilize landscaping to enhance public places in order to create an environment that is comfortable and pleasing for pedestrians and motorists.
- Pedestrian access to sidewalks or structures should be considered in the design of all landscaped areas.
- Planting next to walkways and adjacent to other pedestrian places should include smaller species of shrubs and trees to maintain an intimate human scale and canopied trees to provide shade during the summer.
- Encourage landscape plans to reduce the asphalt impact currently found in East Sonora. These areas should include focal points that employees and visitors use. Planting of street trees along transportation routes and at entrances to commercial centers are encouraged; in particular, create a formal landscaped entrance to the Mono Way business corridor.
- Incorporate native landscaping within parking lots and along building frontages. Provide native landscaping along the right-of-way to screen parking lots.
- Encourage the use of native landscaping along the building's edge and parking lot. For gas stations, provide landscaping to screen above ground tanks and pipes from street views.
- Include water efficient landscaping utilizing native, drought resistant plants. The use of bioswales are encouraged.

Mitigation Measure AES-2 will require submittal of a landscaping plan consistent with the above criteria of the East Sonora Design Guidelines and in accordance with Chapter 15.28 of the TCOC prior to the issuance of a Building Permit. Landscaping is required to be installed in accordance with the approved plan and will be verified prior to the final building inspection prior to the issuance of a Certificate of Occupancy. The landscaping plan will be verified by the Land Use and Natural Resources (LUNR) Division of the Community Development Department (CDD).

The visual renderings and site plans indicate compliance with the East Sonora Desing Guidelines and criteria listed above. Mitigation Measure AES-3 will require building plans to demonstrate compliance with the East Sonora Design Guidelines and will be required to incorporate the criteria as listed above. Compliance with the design guidelines will be verified at the time of building permit submittal by the LUNR Division. Prior to the to the final building inspection prior to the issuance of a Certificate of

Occupancy the site will be inspected for compliance with the approved building plans and design criteria by the LUNR Division. There would be a less than significant impact with mitigation.

d) New sources of light and glare would be included in project development. To ensure that any lighting installed would not create a significant impact, Mitigation Measure AES-1 has been incorporated. Mitigation Measure AES-1 would require that prior to the installation of any exterior lighting, a photometric lighting plan will be required, as described in Mitigation Measure AES-1 below. Lighting must comply with the East Sonora Design Guidelines criteria, as indicated above. The project proponent will be required to submit a photometric lighting plan to show consistency with the above provisions. Consistency with Mitigation Measure AES-1 will be reviewed by Community Development Department (CDD) staff prior to the issuance of a building permit. There would be a less than significant impact with mitigation.

Mitigation Measures:

AES-1: A photometric lighting plan shall be submitted and approved by the Land Use and Natural Resources Division prior to the placement of permanent exterior lighting on the site. The plan shall show fixture type and light intensities across the site and at all exterior property lines. Any exterior lighting shall incorporate the following features:

All new exterior lighting to be dark sky compliant, low mounted in pedestrian areas, downward casting and fully shielded to prevent glare. Lighting shall not shine into onsite residential structures on the site. Light fixtures shall not be located at the periphery of the property and light shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. The applicant is required to demonstrate compliance with exterior lighting requirements by providing photometric documentation of all exterior light fixtures installed.

AES-2: A landscaping plan shall be submitted and approved by the Land Use and Natural Resources Division prior to the issuance of a building permit by the Building and Safety Division. The landscaping plan shall demonstrate compliance with the East Sonora Design Guidelines and Chapter 15.28 of the TCOC. A minimum of 0.43 acres or 18,730 square feet of landscaping shall be required. The landscaping shall be installed in accordance with the approved plan prior to the final building inspection prior to the issuance of a Certificate of Occupancy.

AES-3: Prior to the issuance of a building permit, building plans shall demonstrate compliance with the East Sonora Design Guidelines and the Tuolumne County Hillside and Hilltop Development Guidelines.

Mitigation Monitoring:

Mitigation Measures AES-1, AES-2, and AES-3 will be required to be met prior the issuance of a building permit by the Building and Safety Division of the CDD. Prior to the final building inspection prior to the Certificate of Occupancy, the site will be inspected to ensure lighting, landscaping, and building design are installed in accordance with the approved plana. Mitigation Measures AES-1, AES-2 and AES-3 will be verified by the Land Use and Natural Resources Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

AGRICULTURAL AND FORESTRY RESOURCES:

In determining whether the 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 Department of Conservation, as an optional model to use in assessing impacts on 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. This includes: Forest and Range Assessment Project, the Forestry Assessment Project and Forest Carbon Measurement methodology provided in Forest Protocols, adopted by the California Air Resources Board.

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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?	☐	☐	☒	☐

Environmental Setting:

Lands of agricultural importance in Tuolumne County are designated AG (Agricultural), TPZ (Timber Production), or O (Open Space) by the General Plan land use diagrams. Exclusive agricultural properties contain the AE-160 (Exclusive Agricultural, One Hundred Sixty Acre Minimum), AE-80 (Exclusive Agricultural, Eighty Acre Minimum), and AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) Zoning. Parcels within the Williamson Act must contain the Agricultural Preserve Combining (:AP) zoning, as required by Tuolumne County Resolution 106-04. Chapter 8 of the 2018 Tuolumne County General Plan contains the Goals, Policies, and Implementation Programs related to agriculture in Tuolumne County. The project was reviewed for consistency with the Agricultural Element of the General Plan. The project site is currently zoned R-1 and RE-2 and contains the P and ER General Plan land use designations. The project is proposing to rezone the site to R-3 and amend the General Plan land use designation to HDR.

The California Department of Forestry and Fire Protection (CalFire) regulates timber harvesting and logging on privately owned lands in California. Prior to the conversion of land to a land use other than growing timber, a Timberland Conversion permit must be reviewed and approved by CalFire.

California Land Conservation Act

The California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter into contracts with private landowners for preserving agricultural land or related open space uses. Land under agricultural production can have its annual assessed valuation for property tax calculation reduced if the owner agrees to place the land under a Williamson Act contract for 10 years, renewable annually. Tuolumne County

Resolution 106-04, approved by the Board of Supervisors on June 15, 2004, contains the County's rules and regulations to govern land within Agricultural Preserves and land within the Williamson Act Land Conservation Program.

Z'berg-Nejedly Forest Practice Act of 1976

The project site is located on private property and as such for actions related specifically to potential impacts from forest resources could be subject to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (FPA) that have been promulgated as the California Forest Practice Rules. Land within Tuolumne County that is subject to the Z'berg-Nejedly Forest Practice Act of 1976 is demonstrated by the TPZ (Timberland Preserve) zoning district and the TPZ General Plan land use designation. The TPZ zoning district is utilized for the protection of timberland. The TPZ zoning district is for the protection of timberland and in order to prevent encroachment upon it by incompatible uses of land, and for the general welfare of the County as a whole. This zone is intended to qualify its land pursuant to Z'bergWarren-Keene-Collier Forest Taxation Reform Act of 1976 or such other legislative statutes or constitutional authorization as may be developed for defining a timberland preserve. Land within Tuolumne County that is subject to the Z'berg-Nejedly Forest Practice Act of 1976 is demonstrated by the TPZ (Timberland Preserve) zoning district and the TPZ General Plan land use designation.

Analysis:

a) The project site has not been mapped under the Farmland Mapping and Monitoring Program of the California Resources Agency. However, the project site has been mapped under the United States Department of Agriculture Natural Resources Conservation Service web soil survey maps. The project site contains the Sierra Orose complex soils and the Urban land-Sierra-Flanly complex soils. Neither of these soil types are considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, there will be no impact.

b) The project site is zoned R-1 and RE-2 and contains the P and ER General Plan land use designations. The project is proposing to rezone the site to R-3 and amend the General Plan land use designation to HDR. None of these are compatible with zoning for inclusion within the Williamson Act. The project site is not within a Williamson Act Land Conservation contract. Additionally, the parcels acreage would not allow for inclusion within the Williamson Act as it would not meet the minimum size requirements. There are no parcels within the immediate vicinity of the project site that are zoned Exclusive Agricultural, contain the Agricultural General Plan land use designation, or are within a Williamson Act contract. Therefore, there will be no impact as the project would not conflict with existing zoning for agricultural use or a Williamson Act Contract.

c,d) The TPZ zoning district is utilized for the protection of timberland. The TPZ zoning district is for the protection of timberland and in order to prevent encroachment upon it by incompatible uses of land, and for the general welfare of the County as a whole. This zone is intended to qualify its land pursuant to Z'bergWarren-Keene-Collier Forest Taxation Reform Act of 1976 or such other legislative statutes or constitutional authorization as may be developed for defining a timberland preserve. The TPZ land use designation provides for the growing and harvesting of timber and other forest products in concert with limited, low-intensity public and private commercial recreational uses. Typical land uses allowed in the TPZ designation include all commercial timber production operations and facilities, agricultural operations, mineral and other resource extraction operations, recreation uses such as public utility and safety facilities.

The project site does not contain the TPZ zoning district or the TPZ General Plan land use designation. There are no parcels within the vicinity of the project site that contain the TPZ zoning district or the TPZ land use designation. Additionally, the parcels acreage would not allow for inclusion within a timberland preserve as it would not meet the minimum size requirements.

The project site is developed with a single-family dwelling, Accessory Dwelling Unit and accessory

structures. Therefore, the project would not convert forest land or timberland. There would be a less than significant impact.

e) The project site is not located near land zoned Exclusive Agricultural or containing the Agricultural General Plan land use designation. The nearest parcel with the Agricultural General Plan land use designation is located approximately 1.7 miles northeast of the project site, and this AG designated parcel is the only parcel in that area with the AG General Plan designation. Therefore, it is unlikely that the project would have impacts that would result in the conversion of agricultural land to a non-agricultural use. There is a less than significant impact.

Mitigation Measures: None Required

Mitigation Monitoring: Not Applicable

AIR QUALITY:

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

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Where available, the significance criteria established by the Tuolumne County Air Pollution Control District has been relied upon to make the following determinations. Would the Proposed Project:				
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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Environmental Setting:

This section describes the impacts of the proposed project on local and regional air quality. It describes existing air quality in the foothills; project related direct and indirect emissions; health effects; and the impacts of these emissions on both the project and cumulative/regional scale.

The U.S. Environmental Protection Agency (EPA) designated Tuolumne County as “attainment/unclassified” for the 2008 eight-hour federal ozone standard on July 20, 2012. Tuolumne County is “attainment/unclassified” for all other federal ambient air quality standards. With respect to State ambient air quality standards, Tuolumne County is classified as “nonattainment” for ozone and “attainment/unclassified” for all other State standards. The State ozone “nonattainment” status is due to overwhelming transport of ozone precursors from upwind, urban areas.

Air pollution is directly related to a region’s topographic features, and the California Air Resources Board (CARB) has divided California into regional air basins according to topographic air drainage features. The Mountain Counties Air Basin (MCAB) includes Plumas, Sierra, Nevada, Placer (middle portion), El Dorado (western portion), Amador, Calaveras, Tuolumne, and Mariposa Counties. While the MCAB encompasses such an expansive territory, the population of the entire air basin is less than 500,000 (472,991 in 2010). The basin lies along the northern Sierra Nevada Mountain Range, close to or contiguous with the Nevada border, and covers an area of roughly 11,000 square miles.

Elevations range from over 10,000 feet at the Sierra crest down to several hundred feet above sea level at the Stanislaus County boundary. Throughout the MCAB basin, the topography is highly variable, and includes rugged mountain peaks and valleys with extreme slopes and differences in elevation in the Sierras, as well as rolling foothills to the west.

The general climate of the MCAB varies considerably with elevation and proximity to the Sierra ridge. The terrain features of the basin make it possible for various climates to exist in a relatively close proximity. The Sierra Nevada receives large amounts of precipitation in the winter, with lighter amounts in the summer. Precipitation levels are high in the highest mountain elevations but decline rapidly toward the western portion of the basin. Winter temperatures in the mountains can be below freezing for weeks at a time, and substantial depths of snow can accumulate, but in the western foothills, winter temperatures usually dip below freezing only

at night and precipitation is mixed as rain or light snow. In the summer, temperatures in the mountains are mild, with daytime peaks in the 70s to low 80s, but the western end of the basin can routinely exceed 100 degrees.

Local Climate and Sources of Air Pollution

The climate in Tuolumne County can be considered Mediterranean with moist and cold winters and warm and dry summers. The mean annual precipitation is 33 to 49 inches (838 to 1,245 millimeters). Mean annual temperature is 41 to 53 degrees F (5.0 to 11.7 degrees C). The frost-free period is 100 to 150 days.

Table 1. Tuolumne County Designations and Classifications

Pollutant	Designation/Classification	
	Federal Standard	State Standard
Ozone - One hour	Attainment	Nonattainment
Ozone - Eight hour	Nonattainment	Nonattainment
PM 10	Unclassified	Unclassified
PM 2.5	Attainment/Unclassified	Unclassified
Carbon Monoxide	Attainment/Unclassified	Attainment
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Unclassified	Attainment
Lead (Particulate)	Attainment/Unclassified	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified

Source: CARB

"Inhalable coarse particles (PM2.5-10)," such as those found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. PM2.5-10 is deposited in the thoracic region of the lungs.

"Fine particles (PM2.5)," such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.

The Tuolumne County Air Pollution Control District (TCAPCD) does not meet the state one-hour or eight-hour standard for ozone and does not meet the federal eight-hour standard for ozone. The District is either in attainment or in an unclassified area for the remainder of the pollutants in Table 1, due to the lack of availability of data.

Local jurisdictions have the authority and responsibility to reduce air pollution through their policies, codes, and land use planning. The project was evaluated under the California Air Resource Board (CARB) air quality standards and area designations, and the Tuolumne County Air Pollution Control District's thresholds of significance, and the Tuolumne County Ordinance Code and Tuolumne County General Plan.

TCAPCD is the primary agency responsible for planning to meet National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) in the County and is responsible for implementing emissions standards and other requirements of federal and state laws regarding most types of stationary emission sources. In addition, TCAPCD has also set emissions thresholds for certain pollutants for the purposes CEQA. Pursuant to the State CEQA Guidelines, air quality impacts from project implementation would be significant if the project would:

- Violate any air quality standard or contribute substantially to an existing or project air quality violation—for the purposes of the project locations, result in construction or operations of a project that generated emissions in excess of the following thresholds, except CO, used by TCAPCD (2017):
    - reactive organic gases (ROG) – 1,000 pounds per day (lb/day) or 100 tons per year (tpy)
    - oxides of nitrogen (NOX) – 1,000 lb/day or 100 tpy
    - PM10 – 1,000 lb/day or 100 tpy
    - CO – 1,000 lb/day or 100 tpy

- Expose sensitive receptors to a substantial incremental increase in toxic air contaminant (TAC) emissions; or create objectionable odors affecting a substantial number of people.

Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory) into the atmosphere. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), oxides of nitrogen (NO_X), respirable and fine particulate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), and lead. Secondary criteria pollutants are created by atmospheric chemical and photochemical reactions; ROG together with NO_X form the building blocks for the creation of photochemical (secondary) pollutants. Secondary criteria pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog). The characteristics, sources, and effects of the criteria air pollutants of most concern are described below.

Carbon Monoxide, CO, is a local pollutant that is found in high concentrations only near the source. The major source of CO, a colorless, odorless, poisonous gas, is automobile traffic. Elevated concentrations, therefore, are usually found only near areas of high traffic volumes. CO's health effects are related to its affinity for hemoglobin in the blood. At high concentrations, CO reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic diseases, reduced lung capacity, and impaired mental abilities.

Ozone is produced by a photochemical reaction (triggered by sunlight) between NO_X and ROG. NO_X is formed during the combustion of fuels, while ROG is formed during combustion and evaporation of fossil fuels and organic solvents. Because ozone requires sunlight to form, it mostly occurs in concentrations considered serious between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to ozone include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors.

Nitrogen Dioxide, NO_2, is a byproduct of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of NO_X produced by combustion is NO, but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2 commonly called NO_X. NO_2 is an acute irritant. A relationship between NO_2 and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 part per million may occur. NO_2 absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM_{10} and acid rain.

PM_{10} is respirable particulate matter (PM) measuring no more than 10 microns in diameter, while $PM_{2.5}$ is fine PM measuring no more than 2.5 microns in diameter. PM_{10} and $PM_{2.5}$ are mostly dust particles, nitrates, and sulfates. Both PM_{10} and $PM_{2.5}$ are byproducts of fuel combustion and wind erosion of soil and unpaved roads and are directly emitted into the atmosphere through these processes. They are also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with respirable particulates (those between 2.5 and 10 microns in diameter) and fine particulates ($PM_{2.5}$) can be very different. Respirable particulates generally come from windblown dust and dust kicked up from mobile sources. Fine particulates are generally associated with combustion processes and are formed in the atmosphere as a secondary pollutant through chemical reactions. $PM_{2.5}$ is more likely to penetrate deeply into the lungs and poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the PM_{10} and $PM_{2.5}$ that is inhaled into the lungs remains there. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

Sulfur Dioxide, SO_2, is a colorless, pungent, irritating gas formed primarily by the combustion of sulfur-containing fossil fuels. In humid atmospheres, SO_2 can form sulfur trioxide and sulfuric acid mist, with some of the latter eventually reacting to produce sulfate particulates. This contaminant is the natural combustion product of sulfur or sulfur-containing fuels. Fuel combustion is the major source, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. At sufficiently high concentrations, SO_2 irritates the upper respiratory tract. At lower concentrations, when in conjunction with particulates, SO_2 appears able to do still greater harm by injuring lung tissues. Sulfur oxides, in combination with moisture and oxygen, can yellow the

leaves of plants, dissolve marble, and eat away iron and steel. Sulfur oxides can also react to form sulfates, which reduce visibility.

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). There are a mix of residential and commercial uses in the vicinity of the project site may emit intermittent odors. There are also odors associated with traffic along State Highway 108 and other roads in the vicinity of the project site.

Sensitive receptors are generally considered to include those land uses where exposure to pollutants could result in health-related risks to sensitive individuals, such as children or the elderly. Residential dwellings, schools, hospitals, medical clinics, outdoor playgrounds, places of worship, retirement homes, convalescent homes and similar facilities are of primary concern because of the presence of individuals particularly sensitive to pollutants and/or the potential for increased and prolonged exposure of individuals to pollutants. There is a church located adjacent to the site along Peaceful Valley Road. There is a prompt care medical office located along Mono Way, approximately 800 feet south of the project site. Residences are located along Peaceful Valley Road in the vicinity of the project site.

Analysis:

a) Tuolumne County does not currently have an air quality plan. Tuolumne County's 2018 General Plan contains an Air Quality Element. The project has been reviewed for consistency with the Air Quality Element of the 2018 General Plan. The following goals, policies, and implementation programs of the Air Quality Element apply to the project:

   Policy 15.A.1: *Accurately determine and fairly mitigate the local and regional air quality impacts of land development projects proposed in the County.*

   The CalEEMod was used to determine the air quality impacts of the project (see response b below). The estimated emissions are less than the thresholds set by the County, therefore no mitigation measures are needed. See the analysis in section b below for additional information.

   Implementation Program 15.A.k of the Air Quality Element of the General Plan directs the County to require dust-control measures during project related activities. Any grading on the site is required to be in conformance with Chapter 12.20 of the TCOC. Section 12.20.370 of the TCOC requires the use of a watering truck or other watering device to suppress dust. A Grading Plan will be required to be submitted to the Engineering Division of the Department of Public Works and reviewed for compliance with Chapter 12.20 of the TCOC. The project will be conditioned to meet these requirements for grading.

   The TCAPCD has reviewed the project and provided conditions which will be incorporated into the project's conditions of approval. These conditions include requirements for dust suppression, additional requirements for serpentine or ultramafic rock, cleaning of streets, limits to burning, and regulations on use of equipment. Compliance with these conditions would reduce impacts related to air quality.

   The project is consistent with the Air Quality Element of the 2018 General Plan. Therefore, there is a less than significant impact.

b) Criteria air pollutant emissions from construction and operation of the proposed project were modeled using the California Emissions Estimator Model (CalEEMod), version 2016.3.2 (California Air Pollution Control Officers Association [CAPCOA] 2016a. The proposed land uses were matched to the most similar land use types available in CalEEMod, which CalEEMod uses to estimate default modeling assumptions (e.g., the construction phasing durations, number of equipment, equipment hours per day, and worker trips). All model assumptions and model outputs can be found in Appendix A of this

document. Table 2 below shows the annual emissions summary for the emissions that TCAPCD has set thresholds for.

Construction activities would include grading/excavation, foundation pouring, building construction, and paving, and would occur sequentially (i.e., would not overlap). Typical construction equipment would include dozers, excavators, loaders/backhoes, paving equipment, forklifts, and haul trucks.

Operation of the site would include uses and emissions commonly associated with residential land uses.

As shown in Table 2 below, criteria air pollutant emissions generated by project construction and project operation would not exceed TCAPCD's significance thresholds. Therefore, air quality impacts related to construction and operation would be less than significant.

Table 2: Annual Emissions Model Summary

	ROG (tons/year)	NO_X (tons/year)	PM_{10} total (tons/year)	CO (tons/year)
Annual Construction Emission	0.94	1.62	0.19	2.18
Annual Operational Emission	4.38	0.53	0.88	7.34
TCAPCD Threshold	100	100	100	100
Exceed Significance Threshold?	No	No	No	No

c) There is a church located adjacent to the site along Peaceful Valley Road. There is a prompt care medical office located along Mono Way, approximately 800 feet south of the project site. Residences are located along Peaceful Valley Road in the vicinity of the project site. The project will be required to comply with regulations pertaining to the grading on site, including dust suppression, erosion control, and best management practices. The project will also be required to comply with all applicable conditions and regulations as indicated by the TCAPCD. As shown in Table 2 above and the CalEEMod data in Appendix A of this report, the project would be below applicable thresholds of the TCAPCD and would not result in the emission of substantial pollutant concentrations. The proposed project would not create a source of substantial pollutants and would therefore not adversely affect those residing in the vicinity. Therefore, there would be a less than significant impact.

d) The occurrence and severity of odor impacts depends on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the proximity and sensitivity of exposed individuals. The main odor associated with the project would be from diesel from construction or odors associated with residential uses. Impacts associated with odor relative to construction would be limited in duration. Additionally, the use would be consistent with other land uses in the vicinity of the project site. The project will be conditioned to comply with Title 7 and Chapters 8.05 of the TCOC relative to trash collection and storage. This impact would be less than significant.

Mitigation Measure: None Required

Mitigation Monitoring: Not applicable

BIOLOGICAL RESOURCES

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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 the 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, and regulations or by the California Department of Fish and Game or the U.S. 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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Environmental Setting:

The elevation on the project site is approximately 2,300 feet above mean sea level. Vegetation on the site includes canyon live oak (*Quercus chrysolepis*), valley oak (Quercus lobata), gray pine (*Pinus sabiniana*), and a number of annual grasses, brush, and ornamental species. The Tuolumne County Wildlife maps indicate that the project site contains the residential park (rsp) habitat type. The California Department of Forestry and Fire Protection (CalFire) Fire and Resource Assessment Program (FRAP) maps indicate that the project site contains the montane hardwood (mhw) habitat type.

Pursuant to the Tuolumne County Wildlife Handbook the mhw habitat is considered a third priority habitat, which are common habitats that are of considerable value to wildlife. The rsp habitat is considered a fourth priority habitat, which are common habitats that are of relatively low value to wildlife.

The California Natural Diversity Database (CNDDB) includes plants and animal species that are rare, threatened, or endangered within California. The CNDDB is an inventory of these species and the location of know occurrences of these species. The California Native Plant Society (CNPS) maintains a database of rare and endangered plants of California. The US Fish and Wildlife Service (USFWS) maintains an Information for Planning and Consultation (IPac) database, which includes threatened and endangered species, critical habitats, and other special status species and sensitive habitats.

A Biological Study was prepared by Colibri Ecological Consulting, LLC in May 2021. Potential species lists were gathered utilizing the CNDDD, CNPS, and USFW databases. A field reconnaissance survey was conducted on

April 26, 2021. This document is available for review by during regular business hours at the Community Development Department, 48 Yaney, Sonora, California or may be obtained digitally by request.

Regulatory Setting:

Biological resources are regulated by federal, state, and local laws. In California and specifically in Tuolumne County, the Federal Engendered Species Act (ESA), Clean Water Act (CWA), California Endangered Species Act (CESA), Tuolumne County General Plan, the Tuolumne County Ordinance Code, and the Tuolumne County Wildlife Handbook are the primary regulations considered in this analysis.

Federal

Pursuant to the ESA, USFWS and the National Marine Fisheries Service (NMFS) have authority over projects that may affect the continued existence of federally listed (threatened or endangered) species. Section 9 of ESA prohibits any person from "taking" an endangered or threatened fish or wildlife species or removing, damaging, or destroying a listed plant species on federal land or where the taking of the plant is prohibited by state law. Take is defined under ESA, in part, as killing, harming, or harassing. Under federal regulations, take is further defined to include habitat modification or degradation where it results in death or injury to wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. If a proposed project would result in take of a federally listed species, the project applicant must consult with USFWS or NMFS before the take occurs under Section 10(a) of ESA or Section 7 of ESA if another federal agency is involved in the action. Conservation measures to minimize or compensate for the take are typically required.

Section 404 of the CWA requires project proponents to obtain a permit from the U.S. Army Corps of Engineers (USACE) before performing any activity that involves any discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States include navigable waters of the United States, interstate waters, tidally influenced waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries. Many surface waters and wetlands in California meet the criteria for waters of the United States. In accordance with Section 401 of the CWA, projects that apply for a USACE permit for discharge of dredged or fill material must obtain water quality certification from the appropriate regional water quality control board (RWQCB) indicating that the action would uphold state water quality standards.

State

Pursuant to CESA, a permit from the California Department of Fish and Wildlife (CDFW) is required for projects that could "take" a species state listed as threatened or endangered. Section 2080 of CESA prohibits take of state-listed species. Under CESA, take is defined as any activity that would directly or indirectly kill an individual of a species. The definition does not include “harm” or “harass” like the federal act. As a result, the threshold for take under CESA is higher than under ESA (i.e., habitat modification is not necessarily considered take under CESA). Authorization for take of state-listed species can be obtained through a California Fish and Game Code Section 2081 incidental take permit.

The California Fish and Game Code identifies Fully Protected Species in Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species and do not provide for authorization of incidental take. DFW has informed nonfederal agencies and private parties that their actions must avoid take of any fully protected species. In addition, Section 3503 of the California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically states that it is unlawful to take, possess, or destroy any raptors (e.g., hawks, owls, eagles, and falcons), including their nests or eggs.

Section 3503 of the Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 of the California Fish and Game Code states that it is unlawful to take,

possess, or destroy any raptors (i.e., species in the orders Falconiformes and Strigiformes), including their nests or eggs. Typical violations include destruction of active nests as a result of tree removal or disturbance caused by project construction or other activities that cause the adults to abandon the nest, resulting in loss of eggs and/or young.

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFW under Section 1602 of the California Fish and Game Code. Under Section 1602, it is unlawful for any person, governmental agency, or public utility to do the following without first notifying CDFW:

- substantially divert or obstruct the natural flow of, or substantially change or use any material from, the bed, channel, or bank of any river, stream, or lake; or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

The regulatory definition of a stream is a body of water that flows at least periodically or intermittently through a bed or channel that has banks and supports fish or other aquatic life. This definition includes watercourses with a surface or subsurface flow that supports or has supported riparian vegetation. CDFW's jurisdiction within altered or artificial waterways is based on the value of those waterways to fish and wildlife. A CDFW streambed alteration agreement must be obtained for any action that would result in an impact on a river, stream, or lake.

The State Water Resources Control Board (SWRCB) and each of nine local RWQCBs have jurisdiction over "waters of the State" pursuant to the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq., which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. SWRCB has issued general Waste Discharge Requirements regarding discharges to "isolated" waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction). The local RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the CWA for waters subject to federal jurisdiction.

Under CEQA, special-status species include those species meeting the following criteria:

- Plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal and State Endangered Species Acts. Both acts afford protection to listed species;
- California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue;
- U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern;
- Sensitive species included in USFWS Recovery Plans; and
- CDFW special-status invertebrates.

Although CDFW Species of Special Concern generally do not have special legal status, they are given special consideration under CEQA. In addition to regulations for special-status species, most birds in the U.S., including non-status species, are protected by the Migratory Bird Treaty Act (MBTA) of 1918. Under the MBTA, destroying active nests, eggs, and young is illegal. In addition, plant species on the California Native Plant Society (CNPS) Lists 1 and 2 are considered special-status plant species and are protected under CEQA.

Local

The Tuolumne County Wildlife Handbook (TCWH) and its associated maps detail the distribution of various habitat types countywide, evaluate their relative biological value, and establish Tuolumne County's standards and thresholds for evaluating the potential biological impacts pursuant to CEQA (Tuolumne County 1987). The

avoidance and mitigation measures provided in the TCWH are intended to facilitate a consistent, fair, and cost-effective approach to wildlife mitigation that provides the greatest protection for the most sensitive resources.

The TCWH ranks highest priority habitats as first priority and lowest priority habitats as fourth priority. The project site contains mhw habitat, which is ranked as third priority habitat, and the rsp which is ranked as fourth priority habitat. The TCWH encourages protecting high priority habitats, which is typically habitats ranked as first or second priority habitat. There are no first second priority habitats on site.

Implementation Program 16.B.i of the 2018 General Plan requires development that is subject to a discretionary entitlement from the County and to environmental review under the California Environmental Quality Act (CEQA) to evaluate potential impacts to biological resources and mitigate significant impacts for the following or as otherwise required by State or Federal law:

- Species listed or proposed for listing as threatened, rare, or endangered under the federal Endangered Species Act or California Endangered Species Act;
- Species considered as candidates for listing under the ESA or CESA;
- Wildlife species designated by CDFW as Species of Special Concern;
- Animals fully protected under the California Fish and Game Code; and
- Plants considered by CDFW to be "rare, threatened, or endangered in California" (California Rare Plant Ranks [CRPR] of 1A, presumed extinct in California and not known to occur elsewhere; 1B, considered rare or endangered in California and elsewhere; 2A, presumed extinct in California, but more common elsewhere and 2B, considered rare or endangered in California but more common elsewhere).
- Sensitive natural communities, including wetlands under Federal or State jurisdiction, other aquatic resources, riparian habitats, and valley oak (*Quercus lobata*) woodland.
- Important wildlife movement corridors and breeding sites.
- Oak woodlands, as provided in Implementation Program 16.B.j.

Implementation Programs 16.B.j, 16.B.j.1, and 16.B.j.2 found in the Tuolumne County General Plan provide direction on the County's oak woodland analysis. These Implementation Programs are as follows:

Implementation Program 16.B.j:

Establish thresholds of significance under the California Environmental Quality Act (CEQA) for the conversion of oak woodlands in Tuolumne County. The following provides the County's recommended standard guidelines for determining whether a project may result in a significant impact to oak woodlands, for purposes of review under the California Environmental Quality Act and Public Resources Code Section 21083.4.

- An oak woodland is defined in the General Plan as a woodland stand with 10% or greater native oak canopy cover. Tree removal from parcels with less than 10% native oak canopy cover is not considered a significant conversion or loss of oak woodland.
- For parcels with 10% or greater native oak canopy cover (i.e., parcels with oak woodland, as defined in the General Plan), a significant impact to oak woodland includes tree removal that reduces the total oak canopy cover onsite to below 10% (i.e., conversion to non-oak woodland), or a loss of 10% or greater of oak canopy woodland stand on the parcel, if the conversion or loss is determined by a trained professional to be substantial in consideration of, but not limited to, the following:
  - Total acres and amount of woodland stand removed or disturbed, and amount retained onsite.
  - Pattern of development or habitat loss onsite (e.g., clustered vs. dispersed).
  - Existing habitat functions and quality (e.g., intact/high-quality, moderately degraded, or severely degraded). o Stand age- or size-class structure.
  - Rarity.
  - Landscape position in relation to larger wildlife corridors, stream systems, or other important natural features.
  - Loss of valley oak (Quercus lobata) woodland, which is a sensitive habitat.
  - Proximity to other oak woodland patches and connectivity to large blocks of intact habitat.

- Contribution to a cumulative loss, degradation, or fragmentation of oak woodland across the County
- Removal of valley oaks (Quercus lobata), regardless of woodland stand size or canopy cover, shall require evaluation and determination as set forth above, including consideration of any unique habitat value provided by valley oaks

Implementation Program 16.B.j.1:

When considering discretionary development proposals, the County, through CEQA reviews, will require that project applicants map oak woodland resources on the project site and, where feasible, establish buffers around existing oak woodland stands to prevent adverse effects. For mapping purposes, project applicants may use the County's existing oak woodland map (developed for the Recirculated Draft EIR) as an initial base map for project-specific ground truthing/field verification. The County will require implementation of BMPs while working near retained oak woodlands to avoid inadvertent damage to oak trees. BMPs will include establishment of no-disturbance buffers around the outer canopy edge to prevent root and crown damage, soil compaction, and standard management practices to reduce introduction and spread of invasive species and other indirect effects.

For those impacts on oak woodland that cannot be avoided, the County will require the project applicant to minimize adverse effects. If substantial conversion of oak woodland will occur based on Implementation Program 16.B.j, the County will require one or more of the following mitigation measures be implemented to mitigate the impact from loss of oak woodland habitat pursuant to Public Resources Code Section 21083.4, (which specifies certain projects, including commercial agricultural production, are exempt from the requirements of Section 21083.4):

- Conserve oak woodlands through the purchase of conservation easements.
- Plant acorns and container stock from a local seed source to replace oak woodland removed. The following parameters will be applied:
- Plant an appropriate number of trees, including maintaining plantings and replacing dead or diseased trees.
- Maintain trees for seven years after the trees are planted.
- Planting may not account for more than 50 percent of the required mitigation and must occur on lands that are subject to conservation easements, zoned open space, or similarly restricted from development.
- Mitigation through planting may be used to restore former or degraded oak woodlands.
- Contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, for the purpose of purchasing oak woodland conservation easements, the Tuolumne County Oak Woodland Conservation Fund, or other appropriate established oak woodland conservation fund.

Implementation Program 16.B.j.2:

The County will require project applicants to develop a mitigation and monitoring plan to compensate for the loss of oak woodland habitat. The mitigation and monitoring plan will describe in detail how loss of oak woodlands shall be avoided or offset, including details on restoration and creation of habitat, compensation for the temporal loss of habitat, success criteria ensuring habitat function goals and objectives are met, performance standards to ensure success, remedial actions if performance standards are not met, and requirements for reporting implementation actions and progress to the County. The plan will include detailed information on the habitats present within the preservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the preservation and mitigation areas (e.g., conservation easement, declaration of restrictions), and funding mechanism information (e.g., endowment). If planting is used as part of compensatory mitigation, an oak planting plan will be developed by a qualified professional such as a professional biologist, arborist, or registered professional forester.

Analysis:

a) The Biological Study gathered species lists utilizing the USFW, CNDDB, and CNPS databases. The USFW list included two threatened or endangered species. The CNDDB included 72 species within the Standard 7.5-minute USGS Quadrangle and 8 surrounding quadrangles. The CNPS Inventory included 29 species. Of all of these species, only two had a low potential on the project site due to possible suitable habitat on the project site. The remaining species identified had no potential to occur on the project due to the project site lacking suitable habitat for the species.

Two special status species the hoary bat (*Lasiurus cinereus*) and the western mastiff bat (*Eumops perotis californicus)* have potential habitat on site. Additionally, the project would include demolition of the existing single-family dwelling and accessory structures on site, which may provide roosting habitat. To ensure protection of these species, Mitigation Measure BIO-1 has been incorporated to require pre-construction bat surveys during the roosting season. Mitigation Measure BIO-1 also includes protocol to be implemented if bats are found.

None of the special status species were documented on site during the field reconnaissance survey.

The project may also contain suitable habitat for nesting birds and raptors. Nonspecial status birds that would be protected under the MBTA were found on site during the field reconnaissance survey. ensure that nesting bird and raptors are not impacted by project implementation, Mitigation Measure BIO-2 has been incorporated to require pre-construction bird surveys if construction is to take place between the nesting bird season, February 1 to August 31 of any year. Mitigation Measure BIO-2 includes protocol to be implemented should an active bird nest be identified during the preconstruction survey.

The implementation of Mitigation Measure BIO-1 and BIO-2 would result in a less than significant impact on special status species.

b,c) No critical habitat was identified by the CNDDB, CNPS, or USFWS IPaC databases. Additionally, the Tuolumne County Wildlife maps indicate that the project site contains the rsp habitat type. The California Department of Forestry and Fire Protection (CalFire) Fire and Resource Assessment Program (FRAP) maps indicate that the project site contains the mhw habitat type. The TCWH ranks highest priority habitats as first priority and lowest priority habitats as fourth priority. The project site contains mhw habitat, which is ranked as third priority habitat, and the rsp which is ranked as fourth priority habitat. The TCWH encourages protecting high priority habitats, which are typically habitats ranked as first or second priority habitat. There are no first or second priority habitats on site.

The project site contains remnants of a historic ditch that is no longer used, the Phoenix Ditch. The ditch may occasionally carry water after rain events, but does not contain or support riparian vegetation, as indicated by the biological study and cultural surveys that were completed. Additionally, the ditch has been cut off by State Route 108, Peaceful Valley Road, and other development in the area and would not connect to other jurisdictional waterways. Therefore, it is likely this would not meet the criteria to be considered a federally protected wetland. The US Fish and Wildlife National Wetlands Inventory Mapper did not identify any wetland habitat on site. It identified the channel of the ditch and indicated that it was manmade. The project is not proposing development in the area of the Phoenix Ditch, so no impact would occur.

There would be a less than significant impact.

d) The project site is bounded to the north by State Route 108 and Peaceful Valley Road to the south. Mono Way, which is a major road classified as a minor arterial road, is further south of the project site. The area is developed with a mix of low and high density residential and commercial uses. Due to the developed nature of the project area vicinity and the two major roadways north and south of the project, it is unlikely that this area would be utilized as a native resident or migratory wildlife corridor or a wildlife nursery site. As discussed in item a above, the project site has the potential to be utilized as a nursery

site for birds protected under MBTA and special status bat species. Mitigation Measures BIO-1 and BIO-2 have been incorporated to protect these species. There would be a less than significant impact with incorporation of mitigation.

e) The project was evaluated under Implementation Program 16.B.i, 16.B.j and 16.B.j.1 of the 2018 General Plan regarding oak woodland impact analysis. The project site contains valley oak and live oak trees. The project plans indicate that approximately 25 total trees would be removed. Most of the trees along the northern portion of the project site adjacent to State Route 108 would be retained. The site plan has been laid out to minimize the number of trees to be removed. As indicated in d above, the site is bounded to the north by State Route 108 to the north and Peaceful Valley Road to south, with Mono Way further south. The project area is developed with a mix of residential and commercial uses. Therefore, there are only fragmented areas of oak trees in the project area and the project site would not connect to larger oak woodlands. To ensure that Old Growth Oak Trees are protected, Mitigation Measure BIO-3 has been incorporated to require submittal of a oak tree removal plan indicating any Old Growth Oak Trees that would be removed or impacted by project development. If any Old Growth Oak Trees must be removed, Mitigation Measure BIO-4 has been incorporated to require payment into the Tuolumne County Oak Woodland Fund or for oak trees to be replanted. There would be a less than significant impact with mitigation.

f) The project site is not located within an area that is subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Additionally, the project has been reviewed for compliance with the Tuolumne County Wildlife Handbook, Tuolumne County Wildlife Habitat Maps, and the 2018 Tuolumne County General Plan. The project has been found to be consistent with these documents and plans. Therefore, there would be no impact.

Mitigation Measures:

BIO-1: Prior to the start of project activities within bat maternity roosting season (April 15 to August 31), a qualified biologist with familiarity with bats and bat ecology, and experienced in conducting bat surveys will conduct surveys for bat roosts in suitable habitat (e.g., large trees, crevices, cavities, exfoliating bark, foliage, bridges) within the project site, and adjacent to the project site as feasible.

- If no evidence of bat roosts is found, the qualified biologist will submit a report summarizing the results of the survey to applicant and Tuolumne County, and no further study will be required.

- If evidence of bat roosts is observed, the species and number of bats using the roost will be determined by a qualified biologist. Bat detectors will be used if deemed necessary to supplement survey efforts by the qualified biologist.

    - A no-disturbance buffer of 250 feet will be established around active pallid bat, western mastiff bat, or hoary bat roosts, and project activities will not occur within this buffer until after the roosts are unoccupied. If the species of roosting bats cannot be determined during the survey, it will be assumed that the roost is occupied by special-status bats and the established buffer will be at least 250 feet.

    - If evidence of other roosting bats is observed (non-special status bat species), the qualified biologist will establish a species-specific appropriate no-disturbance buffer around the roost of at least 50 feet in diameter.

    - If roosts of bat species are determined to be present and must be removed, the bats will be excluded from the roosting site before the tree, building, or other structure is removed.

A program addressing compensation, exclusion methods, and roost removal procedures will be developed in consultation with CDFW before implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but not reenter) or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with CDFW and may require construction and installation of bat boxes suitable to the bat species and colony size excluded from the original roosting site. If determined necessary during consultation with CDFW, replacement roosts will be implemented before bats are excluded from the original roost sites. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site by a qualified biologist, the roost tree or other structure may be removed.

BIO-2: For construction activities expected to occur during the nesting season of raptors (February 1 to August 31) and migratory birds, a pre-construction survey by a qualified biologist shall be conducted to determine if active nests are present on or within 500 feet of the project site where feasible. Areas that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted by a qualified biologist no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds will nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming.

If active nests are found on or within 500 feet of the project site, the applicant shall notify CDFW and explain any additional measures that a qualified biologist plans to implement to prevent or minimize disturbance to the nest while it is still active. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the 500-foot buffer without impacting the breeding effort. Appropriate measures may include restricting construction activities within 500 feet of active raptor nests and having a qualified biologist with stop work authority monitor the nest for evidence that the behavior of the parents have changed during construction. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Appropriate measures would be implemented until the young have fledged or until a qualified biologist determines that the nest is no longer active. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.

BIO-3: Prior to the issuance of a grading permit or building permit, an Oak Tree Removal Plan shall be submitted to the Land Use and Natural Resources Division. The plan shall include any Old Growth Oaks (diameter at breast height greater than 24 inches) that will be removed or impacted within 1.5 times the diameter of the drip line of the tree. Mitigation Measure BIO-4 shall be implemented for any Old Growth Oaks that are removed or impacted.

BIO-4: If any Old Growth Oak Trees are removed or impacted within 1.5 times the diameter of the drip line of the tree, the applicant shall plant 10 oak trees for every one Old Growth Oak tree removed or impacted. The replanted oak trees may be included as part of the project sites landscaping requirements. In lieu of replanting, the applicant may pay an in-lieu fee into the Tuolumne County Oak Woodland Fund utilizing the following formula:

Payment of in-lieu fees for replanting = Number of OGOs X 10 x $200.00

A combination of replanting and payment of in-lieu fee may be utilized. The replanting of oak trees or payment of the in-lieu fee shall be required prior to the final building inspection prior to the Certificate of Occupancy.

Mitigation Monitoring:

Mitigation Measures BIO-1 and BIO-2 are required prior to ground disturbance or construction activities on site and Mitigation Measure BIO-3 is required prior to the issuance of a grading permit or building permit. These measures would be verified by the LUNR Division prior to the issuance of a grading permit issued by the Department of Public Works or a Building Permit issued by the Building and Safety Division. Mitigation Measure BIO-4 would be required prior to the final building inspection prior to the Certificate of Occupancy and would be verified by the LUNR Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

CULTURAL RESOURCES:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the State CEQA Guidelines?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Environmental Setting:

The project site is located in East Sonora, near the community of Standard. The project site consists of modifications made in the Twentieth Century consisting of access roads and industrial and commercial development, The Central Sierra Miwok settled in much of Tuolumne County are known to have lived in the area including the project site.

A cultural resource study was prepared Johnston and Associates in July 2021 and the associated pedestrian survey of the site was conducted June 9, 2021 by Johnston and Associates. An updated cultural resource study was prepared in August 2024 with a pedestrian survey conducted on August 3, 2023. The updated report includes the additional easement areas that will be abandoned and merged into the project site. These documents are available for review by qualified professionals if requested digitally or during regular business hours at the Community Development Department, 48 Yaney, Sonora, California.

Regulatory Setting:

State and Federal legislation requires the protection of historical and cultural resources. In 1971, the President's Executive Order No. 11593 required that all Federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places.

In 1980, the Governor's Executive Order No. B-64-80 required that State agencies inventory all "significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places."

In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the Public Resources Code (PRC) regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 now requires lead agencies to analyze project impacts to "tribal cultural resources" separately from archaeological resources (PRC §21074; 21083.09). The Bill defines "tribal cultural resources" in a new section of the PRC §21074. AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC §21080.3.1, 21080.3.2, 21082.3). AB 52 consultation letters were sent to the Tuolumne Band of Me-Wuk and Chicken Ranch Rancheria Tribes on April 18, 2024. The Tuolumne Band of Me-Wuk Tribe responded and requested a Cultural Monitor be on site during ground disturbance activities. They did not request consultation. The Chicken Ranch Rancheria Tribe provided an email response on May 9, 2024 requesting AB 52 consultation.

Additionally, since the project includes a General Plan Amendment, consultation letters required under SB 18 were sent out to Tribes on May 9, 2024 to the Tribal Contact list provided by the Native American Heritage Commission. SB 18 letters were sent via certified mail and email. No Tribes requested consultation under SB

18.

Cultural resources include prehistoric resources, historic resources, and Native American resources. Pre-historic resources include resources that represent the remains of habitation prior to European settlement and historic resources include resources that represent the remains of habitation after European settlement. Native Americans arrived in Tuolumne County approximately 2,000 years ago. Their villages and areas of temporary settlement typically centralized around drainages, springs, and creeks. Historic resources in Tuolumne County mostly consist of uses and sites centered around gold mining, early timber industry, or historic farming and ranching.

Analysis:

a,b,c) A cultural resource study was prepared by Johnston and Associates in July 2021 and August 2024. Pedestrian surveys of the site were conducted June 9, 2021 and August 3, 2023 by Johnston and Associates.

The review of literature identified three previous resources on or adjacent to the project's area of potential effects, which included the Sonora-Mono Toll Road, Phoenix (Tuolumne) Ditch, and pre-historic lithic scatter. The pedestrian survey did not identify any previously unrecorded resources on site.

The study concluded that the Sonora-Mono Toll Road segment now lacks integrity of setting, design, and material associated with the Toll road's periods of significance. The fragment of road within the project Area of Potential Effect (APE) does not appear to be eligible to the National Register of Historic Places independently or as a contributing element to CA-Tuo-1629H, Segment ASC-B. Therefore, the study concluded no mitigation is required. No mitigation was required for the Phoenix Ditch because the segment on the site was cut off from the rest of the system by State Highway 108 and no longer contributes to the system as a whole.

Lithic artifact scatter was previously recorded and found immediately north of the project site during the bypass construction and surveys. The 2021 study recommended archaeological monitoring during ground disturbing activities within the northern portion of the site, north of the ditch. This site was previously excavated and largely removed prior to construction of State Route 108. The 2021 study recommended an archaeological monitor during ground disturbing activities within the northern portion of the site, north of the location of the Phoenix Ditch as it was thought the buffer of this lithic scatter site extended into the project site. However, additional mapping conducted in conjunction with the 2024 study concluded that this site, including a 150-foot buffer, does not extend into the project site. Therefore, no mitigation is recommended as there would be no impact.

The study also evaluated the existing structures on the site and determined they were not eligible for listing. And no further mitigation was recommended.

These documents are available for review by qualified professionals during regular business hours at the Community Development Department, 48 Yaney, Sonora, California.

AB 52 consultation letters were sent certified mail to the Tuolumne Band of Me-Wuk and Chicken Ranch Rancheria Tribes on April 18, 2024. The Tuolumne Band of Me-Wuk Tribe provided a written response that was received on April 29, 2024. Their response indicated that they agree with the findings of the cultural study and that they requested a Tribal Cultural Monitor be on site during ground disturbance activities. Mitigation Measure CULT-1 below includes the requirement for monitoring. The Tuolumne Band of Me-Wuk Tribe did not request consultation.

The Chicken Ranch Rancheria Tribe provided an email response on May 9, 2024 requesting AB 52

consultation on the project. County Staff met with the Chicken Ranch Rancheria Cultural Manager on September 4, 2024. The Tribe requested the project to include mitigation for Tribal and Archeological monitoring as indicated in Mitigation Measure CUL-1 below.

Additionally, since the project includes a General Plan Amendment, consultation letters required under SB 18 were sent out to Tribes on May 9, 2024 to the Tribal Contact list provided by the Native American Heritage Commission. SB 18 letters were sent via certified mail and email. No responses were received regarding the SB 18 notification.

To ensure that any resources discovered during construction are appropriately managed, Mitigation Measures CULT-2, CULT-3 have been incorporated. Incorporation of Mitigation Measures CULT-1, CULT-2 and CULT-3 will result in a less than significant impact to cultural resources.

Mitigation Measures:

CULT-1: Two qualified Monitors, one consisting of a Tribal monitor approved by the Chicken Ranch Rancheria Tribe and Tuolumne Band of Me-Wuk Indians, and the second being an archaeological monitor, shall be present on-site during the construction phases that involve ground disturbing activities or demolition. Ground disturbing activities are defined as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. Daily monitoring logs shall be kept that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources. While the monitors are on site, construction personnel shall be provided cultural sensitivity training as provided for by the Chicken Ranch Rancheria Tribe.

CULT-2: If a cultural resource is discovered during the activities authorized by this approval, the person in possession of the parcel for which the permit or approval was issued and all persons conducting any activity authorized by this permit or approval shall comply with the following provisions:

A. The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the Department is closed.

B. When the cultural resource is located outside the area of disturbance, the Community Development Department and a qualified professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of 2 or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.

C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource, as determined by the Community Development Department in consultation with the qualified professional, may continue. A qualified professional, as defined in Section Chapter 17.04 of the Tuolumne County Ordinance Code, such as an archaeologist or historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.

D. When the cultural resource is determined to not be significant, the qualified professional and Community Development Department shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community

Development Department in consultation with the qualified professional.

E. When the resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Resources Agency in consultation of the qualified professional. All further activity authorized by this Permit shall comply with the cultural resources management plan.

CULT-3: In accordance with the California Health and Safety Code (CHSC), Section 7050.5, and the Public Resources Code (PRC) 5097.98, regarding the discovery of human remains, if any such finds are encountered during project construction, all work within the vicinity of the find shall cease immediately, a 100-foot-wide buffer surrounding the discovery shall be established, and the County shall be immediately notified. The County Coroner shall be contacted immediately to examine and evaluate the find. If the coroner determines that the remains are not recent and are of Native American descent, the County Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Mitigation Monitoring: Mitigation Measure CULT-1 will be required during initial ground disturbance activities and Mitigation Measures CULT-2 and CULT-3 are required on-going during construction activities on site and will be verified by the LUNR Division of CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

ENERGY:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed 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?	☐	☐	☐	☒

Environmental Setting:

California relies on a regional power system composed of a diverse mix of natural gas, petroleum, renewable, hydroelectric, and nuclear generation resources. Natural gas provides one third of the electricity used in California, coming from both California-based power plants, as well as Pacific Northwest- and Southwest-based power plants outside the state. After natural gas generation, electricity in California is mostly generated by renewables (29 percent), large hydroelectric (15 percent), and nuclear (9 percent) (California Energy Commission [CEC] 2018a). The contribution of in- and out-of-state power plants depends on the precipitation that occurred in the previous year, the corresponding amount of hydroelectric power that is available, and other factors.

Electricity in Tuolumne County is provided by Pacific Gas and Electric (PG&E). There is no natural gas consumption in Tuolumne County. However, there is propane consumption for residential uses.

Homes built between 2000 and 2015 used 14 percent less energy per square foot than homes built in the 1980s, and 40 percent less energy per square foot than homes built before 1950. However, the increase size of newer homes has offset these efficiency improvements. Primary energy consumption in the residential sector total 21 quadrillion Btu in 2009 (the latest year the U.S. Energy Information Administration's [EIA's] *Residential Energy Consumption Survey* was completed), equal to 54 percent of consumption in the buildings sector and 22 percent of total primary energy consumption in the U.S. Energy consumption increased 24 percent from 1990 to 2009. However, because of projected improvements in building and appliance efficiency, the EIA 2017 Annual Energy Outlook forecast a 5-percent increase in energy consumption from 2016 to 2040 (EIA 2017).

On-road vehicles use about 90 percent of the petroleum consumed in California. Based on the most recently available information, in 2008, the California Department of Transportation (Caltrans) projected 41.5 million gallons of gasoline and diesel would be consumed in Tuolumne County in 2015, an increase of approximately 4.7 million gallons of fuel from the projected 2010 levels (Caltrans 2008).

Energy consumption on the project site would include energy consumed for the construction of the site and residential energy consumption once operational.

Regulatory Setting:

Federal and state agencies regulate energy consumption through various policies, standards, and programs. At the local level, individual cities and counties establish policies in their general plans and climate action plans related to the energy efficiency of new development and land use planning and to the use of renewable energy sources.

Federal:

Energy Policy and Conservation Act, and CAFE Standards

The Energy Policy and Conservation Act of 1975 established nationwide fuel economy standards to conserve oil. Pursuant to this Act, the National Highway Traffic and Safety Administration, part of the U.S. Department of Transportation, is responsible for revising existing fuel economy standards and establishing new vehicle economy standards.

The Corporate Average Fuel Economy (CAFE) program was established to determine vehicle manufacturer compliance with the government's fuel economy standards. Compliance with CAFE standards is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. EPA calculates a CAFE value for each manufacturer based on the city and highway fuel economy test results and vehicle sales. The CAFE values are a weighted harmonic average of the EPA city and highway fuel economy test results. Based on information generated under the CAFE program, the U.S. Department of Transportation is authorized to assess penalties for noncompliance. Under the Energy Independence and Security Act of 2007 (described below), the CAFE standards were revised for the first time in 30 years.

Energy Policy Act (1992 and 2005) and Energy Independence and Security Act of 2007

The Energy Policy Act of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. The act includes several parts intended to build an inventory of alternative fuel vehicles in large, centrally fueled fleets in metropolitan areas. The Energy Policy Act of 2005 provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

The Energy Independence and Security Act of 2007 increased the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel annually by 2022, which represents a nearly five-fold increase over current levels and reduces U.S. demand for oil by setting a national fuel economy standard of 35 miles per gallon by 2020—an increase in fuel economy standards of 40 percent. By addressing renewable fuels and CAFE standards, the Energy Independence and Security Act of 2007 will build on progress made by the Energy Policy Act of 2005 in setting out a comprehensive national energy strategy for the 21st century.

State:

State of California Energy Plan

CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The current plan is the 1997 California Energy Plan. The plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies strategies such as aiding public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs, and encouraging urban design that reduces vehicle miles traveled (VMT) and accommodates pedestrian and bicycle access.

Senate Bill 1078: California Renewables Portfolio Standard Program

Senate Bill (SB) 1078 (Chapter 516, Statutes of 2002) establishes a renewables portfolio standard (RPS) for electricity supply. The RPS originally required retail sellers of electricity, including investor-owned utilities and community choice aggregators to provide 20 percent of their supply from renewable sources by 2017, but SB 1078 moved that date forward to require compliance by 2010, although the state did not meet the target. In addition, electricity providers subject to the RPS must increase their renewable share by at least 1 percent each year. As of 2016, the state sourced 34.8 percent of its electricity from certified renewable sources (CPUC 2018). The outcome

of this legislation will affect regional transportation powered by electricity.

SB X1-2 of 2011 set a three-stage compliance period requiring all California utilities, including independently owned utilities, energy service providers, and community choice aggregators, to generate 20 percent of their electricity from renewables by December 31, 2013; 25 percent by December 31, 2016; and 33 percent by December 31, 2020. The state met the 2016 target and is on track to meet the 2020 target.

Senate Bill 350: Clean Energy and Pollution Reduction Act of 2015

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50 percent by December 31, 2030. This act also requires doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

Assembly Bill 1007: State Alternative Fuels Plan

AB 1007 (Chapter 371, Statutes of 2005) required CEC to prepare a state plan to increase the use of alternative fuels in California. CEC prepared the State Alternative Fuels Plan in partnership with CARB and in consultation with other state, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes the costs to California and maximizes the economic benefits of in-state production. It assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuel use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

Executive Order S-06-06

Executive Order (EO) S-06-06, signed on April 25, 2006, establishes targets for the use and production of biofuels and biopower, and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels within California by 2010, 40 percent by 2020, and 75 percent by 2050. The EO also calls for the state to meet a target for use of biomass electricity. The 2011 Bioenergy Action Plan identifies barriers and recommends actions to address them so that the state can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan updates the 2011 plan and provides a more detailed action plan to achieve the following goals:

- increase environmentally and economically sustainable energy production from organic waste;
- encourage development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications;
- create jobs and stimulate economic development, especially in rural regions of the state; and
- reduce fire danger, improve air and water quality, and reduce waste.

As of 2015, 3.2 percent of the total electricity system power in California was derived from biomass.

Senate Bill 375

SB 375, signed in September 2008, aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires metropolitan planning organizations (MPOs) to adopt a Sustainable Communities Strategy or Alternative Planning Strategy, showing prescribed land use allocation in each MPO's Regional Transportation Plan. CARB, in consultation with the MPOs, is to provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in their respective regions for 2020 and 2035. Implementation of SB 375 will have the co-benefit of reducing California's dependency of fossil fuels and making land use development and transportation systems more energy efficient.

The Tuolumne County Transportation Council (TCTC) serves as the federally designated rural transportation agency and the state-designated regional transportation planning agency for Tuolumne County. While the TCTC is required to prepare a Regional Transportation Plan, it is not required to prepare a Sustainable Communities Strategy, as it is not a federally designated MPO. However, the TCTC's *2016 Final Regional Transportation Plan* includes an optional Rural Sustainable Strategies chapter to help Tuolumne County comply with AB 32 and to reduce GHG emissions.

California Green Building Standards

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-Residential Buildings. Title 24 Part 6 was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy-efficiency standards for residential and nonresidential buildings. In 2013, CEC updated Title 24 standards with more stringent requirements, effective July 1, 2014. All buildings for which an application for a building permit is submitted on or after July 1, 2014, must follow the 2013 standards. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The CEC *Impact Analysis for California's 2013 Building Energy Efficiency Standards* estimates that the 2013 standards are 23.3 percent more efficient than the previous 2008 standards for residential construction and 21.8 percent more efficient for nonresidential construction. In 2016, CEC updated Title 24 standards again, effective January 1, 2017. CEC estimates that the 2016 standards are 28 percent more efficient than 2013 standards for residential construction (CEC n.d.) and are approximately 5 percent more efficient for nonresidential construction (CEC 2015). Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary in response to local climatologic, geologic, or topographic conditions, provided that these standards are demonstrated to be cost effective and exceed the energy performance required by Title 24 Part 6.

Assembly Bill 32, Climate Change Scoping Plan and Update

In December 2008, CARB adopted its Climate Change Scoping Plan, which contains the main strategies California will implement to achieve reduction of approximately 118 million metric tons of carbon dioxide–equivalent ($MMTCO_2e$) emissions, or approximately 21.7 percent from the state's projected 2020 emission level of 545 $MMTCO_2e$ under a business-as-usual scenario (this is a reduction of 47 $MMTCO_2e$, or almost 10 percent, from 2008 emissions). In May 2014, CARB released and has since adopted the *First Update to the Climate Change Scoping Plan* to identify the next steps in reaching AB 32 goals and evaluate progress that has been made between 2000 and 2012 (CARB 2014:4–5). According to the update, California is on track to meet the near-term 2020 GHG limit and is well positioned to maintain and continue reductions beyond 2020 (CARB 2014:ES-2). The update also reports the trends in GHG emissions from various emissions sectors (e.g., transportation, building energy, agriculture).

After releasing multiple versions of proposed updates in 2017, CARB adopted the final version titled *California's 2017 Climate Change Scoping Plan* (2017 Scoping Plan), which lays out the framework for achieving the 2030 reductions as established in more recent legislation (discussed below). The 2017 Scoping Plan identifies the GHG reductions needed by each emissions sector to achieve a statewide emissions level that is 40 percent below 1990 levels before 2030.

Executive Order B-30-15

On April 20, 2015, Governor Edmund G. Brown Jr. signed EO B-30-15 to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's EO aligns California's GHG reduction targets with those of leading international governments such as the 28-nation European Union which adopted the same target in October 2014. California is on track to meet or exceed the target of reducing GHG emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32, discussed above). California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the ultimate goal of reducing emissions 80 percent below 1990 levels by 2050. This is in line with the scientifically established levels needed in the U.S. to limit global warming to below 2 degrees Celsius, the

warming threshold at which major climate disruptions are projected, such as super droughts and rising sea levels.

Senate Bill 32 and Assembly Bill 197 of 2016

In August 2016, Governor Brown signed SB 32 and AB 197, which serve to extend California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the state's continuing efforts to pursue the long-term target expressed in EOs S-3-05 and B-30-15 of 80 percent below 1990 emissions levels by 2050. Achievement of these goals will have the co-benefit of reducing California's dependency of fossil fuels and making land use development and transportation systems more energy efficient.

Advanced Clean Cars Program

In January 2012, CARB approved the Advanced Clean Cars program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2016).

Local:

2018 Tuolumne County General Plan:

The 2018 Tuolumne County General Plan provides a framework for addressing issues related to energy efficiency. The Community Development and Design, Housing, Transportation, Economic Development, Water, Air Quality, and Climate Change Elements contain goals and policies that would reduce energy consumption. Specific Goals, Policies, and implementation Programs related to energy that are applicable to the project are as follows:

Implementation Program 18.A.a: Include specific GHG emissions reduction measures in the CAP. Examples include, but are not limited to, the following:

- Require compliance with CALGreen Tier 1 Green Building standards and Tier 1 Building Energy Efficiency Standards for eligible alterations or additions to existing buildings;
- Require compliance with CALGreen Tier 1 Green Building standards and Tier 1 standards for all new construction, and phase in Zero Net Energy (ZNE) standards for new construction;
- Require new or replacement residential water heating systems to be electrically powered and/or alternatively fueled systems;
- Promote recycling to reduce waste and energy consumption;
- Refine protection guidelines for existing riparian lands to establish a no-net-loss goal;

Policy 18.A.5: Promote energy efficiency and alternative energy while reducing energy demand.

2022 Climate Action Plan:

The Board of Supervisors approved the Climate Action Plan (CAP) on November 8, 2022. The CAP identifies existing and projected GHG emissions, sets GHG reduction targets, establishes policies and actions to meet reduction targets, integrates climate adaptation and resilience strategies, engages the community, and provides an implementation program.

Analysis:

a,b) The project entails the development of 56 residential apartment units and associated amenities. The project also includes a Zone Change and General Plan Amendment to allow for the multi-family use. Energy consumption during construction would mainly consist of diesel or gasoline fuel for vehicles and equipment. Energy use during construction would be consistent with typical construction practices. The buildings would be built in accordance with the adopted California Building Code at the time of construction. The energy codes are designed to reduce California's energy consumption and provide energy-efficiency standards and are designed to move the state closer to its zero net energy goals for new residential development. Energy consumption once operation would consist of residential energy usage. Solar carports would be utilized within the onsite parking areas. Energy consumption on site would not be wasteful, inefficient, or unnecessary. The project would be in accordance with all applicable State and County plans, including the Tuolumne County General Plan and Climate Action Plan. Therefore, there would be no impact.

Mitigation Measure: None required.

Mitigation Monitoring: Not applicable.

GEOLOGY AND SOILS:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed 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 of alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

Environmental Setting:

The purpose of this section is to disclose and analyze the potential impacts associated with the geology of the project site and regional vicinity, and to analyze issues such as the potential exposure of people and property to geologic hazards, landform alteration, and erosion.

Tuolumne County is located primarily within the Sierra Nevada geomorphic province, with an extremely small portion (less than 10 percent) of the western boundary within the Great Valley province. The Sierra is a tilted fault block nearly 400 miles long. Its east face is a high rugged multiple scarp, contrasting with the gentle western slope that disappears under the sediments of the Great Valley to the west. Deep river canyons are cut into the western slope. Their upper courses, especially in massive granites of the higher Sierra, have been modified by glacial activity, forming such scenic features as Yosemite Valley. The high crest in the Sierra culminates in Mt. Whitney with an elevation of 14,495 feet above sea level near the eastern scarp. The metamorphic bedrock contains gold-bearing veins in the northwest trending Mother Lode. The northern Sierra boundary is marked where bedrock disappears under the Cenozoic volcanic cover of the Cascade Range.

Tuolumne County is located in central California, which is a region known to have limited fault zones and seismic activity. There are four “capable” faults, which are faults with tectonic displacement within the last 35,000 years which could produce a quake, located within Tuolumne County: Negro Jack Point, Bowie Flat,

Rawhide Flat West, and Rawhide Flat East. These faults are located primarily in the western and southwestern portion of the County. Historically, earthquake activity in Tuolumne County has been substantially below the California State average.

In addition to the Tuolumne County General Plan and Ordinance Code, the project was evaluated using the Tuolumne County Multi-Jurisdiction Hazard Mitigation Plan, the USDA/CDF Cooperative Soil-Vegetation Survey of Tuolumne County, and the California Geological Survey's geotechnical maps.

The project site was mapped using the USDA Natural Resource Conservation Service (NRCS) soil survey maps. The project site contains the Sierra Orose complex soils, found on 8 to 30 percent slopes and the Urban land-Sierra-Flanly complex soils, found on 3 to 25 percent slopes. The project site is comprised of approximately 90% of the Sierra Orose complex soils and approximately 10% of the Urban land-Sierra-Flanly complex soils.

Ground shaking

Earthquake activity within Tuolumne County is significantly below the California state average (Tuolumne County 2018). Over the past century, a total of five historical earthquakes within recorded magnitudes of 3.5 or greater have occurred. Further, there is an approximate 28 percent chance of a major earthquake within 50 kilometers of Tuolumne County within the next 50 years. The probability of a moderate earthquake occurring in the next 30 years is low. Only one major "active fault" is located in Tuolumne County, the New Melones fault, located approximately 8 miles west of the project site (DOC 2018). The fault transects the County, running roughly north to south along the western boundary, and is part of the Foothill fault system which runs along the west base of the Sierra Nevada mountain range. The estimated maximum capability for this fault is Magnitude 6.5 (Tuolumne County 2018).

The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Act only applies to structures for human occupancy (houses, apartments, condominiums, etc.)

The California Building Code (CBC) identifies seismic factors that must be considered in structural design. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, while Chapter 18A regulates construction on unstable soils, such as expansive soils and areas subject to liquefaction. Appendix J of the CBC regulates grading activities, including drainage and erosion control. The CBC also contains a provision that provides for a preliminary soil report or geotechnical report to be prepared to identify "…the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects" (CBC Chapter 18 Section 1803.1.1.1). Additionally, the state earthquake protection law (California Health and Safety Code Section 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes.

Landslides, Subsidence and Liquefaction

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged groundshaking. Areas most prone to liquefaction are those that are water saturated (e.g., where the water table is less than 30 feet below the surface) and consist of relatively uniform sands that are low to medium density. In addition to necessary soil conditions, the ground acceleration and duration of the earthquake must be of sufficient energy to induce liquefaction. Due to the nature of the soils, groundwater conditions, and low seismicity in the County, the risk and danger of liquefaction and subsidence occurring within the County is considered to be minimal (Tuolumne County 2018).

Naturally occurring landslides do not typically occur in the County. Slopes disturbed by grading or development have failed, especially during periods of heavy rainfall, and have resulted in the destruction of County infrastructure. Within the County, there is a considerable amount of area where the topography can be considered steep to very steep. In the vast majority of this area, the underlying rock formation is very stable, and the soil found on these slopes is shallow and held in place by deep rooted vegetation. These slopes do not typically fail unless disturbed by grading or development (Tuolumne County 2018). Landslides are a primary geologic hazard and are influenced by four factors:

- Strength of rock and resistance to failure, which is a function of rock type (or geologic formation)
- Geologic structure or orientation of a surface along which slippage could occur
- Water (adds weight to a potentially unstable mass or influence strength of a potential failure surface)
- Topography (amount of slope in combination with gravitation forces

Expansive Soils

Clays are present in some soils both as a weathering product and as native sediments. Clays have the potential for expansion and contraction when they go through wet/dry cycles. Expansive soils (also known as shrink-swell soils) are soils that contain expansive clays that can absorb significant amounts of water into their crystalline structure. The presence of clay makes the soil prone to large changes in volume in response to changes in water content. The quantity and type of expansive clay minerals affects the potential for the soil to expand or contract. Wetting can occur naturally in a number of ways, (e.g., absorption from the air, rainfall, groundwater fluctuations, lawn watering and broken water or sewer lines). When an expansive soil becomes wet, water is absorbed, and it increases in volume, and as the soil dries it contracts and decreases in volume. This (often repeated) change in volume can produce enough force and stress on buildings and other structures to damage foundations and walls.

In hillside areas, as expansive soils expand and contract, gradual downslope creep may occur, eventually causing landslides (see below for more information on landslides and other forms of mass wasting). Clay soils also retain water and may act as lubricated slippage planes between other soil/rock strata, also producing landslides, often during earthquakes or by unusually moist conditions. The shrink-swell characteristics of soils can vary widely within short distances, depending on the relative amount and type of clay. Soils with clay content have been mapped throughout the County and may be susceptible to expansion (USDA 1964).

Paleontological Resources

Based on geologic mapping, the majority of the County is not considered sensitive for paleontological resources. Paleozoic marine rocks occur in the western portion of the County and may contain fossils of marine invertebrates. Records of paleontological finds maintained by the University of California Museum of Paleontology state that there are 72 localities at which fossil remains have been found in Tuolumne County. These occur primarily in the Mehrten geologic formations (Tuolumne County 2018).

Erosion:

Erosion is the process by which soil and rock at the earth's surface is gradually broken down and transported to a different location. Erosive processes include rainfall, surface runoff, glacial activity, wind abrasion, chemical dissolution, and gravity in the form of mass wasting (described below). Under normal conditions, these erosive processes, together with physical characteristics of the material being eroded, control the rate at which erosion occurs. Development activities can accelerate that rate, causing excessive erosion and a wide variety of detrimental effects on the environment including sedimentation of waterways (see Section 3.10, "Hydrology and Water Quality"), slope instability, ground instability, loss of agricultural productivity through the removal of topsoil, or even desertification.

The potential for erosion increases as a function of slope steepness. Areas within the County where slopes

exceed 30 percent are generally considered to have a high potential for erosion. Erosion problems in developed regions of the County are generally limited to areas where grading has resulted in steep slopes where deposits of fill have not stabilized, or where slope stabilization practices have not been employed following grading activities. Rain and runoff have also produced incidents of excessive erosion on burn scars that have not yet sufficiently revegetated. However, by comparison with other areas of the state, such as the coastal mountains, erosion has proven to be a modest hazard in Tuolumne County. The Tuolumne County Geotechnical Interpretive System (GIS) Maps indicate that the northern portion of the site contains slopes which are greater than 30 percent.

Grading will occur on the site prior to construction. A stormwater pollution prevention plan (SWPPP) would be required by the Central Valley Regional Water Quality Control Board (RWQCB) and would be prepared before construction and implemented throughout project construction to comply with National Pollutant Discharge Elimination System (NPDES) requirements. The project would also comply with the California Building Code (CBC) and Title 12 of the Tuolumne County Ordinance Code to reduce any potential slope, soil, or erosion impacts.

Analysis:

a i) The project site is not located within a delineated fault zone or located within a known liquefaction zone or seismic landslide zone as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The project site has been located on the Tuolumne County Geotechnical Interpretive System (GIS) Map. This map indicates that there are no faults located on the project site or within the vicinity of the project site. The nearest fault as identified on the Tuolumne County Geotechnical Interpretive Map is approximately 4.2± miles west of the project site. However, this fault is not identified as an active or potentially active fault which is capable of generating an earthquake within the GIS map. Therefore, there will be no impact.

a ii-iii) The Environmental Impact Report for the 2018 Tuolumne County General Plan update indicates that there is a low potential for significant seismic activity within the County. There is a low potential for strong seismic ground shaking or seismic related ground failure, including liquefaction. Tuolumne County's Geotechnical Maps show the approximate boundaries of various hazard and resource zones, such as fault rupture zones, erosive soil areas, steep slopes, and limestone deposits. There are no limestone deposits and no fault zones are located within the immediate vicinity of the project site. The nearest fault location as indicated in the GIS maps is located approximately 4.2± miles west of the project site. This fault is not identified as a capable fault, which is defined as an active or potentially active fault. There would be a less than significant impact.

a iv) The Technical Background Report for the 2018 General Plan indicate that the landslide susceptibility of the County is low. There are steep slopes to the north of the project site associated with the State Highway 108 bypass. However, the site itself is fairly flat and there is no significant threat from landslides. There would be a less than significant impact.

b,c) The project site is adjacent to slopes greater than 30% as indicated by the County GIS maps. The soils found on the site are found on slopes ranging from 0% to 25%. The likelihood of landslides, lateral spreading, subsidence, liquefaction, or collapse of these soils is fairly low. The soils contained within Sierra Orose and the Urban land-Sierra-Flanly complex soils are well drained and most of the soils within these complexes do not have a hydric rating, as indicated by the USDA NRCS soil survey maps.

Grading for the development of the project has the potential to result in erosion or loss of the topsoil. Any grading on the project site is subject to Chapter 12.20 of the TCOC and the project proponent would be required to secure a Grading Permit from the Engineering Division of the Department of Public Works. Grading Permit review from the Engineering Division will ensure consistency with Chapter 12.20 of the TCOC and ensure that the appropriate measures are taken to stabilize slope, control erosion, and

protect exposed soils. Prior to the issuance of a Grading Permit by the Engineering Division of the Department of Public Works, the project proponent is required to submit an erosion control plan to be reviewed and approved which must be implemented during project construction activities. The project will also be conditioned to require that all soils that are disturbed by clearing or grading shall be reseeded or hydro mulched or otherwise stabilized as soon as possible. Emergency erosion control measures shall be utilized as requested by County officials.

The project proponent is required to submit a Notice of Intent (NOI) to the State Water Resources Control Board Water Permitting Unit to obtain coverage under the General Construction Activity Stormwater Permit for the disturbance of one acre or more. A Stormwater Pollution Prevention Plan (SWPP) is required to be developed and submitted with the NOI. The SWPP must be prepared by a qualified professional and includes Best Management Practices (BMPs) to minimize stormwater runoff, erosion, and sediment movement during construction activities.

Based on the above and the requirement of a preparation of a SWPPP with BMPs, the submittal of a NOI and the enforcement of the County's Grading Ordinance through the requirement and review of a grading permit, including implementation of an erosion control plan and stabilization of soils that are disturbed by grading, there will be a less than significant impact.

d) The project site does not contain expansive soils, as defined in Table 18-1-B of the Uniform Building Code. Therefore, there is no impact.

e) The project would connect to public sewer and would not rely on on-site septic systems for wastewater. Therefore, there would be no impact.

f) As previously described, paleontological resources within the county are not common. However, if present, these resources occur primarily in the Mehrten geologic formations. The Mehrten formation is a geologic formation dating back to the Neogene period, which is part of the Miocene and later Pliocene geologic epochs (Cenozoic Era). The project site does not contain these types of geologic formations. The site does not contain unique palaeontologic or geologic resources. Construction activities associated with the project would involve site grading and excavation. Because the project site is not located within a geologic area where paleontological resources would likely be present, construction activities resulting from the project would not directly or indirectly result in destruction of a paleontological resource. Impacts would be less than significant.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

GREENHOUSE GAS EMISSIONS:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant with Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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?	☐	☐	☒	☐

Environmental Setting:

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. GHGs are responsible for "trapping" solar radiation in the earth's atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO2), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. It is "extremely likely" that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by the anthropogenic increase in GHG concentrations and other anthropogenic factors together (Intergovernmental Panel on Climate Change 2014).

The different types of GHGs have varying global warming potentials (GWPs) (Table 3). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere. Because GHGs absorb different amounts of heat, a common reference gas, usually carbon dioxide, is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "CO_2 equivalent," and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a GWP of one. By contrast, methane (CH_4) has a GWP of 21, meaning its global warming effect is 21 times greater than carbon dioxide on a molecule per molecule basis.

Table 3
Global Warming Potentials (GWPs)

Gas	Global Warming Potential
Carbon Dioxide	1
Methane	21
Nitrous Oxide	310
HFC-23	11,700
HFC-134a	1,300
HFC-152a	140
PFC: Tetrafluoromethane (CF4)	6,500
PFC: Hexafluoroethane (C2F6)	9,200
Sulfur Hexafluoride (SF6)	23,900

Source: http://epa.gov/climatechange/emissions/downloads09/Introduction.pdf

As noted above, the earth needs a certain amount of greenhouse gases in order to maintain a livable temperature. However, it is believed by many that global climate change may occur as a result of excess amounts of GHG, which, in turn, may result in significant adverse effects to the environment that will be experienced worldwide. The effects may include the melting of polar ice caps and rising sea levels, increased

flooding in wet areas, droughts in arid areas, harsher storms, problems with agriculture, and the extinction of some animal species. Regardless of whether the rise in GHG is caused by natural cyclic events or not, it is widely believed production of additional GHG should be reduced in order to maintain a "healthy" level of GHG in the atmosphere.

Regulatory Setting:

State Legislation

GHG emission targets established by the state legislature include reducing statewide GHG emissions to 1990 levels by 2020 (Assembly Bill [AB] 32 of 2006) and reducing them to 40 percent below 1990 levels by 2030 (Senate Bill [SB] 32 of 2016). Executive Order S-3-05 calls for statewide GHG emissions to be reduced to 80 percent below 1990 levels by 2050. Executive Order B-55-18 calls for California to achieve carbon neutrality by 2045 and achieve and maintain net negative GHG emissions thereafter. These targets are in line with the scientifically established levels needed in the United States to limit the rise in global temperature to no more than 2 degrees Celsius, the warming threshold at which major climate disruptions, such as super droughts and rising sea levels, are projected; these targets also pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (United Nations 2015:3).

California's 2017 Climate Change Scoping Plan (2017 Scoping Plan), prepared by CARB, outlines the main strategies California will implement to achieve the legislated GHG emission target for 2030 and "substantially advance toward our 2050 climate goals" (CARB 2017:1, 3, 5, 20, 25–26). It identifies the reductions needed by each GHG emission sector (e.g., transportation, industry, electricity generation, agriculture, commercial and residential, pollutants with high global warming potential, and recycling and waste).

Tuolumne County 2022 Climate Action Plan

The Board of Supervisors approved the Climate Action Plan (CAP) on November 8, 2022. The CAP identifies existing and projected GHG emissions, sets GHG reduction targets, establishes policies and actions to meet reduction targets, integrates climate adaptation and resilience strategies, engages the community, and provides an implementation program. The project was reviewed for consistency with the CAP. Strategies and measures have been included in the CAP to mitigate and reduce GHG emissions. The project's consistency with these strategies and measures are discussed below.

Significance Criteria

The following thresholds were established by the CAP.

GHG Emissions Efficiency Thresholds

	2030	2040	2050
Target emissions from new development ($MTCO_2e$)	19,617	23,676	17,316
Efficiency threshold for new development ($MTCO_2e$/SP)	3.84	2.43	1.20
Efficiency threshold for new development ($MTCO_2e$/capita)	4.72	2.98	1.48
Efficiency threshold for new development ($MTCO_2e$/employee)	20.70	13.09	6.48

Notes: GHG = greenhouse gas; $MTCO_2e$ = metric tons of carbon dioxide equivalent; SP = service population.

Source: Ascent Environmental 2021.

The significance evaluation is based on the thresholds above and the project's consistency with the strategies and measures in the CAP.

Analysis:

a) The project would be required to comply with the following thresholds, as established by the CAP.

GHG Emissions Efficiency Thresholds

	2030	2040	2050
Target emissions from new development ($MTCO_2e$)	19,617	23,676	17,316
Efficiency threshold for new development ($MTCO_2e$/SP)	3.84	2.43	1.20
Efficiency threshold for new development ($MTCO_2e$/capita)	4.72	2.98	1.48
Efficiency threshold for new development ($MTCO_2e$/employee)	20.70	13.09	6.48

Notes: GHG = greenhouse gas; $MTCO_2e$ = metric tons of carbon dioxide equivalent; SP = service population.

Source: Ascent Environmental 2021.

The CalEEMod was used to generate CO2e emissions generated through project construction and operation. Table 4 below shows the amounts. The CalEEMod defaulted to a population of 125 based on the number of units, which will be utilized to generate the per capita amount.

Table 4: Project CO^2e Emissions

	Annual CO^2e (MT/yr)	Per capita CO^2e (MT/yr)	CAP Threshold	Exceeds threshold?
Construction	364	2.912	4.72	No
Operational	508	4.064	4.72	No

As shown in Table 4 above, both project construction and project operations would be below the significance thresholds established by the CAP. Therefore, the impact would be less than significant.

b) The project has been reviewed for compliance with the CAP. As indicated in Table 4 above, the project complies with the significance thresholds established by the CAP. The following strategies and measures apply to the project.

Measure 1.1: *Encourage residents and visitors to walk, bike, or use other modes of active transportation.*

A condition as discussed in the "Transportation" Section below in this report will require onsite bicycle parking, which would encourage residents to bike.

Measure 4.2: *Increase the use of defensible space strategies to reduce wildfire property damage for properties located in high-wildfire risk zones in the county using guidance and requirements pursuant to Assembly Bill (AB) 3074 of 2020 (Fire Prevention).*

The project would be required to comply with all applicable local and state regulations pertaining to defensible space.

Measure 1.3: *Conserve areas, such as wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas, that provide carbon sequestration benefits.*

The site plans indicate that approximately on third of the eastern portion of the site would remain undisturbed and would not be developed. This area contains more dense vegetation and contains the higher priority habitat.

Measure 4.1: *Promote responsible consumption of products and materials.*

Measure 1.1: *Increase energy efficiency and climate resiliency in all new buildings.*

The project is required to comply with adopted building code standards relative to energy. As discussed in the "Energy" Section the energy consumption during construction and operation would not be wasteful, inefficient, or unnecessary.

The project has been found to be consistent with the CAP. Therefore, impacts are less than significant.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

HAZARDS AND HAZARDOUS MATERIALS:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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 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?	☐	☐	☒	☐

Environmental Setting:

Hazardous substances and wastes that are likely to be generated from the project would include hydraulic fluids and solvents used in construction and gasoline, diesel, and fluids associated with construction on site. Once operational, hazardous substances and waste would be consist of gasoline, diesel, and household cleaning products typically associated with residential use. All hazardous substances and wastes are highly regulated by federal, state, and local regulations regarding the use, storage, transportation, handling, processing, and disposal. All hazardous substances and waste are required to be stored, transported, handled, processed, and disposed of in accordance with these regulations.

To address compliance of these regulations in the home, Tuolumne County adopted the Household Hazardous Waste Element of the Tuolumne County Integrated Waste Management Plan. This plan aims to reduce the amount of household hazardous waste generated within Tuolumne County through reuse and recycling, to divert household hazardous waste from landfills, to promote alternatives to toxic household products, and to educate the public regarding household hazardous waste management. Household hazardous waste is collected at the Cal Sierra Transfer Station in East Sonora and the Groveland Transfer Station in Groveland. Tuolumne County also holds collection events for household hazardous waste which is organized by the Solid Waste Division of the Department of Public Works.

The project site is located within the Curtis Creek Elementary School district and Sonora High School District. The nearest school is Curtis Creek Elementary School, which is located approximately 1.4 miles southeast of the project site.

The California Department of Toxic Substance Control (DTSC) maintains a list of cleanup sites and hazardous waste permitted facilities on its EnviroStor database. The State Water Resources Control Board regulates spills, leaks, investigation, and cleanup sites and maintains an online GeoTracker database. The GeoTracker

database tracks regulatory data about leaking underground storage tank (LUST) sites, fuel pipelines, and public drinking water supplies. These databases were consulted for the project site.

There are two airports located within Tuolumne County. One is located within the community of Columbia and the other airport is located in the community of Groveland. Parcels that are subject to the Tuolumne County Airport Compatibility Plan are designated with the Airport Overlay (-AIR) General Plan land use designation and the :AIR (Airport Combining) zoning district. The project site is not located within two miles of an airport and does not contain the Airport Combining zoning or General Plan Overlay.

Information on emergency response plan and evacuation plan is contained in the Natural Hazards Element of the 2018 Tuolumne County General Plan and the Tuolumne County Multi-Jurisdiction Hazard Mitigation Plan. Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. In the event of an emergency, the Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sherriff's Department will inform members of the public via the Everbridge Emergency Notification System, local media, and door-to-door when feasible.

The project site is located within a State Responsibility Area (SRA) and is rated as high fire hazard severity zone. This rating is based on factors of slope, vegetation, and annual summer weather patterns. These zones, referred to as Fire Hazard Severity Zones (FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zone.

Regulatory Setting:

Federal:

Toxic Substances Control Act

The 1976 Toxic Substances Control Act regulates the manufacturing, inventory, and disposition of industrial chemicals, including hazardous materials. The Model Accreditation Plan, adopted under Title II of the Act, requires that all persons who inspect for asbestos-containing material (ACM) or design or conduct response actions with respect to friable asbestos obtain accreditation by completing a prescribed training course and passing an exam. Section 403 of the Toxic Substances Control Act establishes standards for LBP hazards in paint, dust, and soil.

Resource Conservation and Recovery Act

RCRA (42 U.S. Code [USC] 6901 et seq.) is the law under which EPA regulates hazardous waste from the time the waste is generated until its final disposal ("cradle to grave"). EPA has authorized DTSC to enforce hazardous waste laws and regulations in California. Under RCRA, DTSC has the authority to implement permitting, inspection, compliance, and corrective action programs to ensure that people who manage hazardous waste follow state and federal requirements. Generators must ensure that their wastes are disposed of properly, and legal requirements dictate the disposal requirements for many waste streams (e.g., banning many types of hazardous wastes from landfills).

Superfund Amendments and Reauthorization Act

The Superfund Amendments and Reauthorization Act (SARA) of 1986 (Public Law 99-499; USC Title 42, Chapter 116), also known as SARA Title III or the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986, imposes hazardous materials planning requirements to help protect local communities in the event of accidental release.

EPCRA requires states and local emergency planning groups to develop community emergency response plans for protection from a list of extremely hazardous substances (40 CFR 355 Appendix A). In California, EPCRA is implemented through the Cal ARP program.

Hazardous Materials Transportation

DOT regulates transport of hazardous materials between states and is responsible for protecting the public from dangers associated with such transport. The federal hazardous materials transportation law, 49 USC 5101 et seq. (formerly the Hazardous Materials Transportation Act 49 USC 1801 et seq.) is the basic statute regulating transport of hazardous materials in the United States. Hazardous materials regulations are enforced by the Federal Highway Administration, the Federal Railroad Administration, and the Federal Aviation Administration.

Comprehensive Environmental Response, Compensation, and Liability Act

Brownfield sites are areas with actual or perceived contamination and that may have potential for redevelopment or reuse. Brownfields are often former industrial facilities that were once the source of jobs and economic benefits to the community but lie abandoned due to fears about contamination and potential liability. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over 5 years, $1.6 billion was collected and the tax went into a fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA was amended in January of 2002 with passage of the Small Business Liability Relief and Brownfields Revitalization Act. This Act provides some relief for small businesses from liability under CERCLA. It authorizes $200 million per fiscal year through 2006 to provide financial assistance for brownfield revitalization. CERCLA also facilitated a revision of the National Contingency Plan, which provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The plan also established the generation of EPA's National Priorities List, a list of all the sites with known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. According to the National Priorities List database, there are no Superfund sites within Tuolumne County (EPA 2018).

National Emissions Standards for Hazardous Air Pollutants

The asbestos regulations under NESHAP control work practices during the demolition and renovation of institutional, commercial, or industrial structures. Following identification of friable asbestos, OSHA requires that asbestos trained and certified abatement personnel perform asbestos abatement and all ACM removed from on-site structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos.

Clean Water Act

The U.S. Environmental Protection Agency (EPA) is the federal agency primarily responsible for water quality management. The CWA establishes the basic structure for regulating discharges of pollutants into "waters of the United States." The Act specifies a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. Some of these tools include:

Section 311 details the Spill Prevention and Countermeasure Control (SPCC) rule, which requires facilities to prepare and maintain a SPCC plan. A facility falls under federal jurisdiction and the SPCC rule if it has an aggregate aboveground oil storage capacity greater than 1,320 U.S. gallons or a completely buried storage capacity greater than 42,000 U.S. gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the U.S. or adjoining shorelines. A SPCC plan describes oil handling operations, spill prevention practices, discharge or drainage controls, and the personnel, equipment, and resources at a facility that are used to prevent oil spills from reaching navigable waters or adjoining shorelines.

State:

California Accidental Release Prevention Program

Cal ARP (CCR Title 19, Division 2, Chapter 4.5) covers certain businesses that store or handle more than a specified volume of regulated substances at their facilities. The Cal ARP program regulations became effective

on January 1, 1997, and include the provisions of the federal Accidental Release Prevention program (Title 40, CFR Part 68), with certain additions specific to the state pursuant to Health and Safety Code Section 25531 et seq. The list of regulated substances is found in 19 CCR Section 2770.5 of the Cal ARP program regulations. Businesses that use a regulated substance above the noted threshold quantity must implement an accidental release prevention program, and some may be required to complete RMPs. An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The purpose of an RMP is to decrease the risk of an off-site release of a regulated substance that might harm the surrounding environment and community. An RMP includes the following components: safety information, hazard review, operating procedures, training, maintenance, compliance audits, and incident investigation. The RMP must consider the proximity to sensitive populations located in schools, residential areas, general acute care hospitals, long-term health care facilities, and child day-care facilities, as well as external events such as seismic activity.

California Government Code Section 65962.5

California Government Code Section 65962.5 requires DTSC to compile and maintain lists of potentially contaminated sites located throughout the State of California. This "Cortese List" includes hazardous waste and substance sites from DTSC's database, LUST sites from the SWRCB's database, solid waste disposal sites with waste constituents above hazardous waste levels outside of the waste management unit, Cease and Desist Orders and Cleanup and Abatement Orders concerning hazardous wastes, and hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

There are no sites in unincorporated Tuolumne County on DTSC's database of hazardous waste and substance sites, and there are no solid waste disposal sites in the County with waste constituents above hazardous waste levels outside of the waste management unit. There are six Cease and Desist Orders and Cleanup and Abatement Orders in the unincorporated County area, but none are apparently concerning hazardous waste. As described above, there are several records of LUST sites in the County (DTSC 2018).

Hazardous Waste Control Act

These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act, Health and Safety Code Section 25100 et seq. and Title 26 of the CCR, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with DTSC.

Hazardous Materials Release Response Plans and Inventory Law

The Hazardous Materials Release Response Plans and Inventory Law, Health and Safety Code Section 25500 et seq., aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on site, to prepare an emergency response plan, and to train employees to use the materials safely.

Transport of Hazardous Materials and Hazardous Materials Emergency Response Plan

The State of California has adopted DOT regulations for the movement of hazardous materials originating within the state and passing through the state. State regulations are contained in Title 26 of the CCR. State agencies with primary responsibility for enforcing state regulations and responding to hazardous materials transportation emergencies are the CHP and Caltrans. Together, these agencies determine container types used and license hazardous waste haulers to transport hazardous waste on public roads.

The State of California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments and private agencies. Response to hazardous materials incidents is one part of the plan. The plan is managed by the California Office of Emergency Services, which coordinates the responses of other agencies in the area.

Worker and Workplace Hazardous Materials Safety

Cal/OSHA is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers are informed of the hazards associated with the materials they handle. For example, manufacturers are to appropriately label containers, material safety data sheets are to be available in the workplace, and employers are to properly train workers.

California State Aeronautics Act

At the state level, Caltrans's Division of Aeronautics administers Federal Aviation Administration regulations. The division issues permits for hospital heliports and public-use airports, reviews potential and future school sites proposed within 2 miles of an airport and authorizes helicopter landing sites at or near schools. In addition, it administers noise regulation and land use planning laws, which regulate the operational activities and provides for the integration of aviation planning on a regional basis.

CAL FIRE Regulations

Title 14 of the CCR establishes regulations for CAL FIRE in areas where CAL FIRE is responsible for wildfire protection. These regulations constitute the basic wildland fire protection standards of the California Board of Forestry and Fire Protection. They have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction, and development in state recreation areas. Additionally, Title 14 sets forth the minimum standards for emergency access, fuel modification, setback, signage, and water supply.

Emergency Services Act

Under the Emergency Services Act, Government Code Section 8550 et seq., the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California Office of Emergency Services. The office coordinates the responses of other agencies, including EPA, the CHP, regional water quality control boards, air quality management districts, and county disaster response offices.

International Building Code

In January of 2008, California officially switched from the Uniform Building Code to the International Building Code. The International Building Code specifies construction standards to be used in urban interface and wildland areas where there is an elevated threat of fire.

2010 Strategic Fire Plan for California

The 2010 Strategic California Fire Plan is the state's road map for reducing the risk of wildfire. By emphasizing fire prevention, the Fire Plan seeks to reduce firefighting costs and property losses, increase firefighter safety, and to contribute to ecosystem health.

Local:

Certified Unified Program Agency

Pursuant to Senate Bill 1082 (1993), the State of California adopted regulations to consolidate six hazardous materials management programs under a single, local agency, known as the Certified Unified Program Agency. In addition to conducting annual facility inspections, the Hazardous Materials Program is involved with hazardous materials emergency response, investigation of the illegal disposal of hazardous waste, public complaints, and storm water illicit discharge inspections. In January 1997, the Tuolumne County Environmental Health Division was designated as the Certified Unified Program Agency by the Secretary of the California Environmental Protection Agency for Tuolumne County. Accordingly, it is the Environmental Health Division's responsibility to prevent public health hazards in the community and to ensure the safety of water and food. The Environmental Health Division coordinates activities with federal, state, and regional agencies when planning

programs that deal with the control of toxic materials, housing conditions, nuisance complaints, protection of food and water supply, public bathing areas, and sewage and solid waste.

Tuolumne County Multi-Jurisdictional Hazard Mitigation Plan

Implementation of the *Tuolumne County Multi-Jurisdictional Hazard Mitigation Plan* (HMP) (2018) is a coordinated effort between Tuolumne County, the City of Sonora, the Tuolumne Utilities District, the Sonora Union High School District, the Groveland Community Services District, Twain Harte Community Services District, Mi-Wuk Sugar Pine Fire Protection District, Belleview Elementary School District, Big Oak Flat-Groveland Unified School District, Jamestown Sanitary District, Columbia Fire Protection District, Columbia Union School District, Curtis Creek School District, Jamestown Elementary School District, Sonora Elementary School District, Summerville Elementary School District, Summerville Union High School District, Twain Harte Long Barn School District, and the Tuolumne Band of Me-Wuk Indians to effectively deal with natural catastrophes that affect the County. The HMP addresses risks associated with numerous hazards, including wildfire, earthquake, flooding, sinkholes, and extreme weather.

Tuolumne County Emergency Operations Plan

The Tuolumne County Emergency Operations Plan delineates the County's procedures and policies in response to a significant disaster, including extreme weather, flood or dam failure, earthquakes, hazardous materials, terrorism or civil disturbance, transportation accidents, and wildland fires.

County 4290 In Lieu Regulations

California Public Resources Code Section 4290 requires local jurisdictions in California to adopt General Plan Safety elements that meet Section 4290 standards or, in lieu of this regiment, local jurisdictions must adopt local fire safe ordinances addressing issues including emergency access, signing and building numbering, private water supply reserves for emergency fire use, and vegetation modification. The County currently has local fire safe ordinances in place in Titles 11, 15, and 16 of the Tuolumne County Ordinance Code. The California Board of Forestry and Fire Protection certified the County's fire safe ordinances in 2016.

2018 Tuolumne County General Plan

The 2018 General Plan contains goals, policies, and implementation programs related to wildland fires, emergency services, and hazardous materials within the Safety Element and the Public Safety Element. These are contained within Chapters 9 and 17 of the 2018 General Plan.

Waste associated with construction (treated wood waste, organic vegetation waste, rock), and waste associated with project operation (ash, municipal solid waste), would be disposed of at the approved recycling Waste Management Facility located at 14909 Camage Avenue, less than 0.5 mile from the project site. The project would not produce excessive hazardous waste, solid waste for landfills, and may be served by existing facilities. Therefore, impacts would be minimal, and no mitigation is required.

Analysis:

a) Construction activities would involve the use of hazardous materials such as fuels, lubricants, and solvents typically associated with construction equipment and vehicles. These materials are commonly used during construction and are not acutely hazardous. The federal Occupational Safety and Health Administration (OSHA) is the agency responsible for assuring worker safety in the handling and use of chemicals identified in the Occupational Safety and Health Act of 1970 (Public Law 91-596, 9 USC 651 et seq.). OSHA has adopted numerous regulations pertaining to worker safety, contained in CFR Title 29. These regulations set standards for safe workplaces and work practices, including standards relating to the handling of hazardous materials and those required for construction activities such as excavation and trenching. Any materials used during construction activities would be handled in accordance with applicable laws, regulations, and protocols related to protect worker, user, and public safety. Operation of the project would not involve the use, emission, or release of hazardous wastes or materials beyond small amounts of common household products such as fuels, solvents, and cleaners. These products

would be utilized and disposed of in accordance with applicable regulations and manufacturer's instructions. Compliance with applicable laws, regulations, and protocols and the 2018 General Plan would result in impacts being less than significant.

b) Reasonably foreseeable upset and accident conditions could include small spills or leaks associated with the use of construction equipment and vehicles, as described in item (a). Any materials utilized during construction activities would be handled in accordance with applicable laws, regulations, and protocols, and operation of the project would not result in the creation of any hazards to the public. As discussed under item (a), operation of the project would not involve the use of or result in the release of hazardous materials. Impacts would be less than significant.

c) The project site is not located within 0.25 mile of an existing or proposed school. The nearest school is Curtis Creek Elementary School, which is located approximately 1.4± miles southeast of the project site. There are no proposed schools within the vicinity of the project site. There would be no impact.

d) A review of the Department of Toxic Substances Control (DTSC) database, *EnviroStor*, which includes lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any sites on or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. Additionally, the site is not listed on the State Water Resources Control Board's GeoTracker database. Therefore, there will be no impact.

e) The project site is not located within an area that is subject to the Tuolumne County Airport Land Use Compatibility Plan nor does it contain the Airport Combining District (:AIR) zoning or Airport General Plan overlay. The nearest airport, Columbia Airport, is located approximately 5.8± aerial miles northwest of the project site. The project would be located at a distance far enough from the airstrip that it would not create a unique safety hazard for people residing within the project site. Therefore, there would be no impact.

f) Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. Tuolumne County does not have any designated evacuation routes because fires can happen anywhere and may block specific roads and certain areas may not be safe for travel. The Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sherriff's Department will inform members of the public via the Emergency Notification System, local media, and door-to-door when feasible of where the wildfire is located, which routes are safe to use, and which locations are safe to seek refuge from the fire. Generalized emergency information is also contained within the adopted Multi-Jurisdictional Hazard Mitigation Plan. Tuolumne County maintains the Hazard Mitigation Plan and Emergency Operations Plan. Through the development approvals and coordination processes, the County would limit the potential for hazards, particularly associated with wildfire and emergency access, with the General Plan Update policies and implementation programs. The project has been found to be consistent with Chapter 9 Public Safety and Chapter 17 Natural Hazards of the 2018 General Plan, as shown in Section g below. The project is required to comply with applicable road standards and will include improvements to Peaceful Valley Road. The project will include widening Peaceful Valley Road and developing a paved shoulder. All internal roads and parking areas will be required to meet applicable codes. The project includes the development of 56 residential apartment units and associated amenities, which would not be inconsistent with or impair or interfere with Tuolumne County's adopted emergency response and evacuation plans. The impact is less than significant.

g) The project site is located within an SRA and is rated as high fire hazard severity zone. The project has been reviewed by the Tuolumne County Fire Prevention Division. The Fire Prevention Division provided conditions for the project to ensure consistency with the Titles 11, 12, 15 and 16 of the Ordinance Code, the California Building Code, and the California Fire Code. Conditions will be added to the project including requirements for fire flow, hydrants, sprinkler systems, and road standards. The Engineering

Division of Public Works has also provided conditions to address the road standard requirements, which are discussed in the "Transportation" Section below in this report. The project will also be required to comply with all applicable building code requirements. These codes and requirements would reduce the risk of loss, injury, or death involving wildland fires.

The project has been found to be consistent with Chapter 9 "Public Safety" and Chapter 17 "Natural Hazards" of the 2018 General Plan. Consistency with specific Goals, Policies, and Implementation Programs will be demonstrated below.

The following Policies of the 2018 Tuolumne County General Plan apply to the proposed project:

Policy 9.A.1: *Actively involve fire protection agencies within Tuolumne County in land use planning decisions.*

The Tuolumne County Fire Prevention Division has been consulted with during the processing of the application. The Tuolumne County Fire Prevention Division provided conditions which have been incorporated into the projects' conditions of approval, as discussed above and below.

Policy 9.E.3: *Require new development to be consistent with State and County regulations and policies regarding fire protection.*

The development and operation of the site will be consistent with all applicable State and County regulations and policies regarding fire protection. Road and driveway improvement plans will be reviewed by the Tuolumne County Fire Prevention Division and Engineering Division of the Department of Public Works to ensure compliance with the California Fire Code and Titles 11 and 15 of the TCOC. Building Plans will be reviewed for consistency with all applicable State and County regulations pertaining to fire protection.

Policy 17.E.2: *Require the maintenance of defensible space setbacks in areas proposed for development if wildland fire hazards exist on adjacent properties.*

The project site is required to comply with all applicable defensible space regulations.

Policy 17.E.3: *Require new development to have adequate fire protection and to include, where necessary, design and maintenance features that contribute to the protection of the County from the losses associated with wildland fire.*

Conditions provided by the Tuolumne County Fire Prevention Division have been incorporated into the projects' conditions of approval to minimize fire hazards and to contribute to the protection of the County from the losses associated with wildland fire.

The Tuolumne County Fire Prevention has indicated that the following conditions would apply to the proposed project, with a more in-depth code analysis review to be conducted upon receipt of an application for a building permit.

The following three conditions would be required prior to issuance of a building permit.

- Fire flow is determined by the square footage of the largest building on site including all horizontal projections. A reduction of up to 75%, if approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute for 2 hours, and fire flow will be finalized at the time of the building permit.

- The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of any building permits.

- County Standard Dry Barrel Hydrant shall be available within 250 feet of the furthest portion of all proposed buildings measured by way of drivable access. Tuolumne County Fire Prevention shall approve all hydrant plans, locations and installations.

The following conditions would also apply.

- All R-2 occupancies shall be equipped with an automatic sprinkler system meeting all requirements of NFPA 13. Plans and calculations for the Automatic Engineered Fire Sprinkler System shall be submitted to Fire Prevention for review and approval prior to the issuance of a building permit or the installation of any portion of the system.

- The Automatic Engineered Fire Sprinkler System shall be protected by an approved Automatic Electronic Fire Alarm System. The Automatic Electronic Fire Alarm System shall meet all the requirements of CFC 907.2.9 and NFPA 72 for such systems, and monitor water flow, main valve tamper, pull stations, smoke detectors. The system shall be monitored at an approved central station. Plans, specifications and listing numbers shall be submitted to Fire Prevention for review and approval prior to installation of any portion of the alarm system.

- The road shall be improved from the project site to Mono Way per TCOC Title 11 standards.

  The specific road improvement requirements require Peaceful Valley Road to have a minimum paved width of 20 feet with a 4-foot paved shoulder along the northern side. Additional details regarding the required road standards are discussed in the "Transportation" Section below in this report.

- Roads shall be provided within 150 feet of all portions of the exterior walls of the proposed buildings. The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. Signs shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The roads shall be posted with signs stating "No Parking Fire Lane" or other language as approved by Fire Prevention. The number and location of the signs shall be as approved by Fire Prevention. Red striping on the exterior boundaries of fire access roads shall be used to identify areas of roads and prohibit vehicle obstruction. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by Fire Prevention. Fire apparatus access roads shall not be blocked in any manner, including parking of vehicles.

- For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by Fire Prevention

The incorporation of these conditions and the project's consistency with Titles 11, 12, 15 and 16 of the Ordinance Code, the Tuolumne County General Plan, the California Building Code, and the California Fire Code would result in a less than significant impact. See the "Wildfire" Section below for additional information and analysis.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

HYDROLOGY AND WATER QUALITY:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed 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 or surface runoff in a manner which would create flooding on- or off-site;	☐	☐	☒	☐
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?	☐	☐	☒	☐

Environmental Setting:

The project site is located within the Tuolumne River watershed and is bordered by the Stanislaus River watershed. The historic Phoenix Ditch is on the project site, which historically flowed into Curtis Creek. This drainage eventually flows into the Tuolumne River and Lake Don Pedro Reservoir.

A Water Quality Plan was prepared for Tuolumne County in 2007 and contains a comprehensive program that addressed a wide range of water quality concerns within the county and emphasizes mechanisms for maintaining and improving surface water quality (Tuolumne County 2007). The project site is located within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB).

Regulatory Setting:

The Federal Water Pollution Control Act was adopted to protect the quality of surface waters of the Country and is implemented through the National Pollutant Discharge Elimination System (NPDES). In California, the NPDES is implemented through the Storm Water Permitting Unit of the State Water Resources Control Board. Pursuant to State regulations, land development projects which disturb one acre or more must submit a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit. A Stormwater Pollution Prevention Plan (SWPPP) is required to be submitted with the NOI. The SWPP is required to be prepared by a qualified professional and includes Best Management Practices (BMPs) to be implemented during project construction to minimize stormwater runoff, erosion, and sediment movement.

The Federal Emergency Management Agency (FEMA) provides information on flood hazards for communities based on its Flood Insurance Rate Maps (FIRM). The project site is located with Flood Zone X, which are areas of minimal flood hazards. A small portion of the site is located within Flood Zone A, which are areas with a 1%

annual chance of flooding where no depths or base flood elevations are shown. Chapter 15.24 of the TCOC provides regulations related to flood hazards. The purpose of Chapter 15.24 is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions ins specific areas by legally enforceable regulations applied uniformly throughout the County to all publicly and privately owned land within flood prone or flood relation erosion areas.

The project site is within TUD's service area for public water. Groundwater from TUD wells provides approximately 4% of the domestic water supplied annually to TUD customers. The majority of available groundwater in Tuolumne County is transient and found in fractured rock formations instead of continuous aquifers. The remaining 96% of TUD's water supply consists of surface water which originates as rainfall and snowpack runoff that fill TUD's reservoirs.

Analysis:

a) Runoff from the project site has the potential to transport silt and other sediments to off-site surface waters if soil surfaces exposed during construction on the project site are not stabilized. However, the requirement of preparation of a SWPPP with BMPs and the submittal of a NOI with the State Water Resources Control Board would ensure compliance with water quality standards and waste discharge requirements and would protect the discharge of pollutants into surface or ground water. Additionally, the project site is required to comply with Chapter 12.20 of the TCOC, which includes provisions for erosion control. As identified in the "Biological Resources" section above in this report, the project site does not contain wetland areas. The Phoenix Ditch on site would be avoided by the project and there would be no impact to the ditch.

   Compliance with applicable permits and construction measures and incorporation of mitigation measures would ensure that the project would not violate any water quality standards or waste discharge requirements set forth by the Central Valley RWQCB or result in the degradation of surface and groundwater quality. Impacts would be less than significant.

b) The project would be served public water via the Tuolumne Utilities District. No on-site wells would be utilized by the project. Therefore, the project would not significantly deplete groundwater resources. The project would introduce new non-permeable surfaces to the site for the buildings, roads, and parking lots. However, much of the site would be undisturbed and would allow for groundwater recharge. There would be a less than significant impact.

ci-civ) The project site does not contain streams or rivers. The historic Phoenix Ditch is located on site, which allows for natural movement of water on site after periods of rain. However, as identified in the "Biological Resources" section of this study, the ditch does not meet the criteria for being a jurisdictional waterway or wetland. The project would be required to provide a drainage plan to the Engineering Division of the Department of Public Works. The drainage plan is required to address the entire project site drainage and impacts to downstream drainages, culverts, and properties. Additionally, the Engineering Division has indicated that on-site detention/retention shall be required.

   Chapter 12.20 of the TCOC contains the County's regulations regarding grading activities. The Engineering Division of the Department of Public Works has reviewed the project and responded with conditions in accordance with Chapter 12.20, which will become Conditions of Approval for the project. The project proponent is required to submit an erosion control plan to be reviewed and approved which must be implemented during project construction activities. The project will also require that all soils that are disturbed by clearing or grading shall be reseeded or hydro mulched or otherwise stabilized as soon as possible. Emergency erosion control measures shall be utilized as requested by County officials. These conditions would apply to any grading on site and would be verified through the grading permit review process.

Additionally, the project is required to submit an NOI to the State Water Resources Control Board Water Permitting Unit to obtain coverage under the General Construction Activity Stormwater Permit for the disturbance of more than one acre. A SWPPP is required to be developed and submitted with the NOI. The SWPPP must be prepared by a qualified professional and includes BMPs to be implemented to minimize stormwater runoff, erosion, and sediment movement during construction activities.

Compliance with the above conditions would result in a less than significant impact.

d) The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) delineating flood hazard zones for communities. The project site is located in an area identified on the FEMA FIRM Panel Number 06109C0852C (dated April 16, 2009) in "Zone X," an area of very low flood hazard. The project would not affect habitable structures, nor locate any people or habitable structures within any areas prone to flood. The project would not result in increased flood risk to people or property for the above reasons and would not alter pervious coverage in a manner that would lead to increased flood flows or alter the existing floodplain**.** The Technical Background Report for the 2018 General Plan indicates that there is no risk of tsunamis in Tuolumne County due to its distance from the ocean. There is also no risk of earthquake-induced seiches within Tuolumne County. No impact would occur.

e) The goal of the Tuolumne County Water Quality Plan is to minimize the risk of pollution into water sources. This can be achieved by the implementation of BMPs during project development.

The Water Quality Plan categorizes BMPs into the following categories: prevention, source control, and treatment control. The project is required to submit an NOI with the State Water Resources Control Board. This submittal requires the preparation of a SWPPP, prepared by qualified professional, which must incorporate BMPs to be implemented during project construction. The SWPPP is required prior to the issuance of a Grading Permit by the Engineering Division of the Department of Public Works. Erosion control measures are required to be implemented during site disturbing activities, as required by Title 12 of the Tuolumne County Ordinance Code. The Engineering Division verifies these requirements prior to the issuance of a grading permit. These requirements will help reduce impacts to water quality and would support the goals of the Tuolumne County Water Quality Plan.

The project is consistent with the following General Plan goals, policies, and implementation programs:

Implementation Program 14.C.b: Implement grading and surface runoff standards, such as retention and detention, permeable surfaces and recharge, necessary to protect water resources in compliance with State and Federal water quality regulations and with the County's water quality plan referenced in Implementation Program 14.C.e.

The project would meet all applicable provisions of Title 12 related to erosion control, dust suppressant, and other BMPs during grading activities on site. The drainage plan as identified above will address run-off associated with the site and requires on-site detention/retention features. These provisions are verified by the Engineering Department of Public Works.

As demonstrated above, the project is consistent with the goals, policies, and implementation programs of the General Plan and the Tuolumne County Water Quality Plan. Therefore, there would be a less than significant impact.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

LAND USE AND PLANNING:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any 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?	☐	☐	☒	☐

Environmental Setting:

The project site consists of six parcels totaling 4.3± acres. The parcels contain the ER and P General Plan land use designations are currently zoned R-1 and RE-2 under Title 17 of the TCOC. The project proposes to amend the General Plan land use designation of the site to HDR and to rezone the site to the R-3 zoning district. As shown in Figure 1 above in this report, the project site is surrounded by a mix of parcels containing the GC (General Commercial), ER, HDR, and P General Plan land use designations. The project site is bounded by State Route 108 to the North and Peaceful Valley Road to the South. The project site is located within the General Plan Identified Community of East Sonora.

Analysis:

a) The project consists of the development of 56 residential apartment units and associated amenities, a General Plan Amendment to the HDR land use designation, and Zone Change to the R-3 zoning district to allow for the development. The project site is currently vacant and is bound to the north by State Highway 108 and to the south by Peaceful Valley Road. The project site is located within the Identified Community of East Sonora. A community will not be divided, therefore there would be no impact.

b) The project proposes to amend the site to the HDR General Plan land use designation. The HDR designation provides for residential neighborhoods of grouped or clustered single-family dwellings, duplexes, apartments, dwelling groups, condominiums, mobilehome parks and townhouses to economically and efficiently meet a variety of urban housing needs while insuring, through site review procedures, that such developments will have the least possible impact on the natural environment, be designed and built in accordance with the latest engineering and site layout standards and offer the most possible amenities which contribute to a high quality of life for the residents of such housing. This designation is applied within urban areas where residential development will be near transportation corridors, downtowns, defined community centers, major commercial centers, schools and community services. Typical land uses allowed include detached and attached single-family dwellings, secondary dwellings, all types of multiple family dwellings, such as duplexes, apartments and senior housing projects, residential accessory uses, parks, childcare facilities, and public facilities. The proposed development of 56 residential apartment units is consistent with the purpose and typical uses found in the HDR Designation.

   Table 1.3 of the Community Development and Design Element in the 2018 General Plan indicates that the HDR land use designation is compatible with the R-3 zoning district. The HDR designation and R-3 zoning is compatible with other parcels and land uses located within the project vicinity along Peaceful Valley Road, as shown in Figure 1 above in this report.

   The following Goals, Policies and Implementation Programs of the 2018 Tuolumne County General pertain to this project and the project would comply with the following:

Goal 1.A: *Protect and enhance the quality of life for all residents of Tuolumne County while facilitating growth and development to meet the present and future needs of the County's residents, visitors, and businesses.*

Implementation Program 1.A.b: *Provide an appropriate range of land use designations to serve the needs of the residents of the County and designate an adequate amount of land in each land use category to provide a balanced pattern of development. Use overlay designations to recognize special features or characteristics of areas of the County that may affect development potential or create opportunities for conservation of special resources.*

Goal 1E: *Designate adequate land in appropriate areas to accommodate a range of residential densities and amenities to accommodate the housing needs of all income groups residing in Tuolumne County.*

Policy 1.E.1: *Encourage and promote the development of housing for all income levels.*

Goal 2B: *Encourage and promote the development and rehabilitation of extremely low-, very low-, low-, and moderate-income housing for the residents of Tuolumne County to meet the regional housing need.*

The project would allow the development of an affordable housing project consisting of 56 residential units and associated amenities. The development would include a mix of three-bedroom, two-bedroom, one-bedroom, and studio units to support a mix of housing needs. The project would support Goals 1.A, 1E, 2B, Implementation Program 1.A.b and Policy 1.E.1 as indicated above.

Policy 1.A.5: *Promote infill and clustered patterns of development that facilitate the efficient and timely provision of infrastructure and services.*

The project site is located in an area surrounded by other residential and commercial uses. The project is bounded to the north by State Highway 108 and to the south by Peaceful Valley Road. There is existing infrastructure that is able to support the project, in accordance with Policy 1.A.5.

The project site is located within the area that is subject to the East Sonora Community Plan, found in Volume III of the 2018 Tuolumne County General Plan. The following Goals, Policies, and Implementation Programs of the East Sonora Community Plan apply to the project and the project would comply with the following:

Goal ES-A: *Protect the existing residential neighborhoods of East Sonora while providing opportunities for quality higher density residential development.*

The project would allow for a General Plan Amendment to HDR and Zone Change to R-3 to allow for a high-density residential development consisting of 56 residential units, in support of Goal ES-A.

Policy ES-B.7: *Encourage landscaping and public art highlighting the aesthetics of East Sonora.*

Mitigation Measure AES-2 as described in the "Aesthetics" Section above requires submittal and approval of a landscaping plan consistent with the East Sonora Design Guidelines.

Policy ES-A.2: *Require new residential development that is subject to a discretionary entitlement to be designed in accordance with the East Sonora Design Guidelines.*

As described above in the "Aesthetics" Section above, the project will be required to demonstrate compliance with the East Sonora Design Guidelines at the time of the building permit. The preliminary visual renderings and landscaping plan are in conformance with the East Sonora Design Guidelines.

Policy ES-A.6: *Require new urban residential development to provide amenities such as pedestrian walkways, bicycle paths, street lights, landscaping and recreational facilities.*

The project will include on site recreational facilities, walkways, and landscaping and the project is required to include sidewalks along the sites frontage along Peaceful Valley Road, in accordance with Policy ES-A.6

Tuolumne County Ordinance Code

The project proposes to rezone the entirety of the site to the R-3 zoning district. The purpose of the R-3 zoning district is to accommodate high density urban, residential developments such as apartments, dwelling groups, condominiums, mobile home parks, and townhouses to economically and efficiently meet a variety of urban housing needs. Up to fifteen dwelling units per acre is a permitted use in the R-3 Zoning District. Development in the R-3 District to a density of one unit per less than two acres must be served by paved roads and public water. Development to a density of one unit per one-third acre or less must be served by public sewer. The development of 56 residential apartment units on the 4.3± acre site is consistent with this. The project site complies with the minimum size requirements and densities of the R-3 zoning district. The site would be provided public water and sewer by the Tuolumne Utilities District.

Prior to development of the project site, the following entitlements would be required:

Table 5: Future Entitlements

Permit	Agency
Grading Permit	Engineering Division of the Department of Public Works
Road Encroachment Permit	Engineering Division of the Department of Public Works
Building Permit	Building and Safety Division of the Community Development Department
General Construction Activity Storm Water Permit	Regional Water Quality Control Board

The project will be conditioned to require securement of the above permits (Table 4) if needed. This will ensure compliance with all applicable policies and regulations of each of the permitting agencies.

As indicated above, the project is consistent with all applicable land use plan, policy, and regulations of agencies with jurisdiction over the project. Therefore, there is a less than significant impact.

Mitigation Measures: None Required

Mitigation Monitoring: Not Applicable

MINERAL RESOURCES:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed 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?	☐	☐	☒	☐

Environmental Setting:

Tuolumne County has an extensive history as a mining community. Tuolumne County was historically mined for gold during the early 1850s. Current mining operations within Tuolumne County mine for limestone and dolomite, and various crushed rock, gravel, and sand products.

Regulatory Setting:

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires classification of land in the state according to the known or inferred mineral resource potential of that land, which is provided direction under the State Geologist. The California Department of Conservation Division of Mines and Geology has developed Mineral Resource Zones (MRZ) to classify the areas where significant mineral resources occur or are likely to occur. Areas classified as MRZ-2a or MRZ-2b have been identified as having demonstrated or inferred significant mineral resources.

The Mineral Preserve Overlay (MPZ) General Plan land use designation is used to identify land that has been classified as either Mineral Resource Zone MRZ-2a or MRZ-2b by the State Mining and Geology Board under the State Classification System and meets criteria for relationship to surrounding land uses, access, and other issues. The MPZ overlay designation is found along the Mother Lode gold ore zone, the carbonate belt from Columbia to Algerine, and the table mountain basalt as an aggregate source. The MPZ Overlay is used to direct the development potential towards the types of development that are compatible with possible mineral resource extraction.

Analysis:

a,b) The *Mineral Land Classification of a Portion of Tuolumne County, California for Precious Metals, Carbonate Rock and Concrete-Grade Aggregate (1997),* DMG Open File Report 97-09, was reviewed for the project. For precious and aggregate minerals, the project site is located within Pocket Belt-East Belt, which is classified as MRZ-3b. For carbonate minerals, the project site is located within the Southwestern County Area which is classified as MRZ-4. Mineral Resource Zone MRZ-3b are areas of underdetermined resource significance with inferred mineral occurrence. Mineral Resource Zone MRZ-4 are areas of no known mineral occurrence.

The -MPZ overlay designation provides for the extraction and processing of mineral resources. This overlay is used to identify land that has been classified as either Mineral Resource Zone MRZ-2a or MRZ-2b by the State Mining and Geology Board under the State Classification System and meets criteria for relationship to surrounding land uses, access, and other issues. Uses within the -MPZ overlay designation are those that are compatible with mineral resource extraction and processing. The project site does meet the criteria for the MPZ overlay as the site does not contain mineral deposits classified as MRZ-2a or MRZ-2b. Therefore, there are no known mineral resources of value on site.

Policy 7.C.1 of the Tuolumne County General Plan directs the County to protect lands classified as significant Mineral Resource Zone-2 (MRZ-2) by the State Department of Conservation Division of Mines and Geology, and meeting the criteria established in the General Plan for MPZ overlay, from conflicts, such as incompatible development on surrounding land, which might prevent future mining activities. The project site does not contain the MPZ overlay General Plan land use designation and does not meet the criteria for the MPZ overlay. There are no parcels within the vicinity of the project site that contain the -MPZ overlay designation. Therefore, the project would have a less than significant impact on known mineral resources.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

NOISE:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed 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 with the vicinity of a private airstrip or an airport land use plan or, where such 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?	☐	☐	☐	☒

Environmental Setting:

Noise (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz) (Tuolumne County 2018). In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress.

One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (L_{eq}). The L_{eq} is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (Tuolumne County 2018). Typically, L_{eq} is summed over a one-hour period. The maximum instantaneous noise level (L_{max}) can be used to describe short noise events (e.g., construction activities, car pass-by). In addition, the community noise equivalent level (CNEL), is typically used for describing ambient noise levels and sources that generate noise over extended periods of time (e.g., roadway noise). The CNEL is a weighted noise level over a 24-hour period that applies a penalty of 5 dB during the evening hours (7:00 p.m. to 10:00 p.m.) and a 10-dB penalty during the nighttime hours (10:00 p.m. to 7:00 a.m.).

The sound pressure level is measured on a logarithmic scale with the 0-dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Decibels cannot be added arithmetically, but rather are added on a logarithmic basis. Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB. Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3-dB change in community noise levels is noticeable, while 1–2 dB changes generally are not perceived. Quiet suburban areas typically have exterior noise levels in the range of 40–50 dBA, while those along arterial streets are in the 50–60+ dBA range. Normal conversational levels are in the 60–65 dBA range and ambient noise levels greater than that can interrupt conversations (Tuolumne County 2018).

Discretionary projects are evaluated utilizing Chapter 5 of the Tuolumne County General Plan relating to Noise. The following definitions are from the Glossary of the Tuolumne County General Plan and are used in the Noise Element of the General Plan:

- CNEL: Community Noise Equivalent Level means a 24-hour energy equivalent level derived from a variety of single-noise events, with weighing factors of approximately 4.8 and 10 decibels applied to the evening (7:00 PM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM) periods, respectively, to allow or the greater sensitivity to noise during these hours.

- Ldn: the day/night average sound level. The Ldn is the average equivalent sound level during a 24-hour day, obtained after addition of ten (10) decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.

- dBA: is the "A-weighted" scale for measuring sound in decibels. It weighs or reduces the effects of low and high frequencies in order to simulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.

- A-Weighted Sound Level: All sound levels referred to in this document are in A-weighted decibels. A weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A weighting, as it provides a high degree of correlation with human annoyance and health effects.

Decibel: means a unit used to express the relative intensity of a sound as it is heard by the human ear. The decibel scale expresses sound level relative to a reference sound pressure of 20 micronewtons per square meter, which is the threshold of human hearing. Sound levels in decibels (dB) are calculated on a logarithmic basis. An increase of 10 decibels represents a 10-fold increase in acoustic energy, and an increase of 20 decibels corresponds to a 100-fold increase in acoustic energy. An increase of 10 dB is usually perceived as a doubling of noise.

Equivalent Sound Level (Leq)**:** The equivalent sound level is the sound level containing the same total energy as a time varying signal over a given sample period. Leq is typically computed over 1, 8 and 24-hour sample periods.

Leq is the energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The hourly Leg is measure over a 1-hour sample period.

Lmax: is the highest sound level measured over a given period of time.

The ambient noise environment in Tuolumne County is largely affected by traffic on highways and County roadways, commercial and industrial uses, agricultural uses, railroad operations, and aircraft. The most prominent sources of noise in the project vicinity are motor vehicles (e.g., automobiles, buses, trucks, and motorcycles).

Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create a sustained noise level, and because of its proximity to noise sensitive uses. In general, corridors throughout Tuolumne County consist of one or two lanes in each direction with varying speed limits ranging from 35 miles per hour (mph) to 55 mph.

Vibration is an oscillatory motion through a solid medium in which the motion’s amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads.

Receptors sensitive to noise such as schools, day care facilities, hospitals, or senior nursing facilities, are not located within 0.25 mile of the project.

Table 6 MAXIMUM ALLOWABLE NOISE EXPOSURE-STATIONARY NOISE SOURCES[1]		
	Daytime (7 a.m. to 10 p.m.)	**Nighttime (10 p.m. to 7 a.m.)**
Hourly L_{eq}, dB[2]	50	45
Maximum level, dB[3]	70	65

[1] This table applies to noise exposure as a result of stationary noise sources. For a development project or land use change involving a noise-sensitive land use, the noise from nearby noise sources will be considered during design and approval of the project, or in determining whether the land use change is appropriate. For development projects which may produce noise, land use changes and project review will consider the effects of the noise on possible noise-sensitive land uses. When considering modification or expansion at a site that already produces noise levels which exceed these standards at noise-sensitive land uses, the modification or expansion shall be reviewed to consider if the proposed action will further raise the existing noise levels received at the noise-sensitive land use(s).
Noise-sensitive land uses include urban residential land uses, libraries, churches, and hospitals, in addition to nursing homes or schools which have over 6 beds or students, respectively. Transient lodging establishments which are considered noise sensitive land uses include hotels, motels, or homeless shelters, but not bed and breakfast establishments located in rural areas, campgrounds, or guest ranches.
[2] The sound equivalent level as measured or modeled for a one-hour sample period. The daytime or nighttime value should not be exceeded as determined at the property line of the noise-sensitive land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.
[3] Similar to the hourly L_{eq}, except this level should not be exceeded for any length of time.

Table 7 SIGNIFICANCE OF CHANGES IN CUMULATIVE NOISE EXPOSURE[1]	
Ambient Noise Level Without Project[2] (Ldn or CNEL)	**Significant Impact if Cumulative Level Increases By:**
<60 dB	+ 5.0 dB or more
60-65 dB	+ 3.0 dB or more
>65 dB	+ 1.5 dB or more

[1]These standards shall be applied when considering the noise impacts from projects that could cause a significant increase in the cumulative noise exposure of existing noise-sensitive land uses. If it is likely that existing noise-sensitive land uses could experience these increases in cumulative noise exposure, as measured in CNEL or Ldn, then an acoustical analysis that meets the requirements of Table 6 shall be accomplished and the results considered in project design.
[2]Ambient Noise is defined as the composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
Source: Federal Interagency Committee on Noise (FICON), Federal Agency Review of Selected Airport Noise Analysis Issues, August 1992.

Analysis:

a) Construction

Construction activities would result in short-term noise. Construction activities would consist of grading and site preparation, which require the use of heavy-duty equipment that generate varying noise levels. Construction activities would be limited to the less noise-sensitive hours (e.g., daytime) of 7:00 a.m. to 7:00 p.m., Monday through Saturday, consistent with Tuolumne County General Plan Maximum Allowable Noise Exposure-Stationary Noise Source standards in Table 5.C of Chapter 5: Noise Element of the General Plan (Tuolumne County 2019).

Construction-generated noise levels would fluctuate depending on the type, number, and duration of equipment used. The effects of construction noise largely depend on the type of construction activities occurring on any given day, noise levels generated by those activities, distances to noise-sensitive receptors, and the existing ambient noise environment at nearby receptors. Construction equipment would vary by phase, but the entire construction process would include operation of dozers, excavators, loaders/backhoes, and haul trucks. Noise generated from these pieces of equipment would be intermittent and short as typical use is characterized by periods of full-power operation followed by extended periods of operation at lower power, idling, or powered-off conditions.

The grading and site preparation phase typically generate the most substantial noise levels because of the onsite equipment associated with grading, compacting, and excavation are the noisiest. Site preparation equipment and activities include graders, dozers, and excavators. The construction phase would be temporary in nature.

Tuolumne County does not have adopted daytime construction noise standards. However, when evaluating potential noise impacts, temporary short-term noise occurring during the less sensitive times of the day, when people are active, out of their homes, or otherwise not sleeping, are generally considered less of a nuisance and less likely to disrupt sleep, or otherwise result in significant noise exposure. Thus, considering that construction activities would occur during the daytime hours, in accordance with typical County-required conditions of approval limiting construction activities to Monday through Saturdays from 7:00 a.m. and 7:00 p.m., overall construction activities would be temporary, construction noise would fluctuate, and the loudest levels would occur for a shorter duration than the overall construction duration, existing nearby sensitive receptors would not be substantially affected. To ensure impacts are less than significant, NOI-1 shall be implemented.

Operation

Noise generated by the project operation would be similar to other stationary noise sources in the area which are residential in nature. Parcels in the immediate vicinity are developed with residential and commercial uses. Existing noise conditions are associated with traffic along State Highway 108 directly adjacent to the project site. It is not expected that noise associated with the project would exceed existing noise conditions associated with State Highway 108.

The project site is bounded to the north by State Highway 108. The EIR for the 2018 General Plan indicates that the modeled noise level of the Section of State Highway 108 adjacent to the project site is 71.9 dB at a point 50 feet away from the highway. It is not anticipated that the project would generate noise levels in excess of the existing noise associated from the highway. However, to ensure that any noise generated by the project is reduced to a less than significant level and remain within the allowable thresholds of the General Plan, NOI-2 will be implemented and will be enforced through the Code Compliance process based on citizen complaints.

Incorporation of Mitigation Measures NOI-1 and NOI-2 would reduce potential impacts to a less than significant level.

c) Sources of vibration would include construction equipment operating during construction of the facility. Construction would occur between 7 a.m. and 7 p.m. to reduce potential disturbance impacts. No construction activities would occur on Sundays or County holidays. Vibration originating at this site from would be generally consistent with existing vibration levels from other construction in the project vicinity.

Operational uses would be consistent with residential uses and would not introduce substantial vibration.

Construction would include grading and site preparation. No pile driving or blasting would occur. Typical equipment that would be used includes dozers, loaders, excavators, and trucks. Construction activities

would only take place during the daytime hours, when people are less susceptible to noise.

Considering reference vibration levels for large dozers, FTA's vibration standard of 80 vibration-decibels (VdB) would not be exceeded beyond 40 feet and Caltrans's recommended vibration level for fragile buildings of 0.1 in/sec peak particle velocity (PPV) would not be exceeded beyond 25 feet from construction activity. Existing receptors and structures are located beyond these distances. Considering that construction activities would not include major sources of vibration, would occur during the daytime hours, and existing structures are located at adequate distances from proposed construction activity, no existing structures or sensitive land uses would be exposed to excessive vibration levels. This impact would be less than significant.

d) The project site is not located within 2 miles of an airport and is not located within noise contours associated with an airport. Therefore, there is no impact.

Mitigation Measures:

NOI-1: Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays.

NOI-2: The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line:

Zoning Classification of Receiving Property	**Noise Level (dB) of Sound Source**	
	Daytime (7 a.m. to 10 p.m.)	**Nighttime (10 p.m. to 7 a.m.)**
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L_{eq}. (1 hour)[1]	45 L_{eq}. (1 hour)[1]

[1] L_{eq}. 1 hour refers to the average noise level measured over a one-hour period.

Mitigation Monitoring: Mitigation Measure NOI-1 will be required during construction activities on site. Mitigation Measure NOI-2 will be on-going**.** These conditions will be monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

POPULATION AND HOUSING:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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?	☐	☐	☒	☐

Environmental Setting:

The population in Tuolumne County in the 2010 census was at 55,365 including the City of Sonora. The population of Tuolumne County was 55,620 during the 2020 census. The proposed project includes a General Plan Amendment to the HDR designation, a Zone Change to the R-3 zoning district, and the development of 56 residential units.

The site is developed with a primary single-family dwelling, Accessory Dwelling Unit, garage and carport. All of these structures would be demolished.

Analysis:

a) Infrastructure including roads, electricity, and telecommunication facilities exist adjacent to the site to serve the development. Public water and sewer mains are readily available within the Peaceful Valley Road right-of-way to serve the project site. The project site is located at the end of Peaceful Valley Road adjacent to parcels developed with residential uses. The project includes the development of 56 residential apartment units. This number would not be considered substantial population growth. The project would not contribute to further unplanned growth in the vicinity. Therefore, there would be a less than significant impact.

b) The site is developed with a primary single-family dwelling, Accessory Dwelling Unit, garage, carport, , all of which were approved for demolition under Demolition Review Permit D21-005. Although a single-family dwelling and accessory dwelling unit will be demolished, the project includes the development of 56 residential units. There would not be replacement housing located elsewhere as the project would provide residential units. Therefore, there would be a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

PUBLIC SERVICES:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
a) 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 these public services:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other Public Facilities?	☐	☐	☒	☐

Environmental Setting:

Fire Protection

Fire protection services are provided to unincorporated Tuolumne County by Tuolumne County Fire Department (TCFD), California Department of Forestry and Fire Protection (CAL FIRE), seven fire protection districts, and the United States Department of Agriculture in the Stanislaus National Forest (Tuolumne Fire Safe 2008). The majority of unincorporated Tuolumne County falls outside a fire district boundary and is protected by TCFD (administered by CAL FIRE under a contractual agreement with the County since 1975). TCFD has 13 fire stations, eight of which are in the unincorporated area of Tuolumne County.

Tuolumne County Fire Department and other local, state, and federal fire protection agencies entered in the Automatic Aid/Mutual Aid Agreement. This is a mutual cooperation agreement to increase fire and other emergency protection by allowing for the closest fire department to be dispatched for emergency calls, even if the emergency is outside of their jurisdictional boundary. The Mutual Aid Agreement is set to be renewed in 2024 prior to the expiration of the existing Agreement. In the event of an emergency, the next available resource would be dispatched. This strategy is also referred to as “move up and cover” and is how emergency response services are dispatched throughout the County.

The County adopted response times standards in spring of 2024. The standards indicate that after a 911 call, the emergency responders should respond within 14 minutes 90% of the time.

Police Protection

Law enforcement services in the in the unincorporated portion of Tuolumne County is provided by the Tuolumne County Sherriff’s office. The nearest station to the project site is located at 28 Lower Sunset Drive in Sonora. Response times for the entire county averages between 5 minutes to 35 minutes depending on day of the week, time, and the location of the incident. An average of six deputies patrols the county at any given time.

The California Highway Patrol (CHP) provides additional enforcement along State Highways and County roadways. The CHP offers other services as needed to support the safety for residents of the County. The nearest CHP office to the project site is located at 18437 Fifth Avenue in Jamestown.

Schools

The project site is within the Curtis Creek Elementary School District and the Sonora Union High School District.

Parks

Tuolumne County has a variety of recreational opportunities for the public, including Yosemite National Park, Stanislaus National Forest, State parks, and other Federal, State and Local government agencies such as the U.S. Bureau of Reclamation and the Bureau of Land Management. Community based recreation and park districts include the Tuolumne County Recreation Department and the City of Sonora Recreation Department. Tuolumne County operates and maintains approximately 341± acres of parks.

Recreational facilities in the area include Columbia State Park, the Heaven for Children playground and skatepark in Sonora, Tuttletown Recreation Area, and Standard Park. Columbia State Park offers hiking trails, picnic tables, museums and exhibits, and guided tours. The Heaven for Children playground offers a children's playground, skateboard park, and picnic and barbeque facilities. Tuttletown Recreation Area offers access to New Melones Reservoir, and includes camping facilities, a boat launch, day use area, and hiking trails. Standard Park offers baseball and soccer fields.

The site plans indicate that on site recreational areas would be included.

Analysis:

Fire Protection

Fire protection services would be provided via Tuolumne County Fire with mutual aid from other fire districts, CALFIRE, and the USFS. The agreement indicates that the closest fire department will be dispatched to a call, even if it is outside of their jurisdictional boundary. The "move up and cover" strategy is utilized for emergency calls.

The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code.

The Tuolumne County Fire Prevention Division reviewed the project and provided conditions addressing fire flow, sprinklers, hydrants, and road access requirements. The conditions are provided in the "Hazards and Hazardous Materials Section above in this report. A detailed analysis would be conducted by the Fire Prevention Division at the time of the grading permit and building permit to ensure compliance with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code. Neither the Tuolumne County Fire Prevention Division nor CalFire indicated the need for the development of a new facility based on development of the proposed project.

The County adopted response times standards in spring of 2024. The standards indicate that after a 911 call, the emergency responders should respond within 14 minutes 90% of the time. Response times, service ratios, and other performance objectives are relevant to the environmental analysis only within the context of whether or not new or expanded facilities would be required to meet defined objectives related to those service objectives, and what the environmental effects would be of providing those facilities. The addition of 56 residential units to the project site would not substantially impact the response times such that a new station would be

required. Application and enforcement of the above-mentioned code requirements would reduce impacts related to fire hazard and fire protection, which would not require the provision of new or physically altered fire protection facilities. There would be a less than significant impact.

Police Protection

The Tuolumne County Sheriff's Division was notified of the proposed project. The Sheriff's Division did not provide a response on the project. The adopted response time of 90% of the time within 14 minutes applies to police and ambulance service as well. The project would consist of the development of 56 residential units which would not substantially impact the response times such that a new station would be required. The project would not significantly impact police or sheriff services to require additional facilities to be developed. There would be a less than significant impact.

Schools

The project would include the development of 56 residential units. Prior to construction of any new residential unit, the developer is required to pay school fees to their district. This fee is based on the square footage of the units and is due prior to the issuance of a Certificate of Occupancy by the Building and Safety Division of the CDD. These fees are used to offset new construction of school facilities that may be required for increased student population. There would be a less than significant impact.

Parks

Implementation Program 11E.b of the Tuolumne County General Plan requires new residential development of five units or more to participate in the provision of recreational facilities for their residents. For multi-family housing, the recreational facilities shall be provided on site. The site plans indicate that on site recreational areas would be included. The project will be conditioned to ensure this requirement is met. The addition of 56 residential units would not substantially impact the recreational facilities in the area as there would be on site facilities for residents. Additionally, there are a variety of recreational facilities and parks that residents could utilize. The construction of the onsite recreational facilities and amenities would not cause an adverse physical effect on the environment, as indicated throughout this document. Therefore, there would be a less than significant impact.

Other Public Facilities

Other public facilities would include churches or other places of worship, hospitals, and government buildings. There are existing facilities in the vicinity that would serve the project. The addition of 56 residential units would not, the project will not significantly increase the demand to require development of new public facilities. Therefore, there is a less than significant impact.

Mitigation Measures: None Required

Mitigation Monitoring: Not Applicable

RECREATION:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
a) 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) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Environmental Setting:

Tuolumne County has a variety of recreational opportunities for the public, including Yosemite National Park, Stanislaus National Forest, State parks, and other Federal and State government agencies such as the U.S. Bureau of Reclamation and the Bureau of Land Management. Community based recreation and park districts include the Tuolumne County Recreation Department and the City of Sonora Recreation Department. Tuolumne County operates and maintains approximately 341± acres of parks.

The nearest recreational facilities to the project site include Standard Park, the Heaven for Children playground and skatepark in Sonora, Columbia State Park, Tuttletown Recreation Area, and Standard Park. Columbia State Park offers hiking trails, picnic tables, museums and exhibits, and guided tours. The Heaven for Children playground offers a children's playground, skateboard park, and picnic and barbeque facilities. Tuttletown Recreation Area offers access to New Melones Reservoir, and includes camping facilities, a boat launch, day use area, and hiking trails. Standard Park offers baseball and soccer fields.

Analysis:

a,b) Implementation Program 11E.b of the Tuolumne County General Plan requires new residential development of five units or more to participate in the provision of recreational facilities for their residents. For multi-family housing, the recreational facilities shall be provided on site. The site plans indicate that on site recreational areas would be included. Section 17.22.030(I) of the TCOC indicates that 15% of the total area of the site shall be set aside as green space or a recreation area. The 4.3-acre site would require 28,096 square feet of green space or recreation area. The project will be conditioned to ensure this requirement is met prior to the issuance of a building permit. The addition of 56 residential units would not substantially impact the recreational facilities in the area as there would be on site facilities for residents. Additionally, there are a variety of recreational facilities and parks that residents could utilize. The construction of the onsite recreational facilities and amenities would not cause an adverse physical effect on the environment, as indicated throughout this document. Therefore, there would be a less than significant impact.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

TRANSPORTATION:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed 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 section 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?	☐	☐	☒	☐

Environmental Setting:

The proposed project will be accessed via Peaceful Valley Road. Peaceful Valley Road is a County-maintained, publicly dedicated road.

Public transit is provided by Tuolumne County Transit. Services are available in the mornings, afternoons, and evenings and are available five days a week. Tuolumne County also has a “dial-a-ride” program available on demand for the route serving the area. There are no sidewalks or bike lanes in the project vicinity.

Goals, policies, and implementation programs regarding Tuolumne County’s circulation system, including transit, roadway, bicycle, and pedestrian facilities, are contained within the Transportation Element in Chapter 4 of the 2018 General Plan. The Regional Transportation Plan (RTP), adopted by the Tuolumne County Transportation Council (TCTC), acts as the planning document to guide transit investments within Tuolumne County for the next 5 years. In addition, the project has been reviewed for consistency with applicable road standards found in Titles 11 and 15 of the Tuolumne County Ordinance Code and the California Fire Code.

Vehicle Miles Traveled

On August 4, 2020, the Board of Supervisors adopted CEQA thresholds regarding vehicle miles traveled (VMT) as required by Senate Bill (SB) 743 under Tuolumne County Resolution 74-20. As stated in the legislation, upon adoption of the new guidelines, “automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.”

For residential projects, 100% affordable housing located in Identified Communities are considered below the threshold. Additionally, for residential projects in which the project’s VMT is less than or equal to the subarea average VMT per capita, and the project is consistent with the General Plan and the RTP are considered less than significant.

In addition to analyzing a project’s VMT generation, the County also analyzes projects based on vehicle trips per day or Level of Service, as required in the Tuolumne County General Plan. A site-specific traffic study is required when traffic generation for a project exceeds 500 vehicle trips per day or 50 trips during peak hours as indicated in the *Tuolumne County General Plan and Regional Transportation Plan Evaluation and Analysis*. A Traffic Impact Study Memorandum was prepared for the project by Fehr Peers in October 2022. This document is available for review by during regular business hours at the Community Development Department, 48 Yaney, Sonora, California or may be obtained digitally by request.

Analysis:

a) Goals, policies, and implementation programs regarding Tuolumne County's circulation system, including transit, roadway, bicycle, and pedestrian facilities, are contained within the Transportation Element in Chapter 4 of the 2018 General Plan. Specific road design standards are found it Titles 11 and 15 of the Tuolumne County Ordinance Code. As the project is an infill project, it is not expected to conflict with any transportation related goals, policies, and implementation programs of the General Plan. The project will require improvements to Peaceful Valley Road from its intersection with Mono Way in accordance with Title 11 of the TCOC. These improvements include widening the road to a paved width of 20 feet with a 4-foot paved shoulder on the northern side of the road along its length from the Mono Way intersection. The surfacing and striping of the road will also be looked at to ensure it meets Title 11 standards. Additionally, the project will require curb, gutter, and sidewalks to be developed along the project site's frontage along Peaceful Valley Road.

The County's threshold for requiring a Traffic Study is 500 vehicle trips per day or 50 trips at peak hours. The Engineering Division did require a traffic study for the project. A Traffic Impact Study Memorandum was prepared by Fehr Peers in October 2022. The study indicated that the project would generate 371 daily trips, and would generate 22 trips during AM peak hour and 28 trips during PM peak hour, which is below the County thresholds for requiring a full Traffic Impact Study.

The Traffic Impact Study Memorandum identified recommendations, which will be incorporated into the project's conditions of approval. These recommendations would ensure the project's compliance with applicable policies and regulations of the General Plan, TCOC, and RTP. The recommendations are as follows:

Recommendation 1: Identify where delivery/moving vehicles would stage for typical delivery operations and resident move-in/move-out procedures.

The site plan indicates one loading spot adjacent to the community building. The project will be conditioned to show this information on the site plan prior to issuance of a building permit.

Recommendation 2: Provide ADA parking spaces in both of the two east parking lots, also in close proximity to the community building and clusters of apartment units.

The project will be conditioned to require submittal of a parking plan, which must provide for ADA parking in accordance with building code regulations.

Recommendation 3: Designate parking spaces or passes for each apartment unit, reducing the need for vehicles searching for parking to turn around.

The project will be conditions to meet this recommendation.

Recommendation 4: The project site users and other users of Peaceful Valley Road would benefit from a variety of sight distance improvement measures. Parallel on-street parking would improve the sight distance of vehicles exiting the project driveways. Signage, such as a "driveways ahead" sign south of the project site on Peaceful Valley Road would make other drivers more aware of the vehicles turning out of the project driveways. A stop bar and R1-1 "STOP" sign for vehicles exiting the driveway would inform the drivers leaving the site to yield to other vehicles on Peaceful Valley Road. In addition, the driveway sight lines must be kept clear of all trees and tall vegetation. The final site plan must be checked for sight distance prior to construction to ensure adequate sight distance is provided.

Site distance is reviewed by the Department of Public Works in associated with the grading and encroachment permit review. The need for any vegetation clearance or signage or other marking would

be reviewed at that time. Conditions by the Fire Prevention Division, as discussed in the “Hazards and Hazardous Materials” Section above in this report require clearance of the roads and driveways.

Recommendation 5: Collaborate with Tuolumne County and other property owners or developers to develop a plan for roadway improvements along Peaceful Valley Road from the project site to Mono Way. Possible improvements include pavement maintenance, widening the roadway to accommodate two-way traffic, striping the centerline, and striping fog lines.

The project is required to improve Peaceful Valley Road from its intersection of Mono Way to the project site, as discussed above. This requirement is a condition of approval and road improvement plans will be reviewed by the Department of Public Works to ensure compliance.

Recommendation 6: Coordinate with Tuolumne County to evaluate the operating conditions of the Peaceful Valley Rd/Mono Way intersection. If the intersection is operating poorly, additional analysis would be necessary to determine the most appropriate intersection improvements. If the intersection is operating well in existing conditions, no further analysis is necessary.

Any necessary intersection improvements would be reviewed by the Department of Public Works at the time of the road improvement plans.

Recommendation 7: Identify where emergency vehicles would park while accessing the buildings. Red curb could be implemented in the two parking lots that access the apartment units. An AutoTurn vehicle movement analysis must be performed with the final site plan prior to construction to ensure adequate emergency vehicle maneuvering and turn-around.

Conditions provided by the Fire Prevention Division, as discussed in the “Hazards and Hazards Materials” Section above in this report, require fire access roads. The fire roads are required to be appropriately marked and signed and are required within 150 feet of all portions of the buildings. The fire access roads will be reviewed and approved by the Fire Prevention Division.

Recommendation 8: As stated in the East Sonora Design Guidelines, a pedestrian path or trail is encouraged in rural areas. A pedestrian path on the northeast side of Peaceful Valley Road from the site to Mono Way would connect the project site to the pedestrian facility network along Mono Way and promote pedestrian access to/from the site.

The project is required to provide curb, gutter, and sidewalks along the site’s frontage along Peaceful Valley Road, as discussed above. The site would provide onsite pedestrian pathways.

Recommendation 9: Along the project frontages and within the site network of pedestrian facilities, the sidewalk slopes must meet ADA requirements. Implementing ADA standard curb ramps and ensuring navigable driveway apron slopes between sidewalks would promote pedestrian accessibility.

The required sidewalks and onsite pedestrian pathways are required to comply with all applicable ADA regulations.

Recommendation 10: Provide additional details related to the street lighting along the project frontages, parking lots, and buildings to provide a lit pedestrian path of travel. The East Sonora Design Guidelines recommend designing parking lot lights that concentrate light downward for pedestrian comfort and safety, as well as automobile safety.

As discussed in the “Aesthetics” Section of this report, a photometric lighting plan is required to be submitted. The lighting plan is required to be in compliance with the East Sonora Design Guidelines.

Recommendation 11: Provide bicycle parking in front of each cluster of apartment buildings. Short-term bicycle parking is typically for visitors in the form of bicycle racks and long-term bicycle parking is typically for residents and workers in a secured bicycle room or bicycle lockers.

The project will be conditioned to provide bicycle parking in accordance with this regulation.

The project would comply and be consistent with all applicable program plans, ordinances and policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. There would be a less than significant impact.

b) Resolution 74-20 adopted by the Board of Supervisors includes screening criteria for VMT thresholds. The project would include 100% affordable housing located within the Identified Community of East Sonora, pursuant to the Technical Background Report of the General Plan. Therefore, the project would screen out for VMT and impacts and would be considered less than significant. Therefore, the project's impacts on VMT are less than significant.

c) Project plans that have been submitted to staff do not indicate that any hazardous or incompatible designs are proposed. The project would allow for the development of 56 residential apartment units, which is consistent with other existing uses along Peaceful Valley Road and in the project vicinity. No incompatible road uses would be introduced.

The project would include road improvements as discussed in item a above. The road plans would be reviewed by the Department of Public Works to ensure compliance with applicable regulations, including geometric designs and intersections. The parking areas and internal circulation roadways will be reviewed by the Engineering Division of the Department of Public Works and the Tuolumne County Fire Prevention Division to ensure compliance with Title 11 and Title 15 and other applicable regulations to ensure that the onsite circulation will not introduce hazardous or incompatible design. No hazards would be introduced by the project or increased by the project, and there would be a less than significant impact.

d) As discussed in item a above, Peaceful Valley Road will be required to be improved to meet Title 11 standards. The proposed parking areas and internal roadways will be designed and constructed in accordance with all applicable regulations contained in Titles 11 and 15 of the Tuolumne County Ordinance Code and the California Fire Code to allow for sufficient emergency vehicle access, including width and clearance of the roadways, the surfacing of the roadways, and turnaround bulbs and hammerheads for emergency vehicles to be able to turn around. Paved roads are required within 150 feet of all portions of buildings, as reviewed by the Tuolumne County Fire Prevention Division. The Tuolumne County Fire Prevention Division and Engineering Division of Public Works reviewed the proposed project and provided conditions to ensure compliance with these requirements. These conditions will be incorporated into the project's conditions of approval and will be enforced and verified by the Tuolumne County Fire Prevention Division and Engineering Division of Public Works. Compliance with the applicable regulations would result in adequate emergency access. Therefore, there will be a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

TRIBAL CULTURAL RESOURCES:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant with Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
Cause a substantial adverse change in the significance of a tribal cultural resource as 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 pursuant to Section 15064.5?	☐	☒	☐	☐
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.	☐	☒	☐	☐

Environmental Setting:

The project site is located in East Sonora, near the community of Standard. The project site consists of modifications made in the Twentieth Century consisted of access roads and industrial and commercial development. The Central Sierra Miwok settled in much of Tuolumne County are known to have lived in the area including the project site.

Regulatory Setting:

CEQA requires lead agencies to consider whether projects will affect tribal cultural resources. PRC 21074 states the following:

a) "Tribal cultural resources" are either of the following:
   1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
      A) Included or determined to be eligible for inclusion in the CRHR.
      B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
   2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

AB 52, signed by the California Governor in September of 2014, establishes a new class of resources under CEQA: “tribal cultural resources.” It requires that lead agencies undertaking CEQA review must, upon written request of a California Native American tribe, begin consultation once the lead agency determines that the application for the project is complete, prior to the issuance of a notice of preparation of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration.

To date, two tribal entities have contacted the Tuolumne County Community Development Department to request formal consultation under the AB 52 process. The Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians have requested formal consultation under the AB 52 process for projects subject to CEQA.

Formal consultation letters were sent to the contacts for the Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians Tribes. AB 52 consultation letters we sent via certified mail on April 18, 2024. Project notification letters were sent to both Tribes during the initial project notification period. AB 52 consultation letters were sent to the Tuolumne Band of Me-Wuk and Chicken Ranch Rancheria Tribes on April 18, 2024.

Section 65352.3 of the Government Code requires city and county governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places during the processing of a General Plan Amendment. The intent of this law is to provide local tribes with an opportunity to participate in local land use decisions at an early planning stage in order to protect, or mitigate impacts to, cultural places. The county is required to notify tribes with traditional cultural places in the vicinity of the project site of the opportunity to consult regarding the proposed General Plan Amendment. consultation letters required under SB 18 were sent out to Tribes on May 9, 2024 to the Tribal Contact list provided by the Native American Heritage Commission. SB 18 letters were sent via certified mail and email. No Tribes requested consultation under SB 18 or responded to the notification letters.

Analysis:

a,b) In accordance with Assembly Bill 52, formal consultation letters were sent to the contacts for the Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians Tribes. AB 52 consultation letters we sent via certified mail on April 18, 2024. The Tuolumne Band of Me-Wuk Tribe provided a written response that was received on April 29, 2024. Their response indicated that they agree with the findings of the cultural study and that they requested a Cultural Monitor be on site during ground disturbance activities. The Tuolumne Band of Me-Wuk Tribe did not request consultation.

The Chicken Ranch Rancheria Tribe provided an email response on May 9, 2024 requesting AB 52 consultation on the project. County Staff met with the Chicken Ranch Rancheria Cultural Manager on September 4, 2024. The Tribe requested to include mitigation for Tribal and Archeological monitoring as indicated in Mitigation Measure CUL-1, as indicated in the “Cultural Resources” Section above in this report.

Additionally, since the project includes a General Plan Amendment, consultation letters required under SB 18 were sent out certified mail and email on May 9, 2024 to all the Tribal contacts indicated on the list provided by the NAHC. No responses or requests for consultation were received in response to the SB 18 letters A second letter will be sent to each of the Tribes approximately 45 days prior to the project being considered by the Tuolumne County Board of Supervisors.

Mitigation Measures CUL-1, CUL-2 and CUL-3 as described in the “Cultural Resources” Section above in this report would ensure protection of resources that are potentially unearthed or discovered during constructions activities. Incorporation of Mitigation Measures CUL-1, CUL-2 and CUL-3 will result in a less than significant impact on Tribal Cultural Resources.

Mitigation Measures: See the “Cultural Resources” section of this report.

Mitigation Monitoring: See the “Cultural Resources” section of this report.

UTILITIES AND SERVICE SYSTEMS:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Would the Proposed Project/Action:				
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?	☐	☐	☒	☐
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 statues and regulations related to solid waste?	☐	☐	☒	☐

Environmental Setting:

Water and sewer services would be provided by the Tuolumne Utilities District. The closest TUD water and sewer mains are located within the Peaceful Valley Road right-of-way.

Per the 2018 Tuolumne County General Plan, TUD maintains 14 surface water treatment plants and 25 water wells. Approximately 96 percent of TUD's water supply consists of surface water that originates as rainfall and runoff from snowpack in the Sierra Nevada Mountains. Snowmelt runs through the South Fork Stanislaus River, filling Pinecrest and Lyons reservoirs. The remaining 4 percent of water supply is met with groundwater from 30 wells either as a primary source or a backup source.

The 2018 Tuolumne County General Plan indicates that the TUD's Regional Wastewater Treatment Plant has a design capacity of 2.6 million gallons per day, with an average of 1.7 million gallons per day being treated.

Pacific Gas and Electric (PG&E) provides electric service to the project site. There is no natural gas consumption in Tuolumne County. There are existing telecommunications facilities that serve the area. Potential wireless internet providers include Xfinity, AT&T, Conifer Communications, Hughes Net and Cal.net. Cellular providers include Verizon and AT&T.

Cal Sierra Disposal Inc, which is owned by Waste Management, is responsible for garbage and recycling collection in the Sonora area and would provide weekly trash service to the site. Chapter 8.05 of the Tuolumne County Ordinance Code contains the County's regulations for refuse, rubbish, and recycling handling and storage. All of the solid waste generated within the County is processed at one of the transfer stations where solid waste is sorted to remove recyclables and hazardous materials from the waste stream. Residual waste is transported to the Highway 59 Landfill located in Merced. The maximum capacity of the Highway 59 Landfill is 30,012,352 cubic yards.

Cal Sierra Disposal operates a buy-back center at 14959 Camage Avenue, in East Sonora. Untreated wood and yard waste are presently accepted by Cal Sierra Disposal at its Earth Resources Facility located at 14909 Camage Avenue. Such material is accepted for a fee and is ground up or chipped and sold as compost or any other uses deemed appropriate for such material.

Analysis:

a) The project site is adjacent to utilities that can serve the project. There are existing roads, electrical facilities, and telecommunication facilities readily available to serve the site. Storm water drainage would be provided via on site. The project will not require the construction of new or expanded storm water drainage, electric power, natural gas, or telecommunications facilities.

The Tuolumne Utilities District has provided comments on the proposed project. TUD has indicated that the nearest water and sewer mains are located approximately 180 feet southeast of the project site near the Peaceful Valley Road right of way. The project would include a minor extension of the water and sewer mains within the Peaceful Valley right of way to provide service to the site. The expansion of the water and sewer mains has been analyzed throughout this document as part of the project and would not be considered a significant impact. There will be a less than significant impact.

b) The project would be provided public water by the Tuolumne Utilities District. The majority of TUD's water originates as rain and snow and is held in reservoirs. The response from TUD indicates that there is adequate water supply capacity and water treatment capacity. Water storage capacity, water pumping capacity, and water distribution capacity would be verified once information regarding the project's fire flow requirements is provided to TUD.

An agreement between the project proponent and TUD would be required. The agreement would provide the conditions that the project proponent would need to meet to construct and provide water service to the site. The project proponent is responsible for covering costs associated with any upgrades to the water system. Compliance with TUDs rules and regulations for service would result in a less than significant impact. Proof of the project's connection to public water and compliance with TUD's rules and regulations would be verified by the Land Use and Natural Resources Division prior to the issuance of a Certificate of Occupancy. There would be a less than significant impact.

c) The project would be provided public sewer service by the Tuolumne Utilities District. The response from TUD indicates that adequate capacity exists for sewer collection, sewer treatment, and sewer disposal. Improvements may be required to the lift station to provide adequate sewer pumping capacity. The project proponent would be required to cover costs associated with the improvements, if required.

An agreement between the project proponent and TUD would be required. The agreement would provide the conditions that the project proponent would need to meet to construct and provide sewer service to the site. The project proponent is responsible for covering costs associated with any upgrades to the sewer system. Compliance with TUDs rules and regulations for service would result in a less than significant impact. Proof of the project's connection to public sewer would and compliance with TUD's rules and regulations be verified by the Land Use and Natural Resources Division prior to the issuance of a Certificate of Occupancy. There would be a less than significant impact.

d,e) Cal Sierra Disposal Inc provides weekly trash service to the area and would dispose of waste at the Highway 59 Landfill. The Highway 59 Landfill is below its maximum capacity; therefore, there is capacity to serve the project. Any future construction on the project site or land use would be required to comply with all applicable Federal, State, and Local statutes and regulations related to solid waste. Conditions have been added to the project to ensure compliance with the provisions of Chapter 8.05 of the TCOC, which contains the County's regulations for the storage and handling of solid waste. Therefore, there would be a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

WILDFIRE:

Issues and Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Proposed 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?	☐	☐	☒	☐

Environmental Setting:

In 2018, a Multi-Jurisdictional Hazard Mitigation Plan (Plan) for Tuolumne County was prepared to provide mitigation solutions to minimize each jurisdiction's vulnerability to the identified hazards and ultimately reduce both human and financial losses subsequent to a disaster. The Plan includes existing information on typical hazards, such as earthquakes, flooding, and fire, and provides risk assessments of each hazard and the potential for occurrence within the County. Specific wildland fire objectives provided in the Plan include vegetation management, code enforcement, GIS mapping, and compliance with the planning process.

Mitigation actions provided in the Plan range from improving water supply systems and conveyance systems for potential fire needs, initiating fuel thinning and chipping projects in high-priority areas, to updating existing and preparing new fire protection and evacuation plans. The Plan states that Tuolumne County Fire Protection District/CAL FIRE along with seven fire districts and one city fire department provide life and property emergency response. In addition to services traditionally provided by most fire protection agencies nationwide, these agencies work cooperatively with the U.S. Forest Service and the National Park Service in providing wildfire response in Tuolumne County. Although there are existing plans, programs, ordinances, and regulations in place within the County, wildland fire risks and the potential for future fire hazards occurring within the County is considered high (Tuolumne County 2018).

Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. In the event of an emergency, the Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sherriff's Department will inform members of the public via the Emergency Notification System, local media, and door-to-door when feasible.

The project site is located within a State Responsibility Area (SRA) and is rated as high fire hazard severity zone. This rating is based on factors of slope, vegetation, and annual summer weather patterns. These zones, referred to as Fire Hazard Severity Zones (FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zone.

Analysis:

a) As discussed in the "Hazards and Hazardous Materials" Section above in this report, Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies.

Tuolumne County does not have any designated evacuation routes because fires can happen anywhere and may block specific roads and certain areas may not be safe for travel. The Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sherriff's Department will inform members of the public via the Emergency Notification System, local media, and door-to-door when feasible of where the wildfire is located, which routes are safe to use, and which locations are safe to seek refuge from the fire. Generalized emergency information is also contained within the adopted Multi-Jurisdictional Hazard Mitigation Plan.

In an emergency, Peaceful Valley Road to Mono Way would be utilized. From there, residents could travel towards various directions on Mono Way, Standard Road, or State Route 108, depending on which route was the safest for travel. The addition of project would not significantly impact the ability for roads in the vicinity of the project site to be used as evacuation routes in the event of an emergency.

The Engineering Division of Public Works and the Fire Prevention Division have reviewed the proposed project and indicated that improvements to Peaceful Valley Road from its intersection with Mono Way are required to meet Title 11 standards as well as state fire code regulations, as indicated in the "Transportation" Section above in this report. The responses from the Engineering Division and Fire Prevention Division, as discussed in the "Hazards and Hazardous Materials" Section above in this report have also addressed the requirements for road surfacing, road clearance, fire lanes, turn-arounds for fire apparatus, signage, striping, marking, and parking. The project will be conditioned to ensure that these improvements will be completed and that all internal roads and access ways would be in compliance with applicable standards. Approval of this project would result in a less than significant impact on Tuolumne County's emergency or evacuation plans.

b,c) The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, Public Resource Code, the Tuolumne County General Plan and Ordinance Code. All development on the project site will be subject to the rules and regulations contained in these documents.

The Tuolumne County Fire Prevention Division reviewed the project and provided conditions to ensure compliance with the above regulations. An in-depth code analysis is done at the time of grading permit and building permit review. The Tuolumne County Fire Prevention Division did not identify a need for the development of a new facility or other necessary fire infrastructure based on development of the proposed project.

The Tuolumne County Fire Prevention has provided required conditions, which are discussed in the "Hazards and Hazardous Materials" Section above in this report.

As indicated in the "Hazards and Hazardous Materials" Section above in this report, the project complies with the Tuolumne County General Plan relative to wildfire. The incorporation of these conditions and compliance with the National Fire Code, California Fire Code, California Building Code, Public Resource Code, the Tuolumne County General Plan, and Tuolumne County Ordinance Code would reduce the risk of wildfire and would not exacerbate wildfire risks or the risk of uncontrolled spread of wildfire. Project development would not require the installation or maintenance of associated infrastructure outside of the road improvements and onsite improvements discussed throughout this report. Therefore, there would be a less than significant impact.

d) As discussed under "Geology and Soils," and "Hydrology and Water Quality," runoff occurs naturally at the project site and flooding and landslide events are not common within the project area. Any slopes on site would be stabilized and subject to the regulations contained in Chapter 12.20 of the TCOC. The site is adjacent to slopes where State Route 108 is located. However, the project site levels out and the project site and area downslope of the project site are relatively flat. The project site and surrounding

areas have not been subject to burns such that downslope areas would be affected by project development. Impacts would be less than significant.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

MANDATORY FINDINGS OF SIGNIFICANCE:

Supporting Information Sources	*Potentially Significant Impact*	*Less-than-Significant With Mitigation Incorporation*	*Less-than-Significant Impact*	*No Impact*
Proposed Project/Action:				
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 cumulative considerable? ("Cumulative 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?	☐	☐	☒	☐

Analysis:

a) As discussed under "Biological Resources," the project site provides suitable habitat for nesting birds and bat species. Mitigation has been included that requires preconstruction surveys to identify the presence of these species, avoid or remove them from the construction area (if they are present), and establish disturbance buffers to ensure they are not disturbed during construction.

As discussed in the "Cultural Resources" section, there is the potential for unmarked, previously unknown Native American or other graves to be present and be uncovered during construction activities. Mitigation has been included that would ensure that proper procedures would be followed in the event of the discovery of previously unknown human remains.

For the reasons above, all impacts would be a less-than-significant impact with mitigation incorporated.

b) As discussed throughout the "Environmental Checklist," all potentially significant impacts would be reduced to a less-than-significant level with mitigation. In addition, aesthetic, biological resources, cultural and tribal cultural resources, and noise impacts discussed above would result from temporary construction activities and would be limited to the immediate project site, and, therefore, would not combine with impacts from other past, present, and probable future development. Noise-related impacts are also localized and limited to the immediate project vicinity. Operation of the project would be similar in nature to the residential land uses in the area. The project's potential contribution to significant cumulative impacts would not be considerable and this impact would be less than significant.

c) As discussed above in the "Hazards and Hazardous Materials," construction activities would require the use of hazardous materials such as fuels, lubricants, and solvents. However, all construction activities would be required to comply with existing regulations that would limit exposure of nearby sensitive receptors and construction workers to hazardous materials. Operation of the project would not include the use or storage of any hazardous material and would not result in adverse effects on people. This impact would be less than significant.

Mitigation Measures: See the Mitigation Monitoring and Reporting Program Table Below.

Mitigation Monitoring: See the Mitigation Monitoring and Reporting Program Table Below.

Table 8: Mitigation Monitoring and Reporting Program

	When Implemented	Monitored by	Verified by
AES-1: A lighting plan shall be submitted and approved by the Land Use and Natural Resources Division prior to the placement of permanent exterior lighting on the site associated with the storage of commercial equipment, vehicles, and/or materials. Any exterior lighting shall incorporate the following features: • Parking lot lighting should be consistent with East Sonora's small town and rural character. "Acorn" type fixtures and other well articulated fixtures are appropriate. • Prevent nuisances resulting from unnecessary light intensity, direct glare or light pollution; protect the ability to view the night sky by regulating unnecessary upward light projection through dark sky standards; phase out non-conforming fixtures; and promote lighting practices and systems that conserve energy. Guidance may be found at the International Dark Sky Association http://www.darksky.org/. • Parking lot lighting should be designed for pedestrian comfort and safety as well as automobile safety that concentrates light downward into traffic and crosswalk areas. • Good lighting uses only the amount of light needed for the intended task, whether it is intended to illuminate a parking lot, pedestrian walkway, signage, for security, or to highlight specific architectural features. • Use efficient, high quality light fixtures to control light output and to reduce energy waste. • Photovoltaic light fixtures, solar powered lights, are encouraged and should be utilized where feasible. • Utilize low- or high-pressure sodium lamps instead of halogen type lights	Mitigation Measure AES-1 will be required prior to the issuance of a building permit by the Building and Safety Division of the Community Development Department (CDD). Prior to the final building inspection prior to the Certificate of Occupancy, the site will be inspected to ensure lighting is installed in accordance with the approved plan. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	Tuolumne County Community Development Department (CDD)	Land Use and Natural Resources (LUNR) Division
Mitigation Measure BIO-1: Prior to the start of project activities within bat maternity roosting season (April 15 to	Mitigation Measures BIO-1 is required prior to ground disturbance or construction activities	CDD	LUNR Division

August 31), a qualified biologist with familiarity with bats and bat ecology, and experienced in conducting bat surveys will conduct surveys for bat roosts in suitable habitat (e.g., large trees, crevices, cavities, exfoliating bark, foliage, bridges) within the project site, and adjacent to the project site as feasible. • If no evidence of bat roosts is found, the qualified biologist will submit a report summarizing the results of the survey to applicant and Tuolumne County, and no further study will be required. • If evidence of bat roosts is observed, the species and number of bats using the roost will be determined by a qualified biologist. Bat detectors will be used if deemed necessary to supplement survey efforts by the qualified biologist. o A no-disturbance buffer of 250 feet will be established around active pallid bat, western mastiff bat, or hoary bat roosts, and project activities will not occur within this buffer until after the roosts are unoccupied. If the species of roosting bats cannot be determined during the survey, it will be assumed that the roost is occupied by special-status bats and the established buffer will be at least 250 feet. o If evidence of other roosting bats is observed (non-special status bat species), the qualified biologist will establish a species-specific appropriate no-disturbance buffer around the roost of at least 50 feet in diameter. o If roosts of bat species are determined to be present and must be removed, the bats will be excluded from the roosting site before the tree, building, or other structure is removed. A program addressing compensation, exclusion methods, and roost removal procedures will be developed in consultation with CDFW before implementation. Exclusion methods may include	on site and would be verified by the LUNR division prior to the issuance of a grading permit issued by the Department of Public Works or a Building Permit issued by the Building and Safety Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.		

use of one-way doors at roost entrances (bats may leave but not reenter) or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with CDFW and may require construction and installation of bat boxes suitable to the bat species and colony size excluded from the original roosting site. If determined necessary during consultation with CDFW, replacement roosts will be implemented before bats are excluded from the original roost sites. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site by a qualified biologist, the roost tree or other structure may be removed.			
Mitigation Measure BIO-2: For construction activities expected to occur during the nesting season of raptors (February 1 to August 31) and migratory birds, a pre-construction survey by a qualified biologist shall be conducted to determine if active nests are present on or within 500 feet of the project site where feasible. Areas that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted by a qualified biologist no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds will nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. If active nests are found on or within 500 feet of the project site, the applicant shall notify CDFW and explain any additional	Mitigation Measures BIO-1 is required prior to ground disturbance or construction activities on site and would be verified by the LUNR division prior to the issuance of a grading permit issued by the Department of Public Works or a Building Permit issued by the Building and Safety Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division

measures that a qualified biologist plans to implement to prevent or minimize disturbance to the nest while it is still active. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the 500-foot buffer without impacting the breeding effort. Appropriate measures may include restricting construction activities within 500 feet of active raptor nests and having a qualified biologist with stop work authority monitor the nest for evidence that the behavior of the parents have changed during construction. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Appropriate measures would be implemented until the young have fledged or until a qualified biologist determines that the nest is no longer active. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.			
Mitigation Measure BIO-3: Prior to the issuance of a grading permit or building permit, an Oak Tree Removal Plan shall be submitted to the Land Use and Natural Resources Division. The plan shall include any Old Growth Oaks (diameter at breast height greater than 24 inches) that will be removed or impacted within 1.5 times the diameter of the drip line of the tree. Mitigation Measure BIO-4 shall be implemented for any Old Growth Oaks that are removed or impacted.	This measure is required prior to the issuance of a grading permit by the Department of Public Works or a building permit issued by the Building and Safety Division of CDD. The plan will be reviewed and verified by the LUNR Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD & DPW	LUNR Division
Mitigation Measure BIO-4: If any Old Growth Oak Trees are removed or impacted within 1.5 times the diameter of the drip line of the tree, the applicant shall plant 10 oak trees for every one Old Growth Oak tree removed or impacted. The replanted oak trees may be included as part of the project sites landscaping requirements. In lieu of replanting, the applicant may pay an in-lieu fee into the Tuolumne County Oak Woodland Fund utilizing the following formula: Payment of in-lieu fees for replanting = Number of OGOs X 10 x $200.00	would be required prior to the final building inspection prior to the Certificate of Occupancy and would be verified by the LUNR Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures	CDD & DPW	LUNR Division

A combination of replanting and payment of in-lieu fee may be utilized. The replanting of oak trees or payment of the in-lieu fee shall be required prior to the final building inspection prior to the Certificate of Occupancy.			
Mitigation Measure CULT-1: Two qualified Monitors, one consisting of a Tribal monitor approved by the Chicken Ranch Rancheria Tribe and Tuolumne Band of Me-Wuk Indians, and the second being an archaeological monitor, shall be present on-site during the construction phases that involve ground disturbing activities or demolition. Ground disturbing activities are defined as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. Daily monitoring logs shall be kept that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources. While the monitors are on site, construction personnel shall be provided cultural sensitivity training as provided for by the Tribe.	Mitigation Measure CUL-1 will be required during initial ground disturbance activities on site and will be verified by the LUNR Division of CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division
Mitigation Measure CULT-2: If a cultural resource is discovered during the activities authorized by this Permit, the person in possession of the parcel for which the Permit was issued and all persons conducting any activity authorized by this Permit shall comply with the following provisions: F. The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the Department is closed. G. When the cultural resource is located outside	Mitigation Measure CULT-2 is required on-going during construction activities on site and will be verified by the LUNR Division of CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division

the area of disturbance, the Community Development Department and a qualified professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of 2 or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel. H. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource, as determined by the Community Development Department in consultation with the qualified professional, may continue. A qualified professional, as defined in Section Chapter 17.04 of the Tuolumne County Ordinance Code, such as an archaeologist or historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource. I. When the cultural resource is determined to not be significant, the qualified professional and Community Development Department shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department in consultation with the qualified professional. J. When the resource is determined to be			

significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Resources Agency in consultation of the qualified professional. All further activity authorized by this Permit shall comply with the cultural resources management plan. A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources.			
Mitigation Measure CULT-3: In accordance with the California Health and Safety Code (CHSC), Section 7050.5, and the Public Resources Code (PRC) 5097.98, regarding the discovery of human remains, if any such finds are encountered during project construction, all work within the vicinity of the find shall cease immediately, a 100-foot-wide buffer surrounding the discovery shall be established, and the County shall be immediately notified. The County Coroner shall be contacted immediately to examine and evaluate the find. If the coroner determines that the remains are not recent	Mitigation Measure CULT-3 is required on-going during construction activities on site and will be verified by the LUNR Division of CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division

and are of Native American descent, the County Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.			
Mitigation Measure NOI-1: Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays.	Mitigation Measure NOI-1 will be required during construction activities on site. This will be monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	CDD
Mitigation Measure NOISE-3: Exterior Noise Limits The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line:	Monitoring will be on-going**.** The condition will be monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	CDD

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	**Nighttime (10 p.m. to 7 a.m.)**
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L_{eq}. (1 hour)[1]	45 L_{eq}. (1 hour)[1]
[1]L_{eq}. 1 hour refers to the average noise level measured over a one-hour period.		

AGENCIES CONTACTED:

Tuolumne County:
Community Development Department, Building and Safety Division
Community Development Department, Environmental Health Division
Curtis Creek Elementary School District
Department of Public Works, County Surveyor
Department of Public Works, Engineering Division
Department of Public Works, Solid Waste Division
Department of Public Works, Roads
Fire Department, Fire Prevention Division
Sheriff's Department
Sonora Union High School District
Soulsbyville Elementary
Superintendent of Schools
Tuolumne County Transportation Council

State of California:
Department of Fish and Wildlife
Department of Forestry and Fire Protection
Department of Highway Patrol
Department of Transportation, Caltrans District 10
Regional Water Quality Control Board

Other:
AT&T
Audubon Society
Central Sierra Environmental Resource Center
Chicken Ranch Rancheria of Me-Wuk Tribal Council
Citizens for Responsible Growth
Comcast Cable Communications
Pacific Gas & Electric Company
Sierra Club, Tuolumne Group
Jamestown School District
Sonora Union High School District
Tuolumne County Association of Realtors
Tuolumne County Farm Bureau
Tuolumne Heritage Committee
Tuolumne Me-Wuk Tribal Council
Tuolumne Utilities District
United States Fish and Wildlife Service
U.S. Army Corp of Engineers

SOURCES REVIEWED:

Tuolumne County:
2018 General Plan
EIR for the 2018 General Plan Update
Zoning Ordinance (Title 17)
Land Divisions Ordinance (Title 16)
Road Standards (Title 11)
Connecting Roadways (Chapter 12.04)
Grading Ordinance (Chapter 12.20)
Water and Sewers (Title 13)

Construction Codes (Chapter 15.04)
Fire Code (Chapter 15.08)
Fire Safety Standards (Chapter 15.20)
Traffic Impact Mitigation Fees (Chapter 3.54)
County Service Impact Mitigation Fees (Chapter 3.50)
Rubbish, Refuse and Recyclables (8.05)
Geotechnical Interpretive Maps
General Plan Maps
Wildlife Habitat Maps
Tuolumne County Wildlife Handbook
Wildlife Aerial Photography
Fire Hazard Maps
Deer Herd Maps
Regional Transportation Plan
Historic/Archeological Index to Studies

Other:

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Report of Class I-II Cultural Resources Investigation in Accordance with the Tuolumne County Historic Preservation Review Commission Demolition Review Committee Decision for the Demolition Review D18-002 of the "Ruth Gray Homestead Site," Wondjina Research Institute, Twain Harte, California, August 31, 2021.

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PREPARED BY: Natalie Rizzi, Senior Planner
Quincy Yaley, AICP, Community Development Director

Appendix A:
CalEEMod Summary Report

Valley Dale LUNR-24-2 Summary Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Valley Dale LUNR-24-2
Construction Start Date	1/1/2025
Operational Year	2025
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	3.10
Precipitation (days)	41.4
Location	Peaceful Valley Rd, California 95370, USA
County	Tuolumne
City	Unincorporated
Air District	Tuolumne County APCD
Air Basin	Mountain Counties
TAZ	3028
EDFZ	4
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.26

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Apartments Low Rise	56.0	Dwelling Unit	4.30	59,360	18,000	—	125	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.68	1.43	11.0	16.5	0.02	0.43	0.42	0.85	0.40	0.10	0.50	—	3,006	3,006	0.12	0.06	2.20	3,030
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	103	103	31.8	31.5	0.05	1.37	19.8	21.2	1.26	10.1	11.4	—	5,466	5,466	0.23	0.06	0.06	5,486
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	5.17	5.16	8.86	11.9	0.02	0.35	0.69	1.04	0.33	0.28	0.60	—	2,180	2,180	0.09	0.04	0.61	2,196
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.94	0.94	1.62	2.18	< 0.005	0.06	0.13	0.19	0.06	0.05	0.11	—	361	361	0.01	0.01	0.10	364

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	92.9	91.2	4.20	126	0.22	14.6	1.73	16.4	14.6	0.44	15.0	1,580	3,406	4,987	4.20	0.26	9.95	5,180

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	92.3	90.6	4.60	123	0.21	14.6	1.73	16.4	14.6	0.44	15.0	1,580	3,275	4,856	4.24	0.28	0.67	5,046
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	24.5	24.0	2.91	40.2	0.06	3.32	1.50	4.83	3.31	0.38	3.69	375	2,564	2,938	3.09	0.17	4.11	3,070
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	4.48	4.38	0.53	7.34	0.01	0.61	0.27	0.88	0.60	0.07	0.67	62.0	424	486	0.51	0.03	0.68	508

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	4	0	0	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	0	0	0	N/A
Air Quality Degradation	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	4	1	1	4
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	1	1	1	2
Air Quality Degradation	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	48.0
Healthy Places Index Score for Project Location (b)	50.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.