County of Calaveras
Department of Planning

Phone (209) 754-6394 *Fax (209) 754-6540*
www.planning.calaverasgov.us

Initial Study / Mitigated Negative Declaration Review
Period: 12/15/25 through 1/19/2026

Initial Study ENVIRONMENTAL CHECKLIST

For: Kurt Cosgrove
Zoning Amendment 2024-00052
Assessor's Parcel No.: 046-016-069

1. **Project Title:** 2024-00052 – Zoning Amendment for Kurt Cosgrove

2. **Lead Agency Name and Address:** Calaveras County Planning Department
   891 Mountain Ranch Road
   San Andreas, CA 95249

3. **Contact Person and Phone Number:** Ben Diamond 209-754-6394

4. **Project Location:** The subject property does not have an address and is located directly northeast from the intersection of Hogan Dam Rd. and Highway 26. APN 046-016-069 is 15 acres in the SW ¼ of the NE ¼ of Section 24, T04N, R10E, MDB&M.

5. **Project Sponsor's Name and Address:** Kurt Cosgrove
   40004 Hartvickson Ln.
   Valley Springs, CA 95252

6. **General Plan Designation:** Commercial

7. **Zoning:** Rural Residential

8. **Project Description:** The applicant proposes to amend the zoning of a 15-acre parcel (APN: 046-016-069) in Valley Springs from Rural Residential (RR) to General Commercial (C2) for the purpose of constructing a roughly 15,000 square foot tire shop.

9. Surrounding land uses and setting:

Location	General Plan Designation	Zoning	Land Use
North	Commercial, Industrial, Public/Institutional	C2, M2, PS	Ministorage, Undeveloped property, Wastewater treatment ponds
South	Commercial, Public/Institutional	C2-PD, PS	Undeveloped property
East	Public/Institutional	PS	Undeveloped property
West	Commercial, Community Center	C2, RR	Fitness Center, Coffee Hut, Undeveloped property

10. **Other public agencies whose approval is required:** NONE

11. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1?

    YES or (NO)

If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? YES or NO

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by Lead Agency):

On the basis of this initial evaluation:

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

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

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

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

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

Ben Diamond _____ 12/15/25

Ben Diamond
Project Planner

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

Environmental Impact Analysis:

The proposed project is for a zoning amendment (ZA) to change the zoning of a 15-acre parcel in Valley Springs from Rural Residential (RR) to General Commercial (C2) for the purpose of constructing a roughly 15,000 square foot, single-story, tire shop. The shop is proposed to be open from 9 am to 6 pm with 3 bays and 2 employees. Power will be provided by Pacific Gas and Electric (PG&E) and water and wastewater services will be provided by the Calaveras County Water District (CCWD). No additional development beyond the tire shop has been proposed with this project.

Historically, the western two-thirds of the parcel has been used to grow strawberries and/or other row crops, a use that was permitted on the property under the County Zoning Code, prior to the July 16, 2024, update, whereas the northeast portion of the property is relatively undisturbed and contains a portion of Cosgrove Creek. There is also a seasonal wetland swale in the eastern corner of the parcel, and an ephemeral drainage that originates from a culvert near the northeastern third of the parcel and flows southwest across the property and then offsite where it joins Cosgrove Creek. The tire shop is proposed to be sited within the first few hundred feet of the western end of the parcel thus reducing the potential for the project to impact the aquatic resources on the property. Current development on the property includes roads created to access the crop fields and a shack near the entrance to the property that was used to sell strawberries. The shack will be demolished in order to construct the tire shop.

The subject parcel takes access via Hunter Dam Rd., and it's predominantly surrounded by vacant undeveloped land. However, to the north the subject parcel is abutted by a ministorage facility and wastewater treatment ponds, and to the southwest, across the intersection of Highway 26 and Hunter Dam RD., is a gym, a coffee stand, and a lot sporadically used by PG&E for equipment staging. A PG&E transmission easement runs the length of the northwest property boundary, and another PG&E easement cuts through the eastern corner of the property. The parcel is designated by the County General Plan as Commercial, finding that the Local Commercial (C1), General Commercial (C2), Professional Office (CP), and Public Service (PS) base zones consistent with the land use designation. Additionally, a tire shop is a permitted use, by-right, in the C2 zone falling under the "vehicle sales and services" use classification, and more specifically the "service and repair, minor" subclassification, in the Calaveras County Zoning Code.

Figure 1 - Location Map

Figure 2 - 2024 Aerial Photo (Parcel lines are approximate)

Figure 3 - Site Plan for Proposed Tire Shop

I. AESTHETICS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Except as provided in Public Resources Code §21099, would the project:	☐	☐	☐	☒
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

DISCUSSION

a. **No Impact** – Scenic vistas are areas that are designated, signed, and accessible to the public for the express purpose of viewing and sightseeing. Pursuant to the Conservation and Open Space Element of the Calaveras County General Plan scenic vistas are considered to include forests, rolling hills, ranches, agriculture land, historic landscapes, oak woodlands, rock formations, river corridors, lakes, streams, and other unique topographical features.[1] The project will have no impact on a scenic vista as the subject parcel is not near or within the view of a scenic vista. Cosgrove Creek does run through the northeastern portion of the parcel; however, the proposed project will not impact Cosgrove Creek because all development is proposed to occur on roughly the first 200 feet of the southwest portion of the parcel. Additionally, the portion of Cossgrove Creek that runs through the subject parcel is not visible from the portion of Highway 26 that runs adjacent to it, therefore the proposed structure would not obscure public viewability of Cosgrove Creek.

b. **No Impact** – The subject parcel is located near Highway 26 in Valley Springs and not within or near a scenic highway. Therefore, the project will have no impact on scenic resources within a State Scenic Highway because it is over 26 miles away from the only designated scenic highway in Calaveras County, a portion of Highway 4 beginning in Arnold.[2]

c. **Less than Significant Impact** – The existing visual quality of the project site and surrounding area is characteristic of a rural mixed commercial area. The area surrounding the subject parcel consists of single-story commercial development and vacant undeveloped grassland.

Amending the zoning from RR to C2 would result in a ten-foot increase of the maximum allowed building height from 35 fee to 45 feet[3]; however, the tire shop is proposed to run horizontal to the northern border of the subject parcel thus minimizing the profile of the shop when viewed from Hogan Dam Rd. Additionally, all of the parcels directly adjacent to the subject property are zoned General Industrial (M2), General Commercial (C2), or Public Service (PS), all of which allow for a maximum building height of 45-feet or higher. Likewise, there are no prominent views visible from the subject parcel or the surrounding area that would be impacted by the proposed project, and no development beyond the tire shop is proposed with this project. Therefore, any impact to views resulting from the project would be limited and the proposed ZA would not result in development that would substantially degrade public views of the subject parcel and its surroundings.

d. **Less than Significant Impact** – The applicant is proposing to construct a tire shop on the subject parcel. This development will be subject to the Calaveras County Zoning Code, including §17.16.100 – Lighting and Illumination, which was drafted to help ensure that new development does not have a significant effect on day or nighttime views. This section requires compliance with State Codes & Regulations and imposes requirements for maximum light levels at property lines, shielding, glare prevention, and timing controls. Adherence to these requirements at the time of construction will ensure that the project will not create a new source of substantial lighting or glare that would adversely affect day or nighttime views in the area. Therefore, the project to rezone the subject parcel will result in a less than significant impact from new lighting sources.

II. AGRICULTURE AND FORESTRY RESOURCES

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

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland	☐	☐	☐	☒

Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

DISCUSSION

a. **No Impact** – The California Department of Conservation's Important Farmland Finder maps and designates farmland resulting from the Farmland Mapping and Monitoring Program of the California Resources Agency. Under this program land can be designated as Prime farmland, Unique Farmland, Farmland of Local Importance, Farmland of Local Potential, Grazing Land, Urban and Built-up Land, Land Committed to Nonagricultural Use, Water, Area Not Mapped, or Other Land. The subject parcel is currently mapped as "grazing land".[4] This farmland type is for land that contains existing vegetation suitable for the grazing of livestock. Therefore, the project will not result in the conversion of prime farmland, unique farmland, or farmland of statewide importance because the project parcel is designated as Grazing land.

b. **No Impact** – The subject parcel is not under a Williamson Act contract and is not zoned for agricultural use. The property is currently zoned RR and was used to grow strawberries under the previous zoning code; however, agricultural uses were removed from the RR zone subsequent to the July 16, 2024, update to the Calaveras County Zoning Code—so the RR zone is no longer a "zone for agricultural use".[3] Furthermore, the parcels adjacent to the subject parcel are also not zoned for agricultural use, therefore the proposed project will not conflict with an existing Williamson Act contract or conflict with existing zoning for agricultural use.

c. **No Impact** – The subject parcel is currently zoned RR and therefore is not a timberland production zone. Additionally, the majority of the parcel has been cleared for past strawberry cultivation activities, and historical aerial imagery, viewed through Google Earth, shows that prior to the clearing for strawberries, the subject parcel was grassland devoid of commercial timber, or any other trees. Therefore, the project will not conflict with existing zones for, or cause rezoning of, forest land.

d. **No Impact** – The subject parcel is situated alongside development and has previously been cleared to cultivate strawberries. Likewise, historical aerial imagery shows that, prior to the clearing for agriculture, the subject parcel was grassland. Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest use.

e. **No Impact** – The subject parcel adjoins development to the north and southwest and has previously been cleared for growing strawberries. The lands immediately surrounding the subject parcel are also listed as "grazing land"—not Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Local Potential -- pursuant to the Farmland Mapping and Monitoring Program, and there is no other farmland mapped within a half mile of the subject parcel.[4] Likewise, neither the subject parcel nor the surrounding properties are forest land. The project proposes to rezone the property for the purpose of constructing a tire shop on the front portion of the property, and no other development is proposed. Therefore, the project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

DISCUSSION

a-b. **Less than Significant Impact** – CEQA requires a project to be consistent with the Local Management Plan and the State Implementation Plan (SIP). Determining consistency with these plans is essential to link local planning and individual projects to the Calaveras County general Plan and the SIP. This fulfils the CEQA goal of informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Furthermore, it provides the local agency with ongoing information assuring local decision-makers that they are making contributions to clean air goals contained in the SIP. Therefore, projects that are found to be consistent with the County's General Plan are considered consistent with the Air Quality Management

Plan (AQMP). The proposed ZA is to allow the construction of a tire shop on the subject parcel. No significant air quality impacts have been identified for the construction or operation of the shop. Consequently, the project is consistent with the goals of the County general Plan, the SIP, and does not pose a significant air quality impact.

Calaveras County is part of the Mountain Counties Air Basin (MCAB), and air quality within the County is under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD). Additionally, the County is classified as a non-attainment area for the State and Federal ozone standards (1-Hour and 8-hour) and particulate matter standards (PM2.5 and PM10).[1] In Calaveras County, the primary sources of ozone precursors (i.e., ROG and Nox) are mobile sources such as automobiles, construction equipment, and agricultural equipment. Likewise, common sources of particulate matter pollution in the County are residential, development, and land management related activities such as wood stoves, windblown dust, diesel from construction activities, and forest management burning. The County General Plan states that pollutant exceedance is due primarily to emissions produced elsewhere in the state, particularly the Valley and Bay Area that are transported into the county by the prevailing winds.

This ZA would allow the construction of a tire shop on the subject parcel. Construction of the shop would temporarily produce typical air pollutants associated with constructing a commercial building, and it will be subject to all applicable state, regional, and local regulations concerning construction and building related emissions. The primary source of air pollutants associated with tires is from their wear on the road or burning. However, the operation of the business itself won't release significant amounts of pollutants as the shop is only proposing to sell tires and provide tire related vehicle service—typical commercial uses which do not emit a significant amount of pollutants—and the burning of tires is prohibited pursuant to California Health and Safety Code §41800. Additionally, the proposed project was routed to the Calaveras County Air Pollution Control District which had no objection to the proposed project. Therefore, the proposed project will result in a less than significant increase in air pollutants.

c-d. **Less than Significant Impact** – The subject parcel is located within the Valley Springs Community Area which has sensitive receptors such as commercial businesses and residences. Construction of the tire shop would create temporary emissions of dust and exhaust from construction equipment. However, these emissions are temporary and are required by CCAPCD to have best management practices in place to minimize dust and other construction related emissions to the point of insignificance. The tire shop is not proposing to offer services for vehicles beyond tires, and the burring of tires is prohibited as stated above, therefore would not result in a significant amount of pollutants that would adversely affect a substantial number of people. Additionally, the project parcel is roughly 1,200 feet from the nearest residence and is directly adjacent to the commercial center of Valley Springs. Likewise, the owner of the proposed tire shop currently has a location roughly a quarter mile east of the project parcel. If the proposed zoning amendment is approved and the tire shop constructed, then the business will be relocated to the project parcel. Therefore, the emissions generated by customers visiting the proposed tire shop would be minimal. The primary source of odor emissions would be from the exhaust of vehicles travelling to and from business, and exhaust from vehicles is typical in commercial and industrial areas close to State Highways. Furthermore, the sources of odor that could

potentially be generated by the proposed project would be minimal and a less than significant impact is expected.

IV. BIOLOGICAL RESOURCES

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

DISCUSSION

a. **Less than Significant Impact with Mitigation** – The western two-thirds of the subject parcel has been farmed in strawberries and/or other row crops for the past several years, whereas the northeast end of the parcel is relatively undisturbed and contains a section of Cosgrove Creek, a small seasonal wetland swale, and open grassland. A biological site assessment was conducted by Moore Biological Consultants for the proposed project.[5] The assessment included a search of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) as well as the United States Fish and Wildlife Service (USFWS) IPaC Trust Resource Report of Federally Threatened and Endangered Species.

Information from those sources was then used to identify wildlife and plant species that have been documented in the project vicinity or that may have the potential to occur if suitable habitat is present. The Search returned four special-status plant species identified in the CNDDB search area, Ione manzanita, Hoover's calycadenia, spicate calycadenia, and Patterson's navarretia. Most of the identified plants were several miles from the site, and no special-status plants were identified on the USFWS IPaC Trust Report. , However, the CNDDB search did identify several special-status wildlife species within 5 miles of the project site, specifically California red-legged frog, California tiger salamander, bald eagle, tricolored blackbird, vernal pool fairy shrimp, western spadefoot, and Central Valley Steelhead. The USFW IPaC Trust Report includes some of the same species identified in the CNDDB with the addition of foothill yellow-legged frog, California spotted owl, northwestern pond turtle, valley elderberry longhorn beetle, and monarch butterfly.

Pedestrian level field surveys were conducted on the subject parcel on December 10 and 16, 2024. These surveys did not find special-status plants or their associated habitat on the project parcel, and due to the lack of suitable habitat for these special-status plants determined that they were unlikely to occur on the site. Furthermore, special-status plants generally occur in relatively undisturbed areas in vegetation communities such as marshes, swamps, meadows, seeps, chaparrals and areas with specialty soils. Therefore, the project parcel and surrounding area may have provided habitat for one or more special status wildlife species at some time in the past; however, historical grazing, agriculture, and development have substantially modified natural habitats in and near the site making it unlikely for special status plants to occur on the project parcel.

However, the biological site assessment did identify 2 species, the northwestern pond turtle and the tricolored blackbird, that may have the potential to occur on the project site in more than a transitory or very occasional basis. The northwestern pond turtle is proposed as threatened at the federal level and is a State listed species of special concern. Habitat for the turtles is typically associated with permanent or nearly permanent bodies of water with adequate basking sites, such as logs, rocks, or open mud banks. They construct nests in sandy banks along slow-moving streams and ponds in the spring and the young typically hatch in 2 to 3 months. The assessment found that the portion of Cosgrove creek that runs near and through the property provided very low-quality potential habitat for northwestern pond turtle due to lack of basking habitat as well as the intermittent flow regime of the creek. Likewise, no sandy areas which could provide nesting habitat were observed adjacent to the creek or elsewhere on the site. No occurrences of northwestern pond turtles were observed on the site or within the CNDDB search area. Furthermore, development on the project parcel is severely restricted due to the FEMA Flood zone AE on the parcel as shown in Figures 4 and 5 below. This is a regulatory floodway with the highest risk of flooding. Construction is not permitted within the AE flood zone, and those areas on the project parcel are the only areas which could possibly contain semi-suitable habitat for either species.

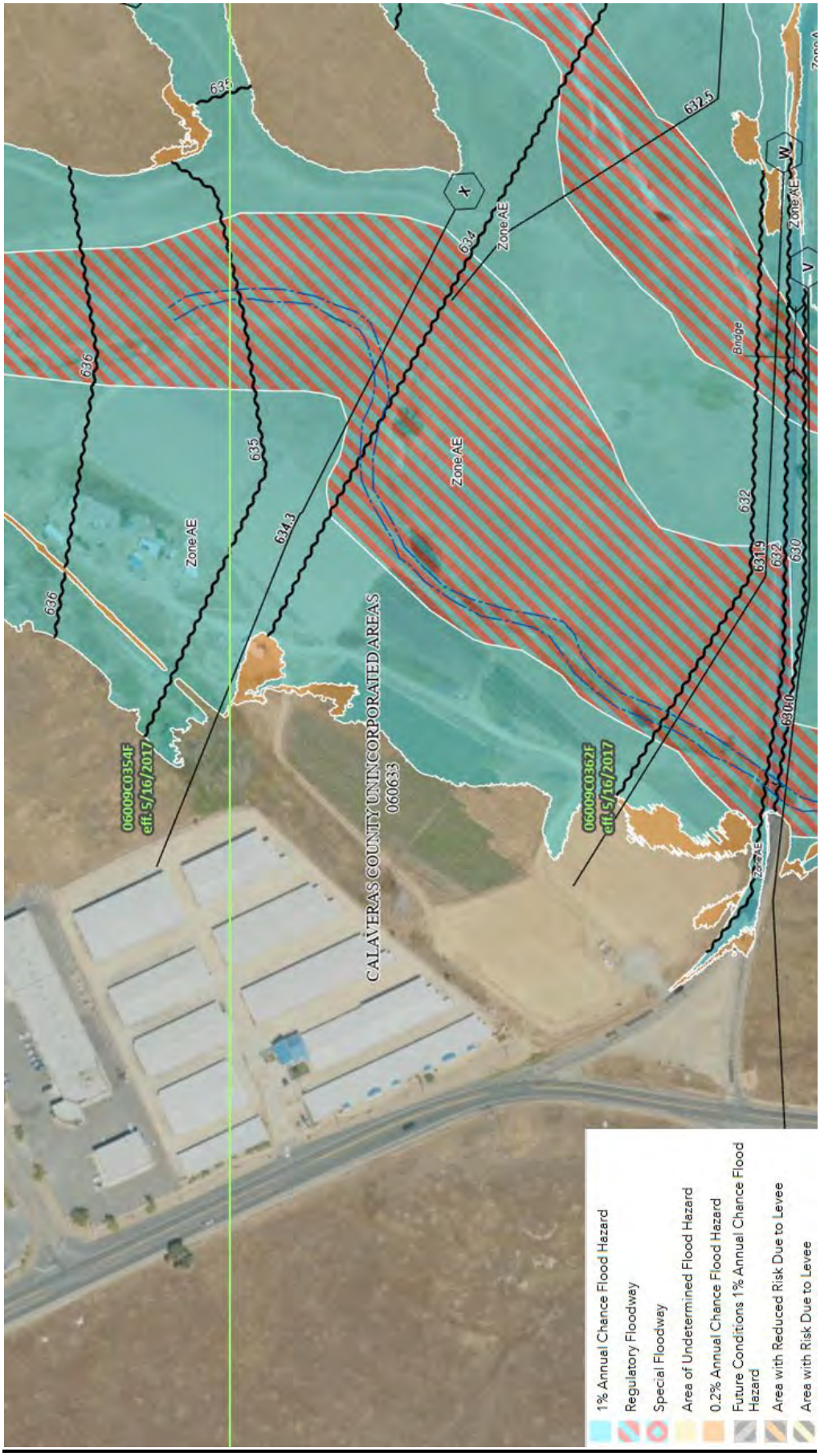

Figure 4-Map Showing flood zones and Floodways on the project parcel, Source FEMA

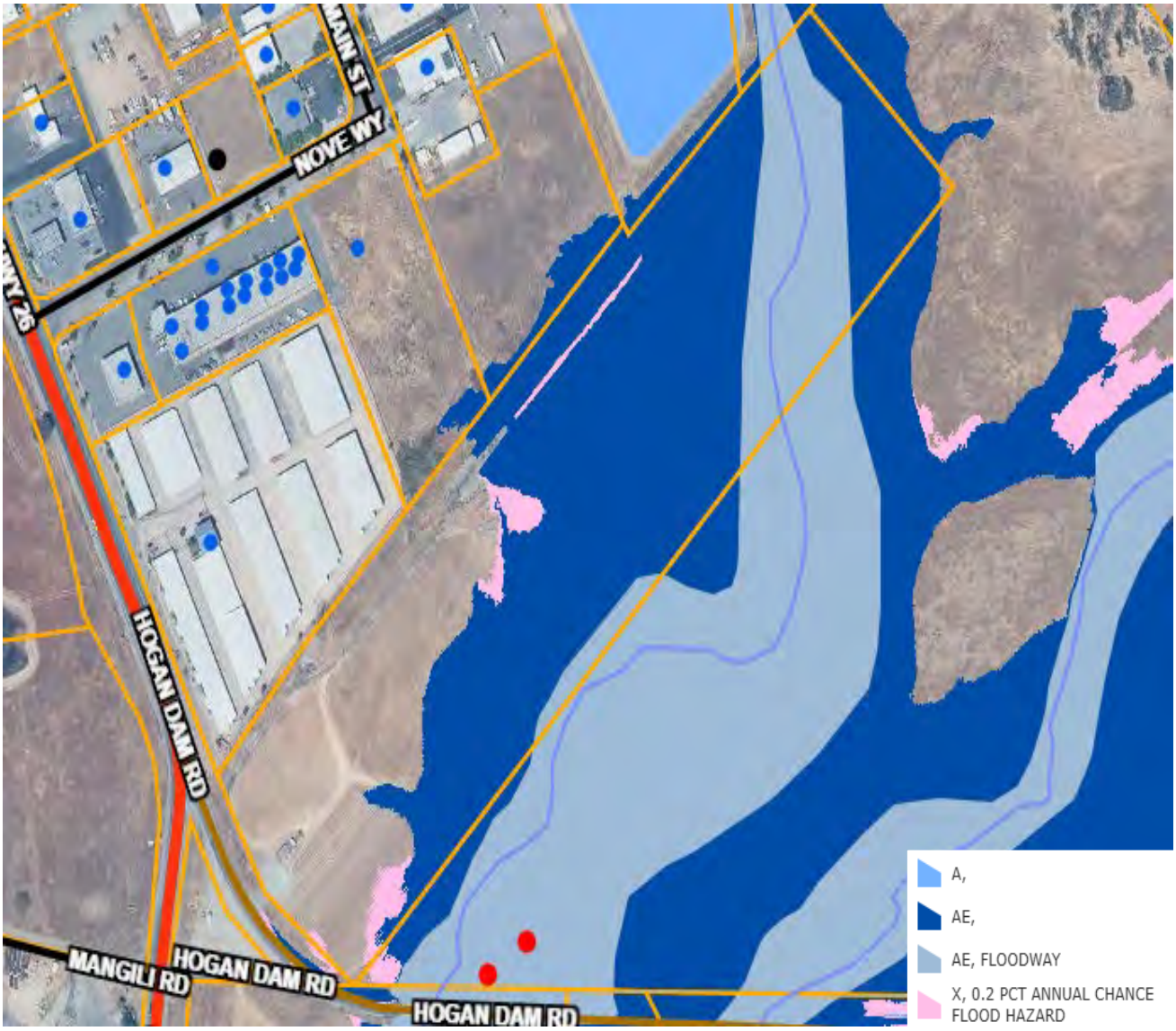

Figure 5-Map of Flood Zones on the Project Parcel, Parcel Lines are Approximate, Source County GIS Viewer

The tricolored blackbird is listed as threatened by the State and is protected by the Migratory Bird Treaty Act (MBTA) and California Fish and game Code. Tricolored blackbirds are colonial nesters that require very dense stands of emergent wetland vegetation and/or dense thickets of wild rose or blackberries for nesting. Preferred nesting substrates are expansive stands of cattails and tules adjacent to open water, and they forage in annual grasslands and cropland. The nearest recorded occurrence of tricolored blackbird in the CNDDB search area is approximately 1.5 miles east of the project site, and none were observed on the project parcel. However, shrubby willows, tules, cattails, and blackberries in and along Cosgrove Creek may provide potentially suitable nesting habitat in and adjacent to the project parcel, although the tricolored blackbird is more known to nest near larger open bodies of water.

Additionally, the assessment found that the site does not provide highly suitable habitat for other special-status wildlife species. Special-status birds may fly over the area on occasion but would not be expected to roost or nest in or immediately adjacent to the project site, primarily due to lack of habitat. Similarly, monarch butterflies may also fly over the project site during migration, but this species is more known to occur in coastal environments and would

not be expected to utilize the site for overwintering. The site does not provide suitable habitat for California re-legged frogs, western spadefoots, or foothill yellow-legged frogs because Cosgrove Creek is too ephemeral for either frog species, and there are no ponds or vernal pools large enough for the western spadefoot. There is no aquatic habitat on the project parcel that is suitable and/or accessible to Central Valley steelhead or other special status fish. There are also no vernal pools or elderberry shrubs on the project parcel, precluding the potential occurrence of elderberry longhorn beetle and fairy shrimp. Therefore, while the potential for the proposed project to impact protected birds or northwestern pond turtles is low, in order to ensure no impacts occur, the following mitigation measure is recommended.

Mitigation Measure BR-1 (Biological Resources): Preconstruction Wildlife Survey

Within 7 days prior to the start of any ground disturbing activities (e.g., vegetation removal, grading, excavation or construction), a qualified biologist shall conduct a pre-construction survey of the project parcel (APN 046-016-069). Pre-construction surveys will concentrate attention on areas with potential to detect protected species, their nests, or indicators of presence (i.e., tracks, middens, fur, pellets, claw marks, scat, burrows, and/or vocalizations); observations of special-status species and/or sign will be recorded and mapped. During the surveys, the biologist will also record incidental observations of non-special-status species and/or their sign.

If any federal listed and/or state-listed or sensitive species are observed during surveys, the qualified biologist shall establish a suitable avoidance buffer. The buffer distance, to be determined by the qualified biologist, typically ranges from 50 to 300 feet, but shall be determined based on such factors as the species of wildlife, topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction to avoid active nests and/or habitat for tricolored blackbird or western pond turtle shall be established in the field with flagging, fencing, or other appropriate barriers as determined by the qualified biologist, and shall be maintained until the chicks have fledged, the nests are no longer active, or the species has left the area of its own volition, as determined by the qualified biologist.

If any sensitive species are found, and avoidance is infeasible, the construction shall immediately stop and the project applicant shall, prior to commencing or continuing any further construction, consult with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife regarding the potential for project activities to result in a take. If an Incidental Take Permit (ITP) for the identified sensitive species is obtained from the CDFW, the project applicant shall comply with any mitigation measures included in the ITP. Additionally, if avoidance is infeasible, consultation with USFW shall occur prior to commencing or continuing construction regarding the potential for project activities to result in a take, and the project applicant shall comply with any mitigation requirements in the permit for project impacts to federally listed species, including authorization for the qualified biologist to capture and relocate animals per a Relocation Plan.

If an ITP is obtained and authorizes relocation, a Relocation Plan shall be developed that outlines the specific methods for safely capturing, holding, transporting, and releasing the species, including equipment sterilization techniques. The Relocation Plan shall also outline where relocated individuals shall be moved and a process for reducing oversaturation.

If western pond turtles, or their habitat, is observed exclusion fencing shall be installed between work areas and adjacent habitat for western pond turtles. The exclusion fencing shall be constructed in a manner to prevent turtles from crawling under the fence. Placement and installation of fencing around drainage work areas shall be coordinated with any sediment control fencing requirements of other resource agency permits. During work hours, a portion of the fencing around upland staging areas may be removed to facilitate project activities but must be reinstalled and the bottom secured with sandbags or other heavy material. If any western pond turtles are found in the work area, construction shall immediately stop and shall not be continued until the turtles have been removed from the site in conformance with the approved relocation plan that is authorized by the project's ITP for the species. When fence sections are removed the section shall be reviewed for resting or hiding species prior to removal. The Exclusion fencing shall be maintained until all construction activities are completed and removed within 72 hours of the completion of work.

Upon completion of the pre-construction wildlife surveys, the qualified biologist will prepare, and submit to the Planning Department, a brief letter report summarizing methods, results, and recommendations for project commencement. If greater than 7 days lapse in construction-related activities occurs within the subject parcel, then an additional pre-construction survey is required. If the qualified biologist conducts thorough pre-construction surveys and determines there is no threat to special-status species, then construction may commence once the report prepared by the qualified biologist has been submitted and accepted by the Planning Department.

Sensitive wildlife species and/or potential nesting sites will not be disturbed, captured, handled or moved except by a qualified and/or permitted biologist.

With adherence to the above mitigation measure, and the submitted site plan, the proposed project will have a less than significant impact to sensitive species.

b. **No Impact** – The project parcel is not located in an area with an adopted Habitat Conservation Plan, Natural Community conservation Plan, or other approved local, regional, or state habitat conservation plan. Likewise, the project parcel is not within designated critical habitat for California red-legged frog, California tiger salamander, any vernal pool shrimp or plant species, or other federally listed species. There is riparian habitat in and around the project parcel as shown in Figure 6 below. Specifically, a portion of Cosgrove Creek runs through the northeast third of the parcel, there is a seasonal wetland swale in the northeast corner of the parcel, and a tributary to Cosgrove Creek daylights from a culvert just north of the project parcel and meanders through the parcel before flowing offsite to connect to Cosgrove Creek. The tributary is only a few feet wide, has moderately to poorly defined banks, and supports limited hydrophytic vegetation. The tributary also has a much more ephemeral flow regime than Cosgrove Creek and is dry for much of the year during most years. The project proposes constructing a tire shop in the first few hundred feet of the southern end of the project parcel away from the portion of Cosgrove Creek, the seasonal wetland swale, and the tributary to Cosgrove Creek. Therefore, the project as proposed will not impact riparian habitat or other sensitive natural communities.

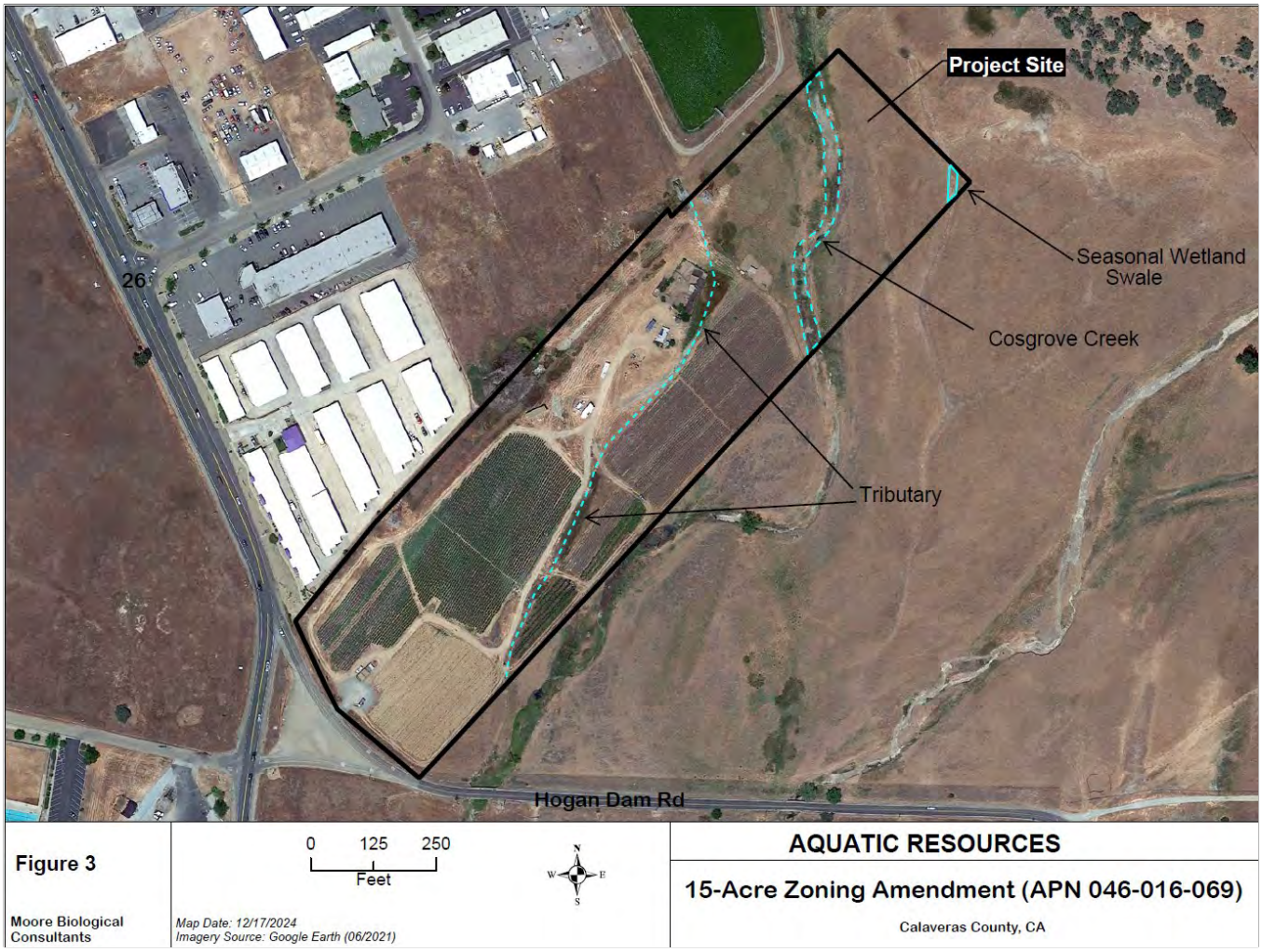

Figure 6-Map of Aquatic Resources on Project Parcel, Source Moore Biological

c. **No Impact** – Cosgrove Creek, the tributary to Cosgrove Creek, and the seasonal wetland swale are potentially jurisdictional Waters of the U.S. or wetlands and Waters of the State. No other potentially jurisdictional Waters of the U.S. or wetlands of any type were observed on the site. Pursuant to the site plan provided, the proposed project does not include any development in or near Cosgrove Creek, the tributary, or the wetland swale. Likewise, due to the AE flood zone on the project parcel, as shown in Figure 4 and 5 above, no disturbance/construction can occur within these areas. Additionally, the project proposes to construct a tire shop in the first few hundred feet of the southern end of the property, well removed from the tributary to Cosgrove Creek, the nearest potentially jurisdictional feature on the subject parcel, as shown in Figure 6 above. No direct removal, filling, or hydrological interruption of Cosgrove creek, the tributary, or the wetland swale will result from the project as proposed. Therefore, the project as proposed will not have an impact on state or federally protected wetlands.

d. **No Impact** – There is no aquatic habitat on or near the project site that is suitable for and/or accessible to Central Valley steelhead or other special status fish. Cosgrove Creek may be a movement corridor for raccoon, Virginia opossum, striped skunk, and other wildlife. However, the project is only proposing to construct a tire shop within the first few hundred feet of the southern end of the project parcel which, as shown in Figure 6 above, is on the opposite side of the project parcel from Cosgrove Creek. Additionally, the AE flood zone on the project

parcel, as shown in Figures 4 and 5 above, would restrict any development in or around where Cosgrove Creek crosses the project parcel. Therefore, the proposed project would not impact wildlife movement along Cosgrove Creek. The project will not have an impact on the movement of any native resident or migratory fish or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites, as none were observed on the subject parcel.

e. **No Impact** – Calaveras County does not have any ordinances protecting biological resources. While the General Plan does have some policies to protect certain biological resources, COS-4D (oak woodlands) and COS-4P (bat roosting)[1], there are neither oak trees nor suitable bat roosting habitat on the project site Therefore, the proposed project will not conflict with any local policies or ordinances protecting biological resources.

f. **No Impact** – The project parcel is not located in an area with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

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

DISCUSSION

a-c) **Less than Significant Impact** – The applicant contracted Solano Archaeological Services, LLC (SAS) to conduct a cultural resources study for the project. The study included an archival search, a search of the Central California Information Center (CCIC), a search of the Sacred Lands Files (SLF) via the Native American Heritage Commission (NAHC), and an intensive pedestrian level field survey of the project parcel that was conducted on January 14, 2025. The archival and the CCIC record search indicated that no previously documented prehistoric or historic-era cultural sites, features, or artifacts were known to be present within or immediately adjacent to the project parcel. Likewise, the search of SLF by the NAHC did not result in the identification of any culturally sensitive sites or properties within the project parcel. The field survey identified a single historic-era potential cultural resource, a mid-20th century PG&E electrical power transmission line, within the project parcel. Archival research suggested that the line does not possess any associations with specific historically significant events or individuals, is a commonly encountered type of structure, and does not retain important historic or scientific data potential. As a result, SAS recommended that the line, which is not listed as a historical resource, was not eligible for listing on the California Register of Historical Resources.[6] Additionally, the project was routed to the Calaveras band

of Miwuk Indians, California Valley Miwok Tribe, Ione Band of Miwok Indians, Buena Vista Rancheria, and the Washoe Tribe of Nevada and California. Only one response was received from the California Valley Miwok Tribe, which stated that the Tribe had no comments or concerns about the proposed project. Furthermore, if any human remains or cultural resources are found during construction of the proposed tire shop, construction will be halted and the appropriate procedures pursuant to Public Resources Code (PRC) Sections 5097.98 and 21082, and [36 CFR 800] of Section 106 of the NHPA. If Human remains are found, PRC Section 5097.98 requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If buried cultural resources are discovered, then pursuant to PRC Section 21082 and [36 CFR 800] of Section 106 of the NHPA operations shall stop in the vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. Therefore, the proposed project will have a less than significant impact on cultural resources.

VI. ENERGY

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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?	☐	☐	☒	☐

DISCUSSION

a-b) **Less than Significant Impact** – The California Energy Code (Building Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a mandate from the State legislature to reduce California's energy consumption. The code includes energy conservation standards applicable to most buildings throughout California. These standards are updated periodically by the California Energy Commission with the purpose of advancing the State's energy policy, developing renewable energy sources, and preparing for energy emergencies. There is nothing about the proposed design or construction of the tire shop that would require additional mitigation beyond the implementation of the California Energy Code to avoid potentially significant impacts.

The parcel has historically been farmed for strawberries and/or other row crops. Current development on the western and central portion of the parcel includes a shack to sell strawberries and dirt roads to access the various crop fields. The proposed project is to construct a tire shop on the subject parcel. Construction of the shop would consume energy in the form of machinery run by petroleum-based fuels but there are no site or project

characteristics that suggest that construction and operation of the shop would be less energy efficient than other typical commercial construction projects or that it would require additional mitigation to ensure against wasteful, inefficient, or unnecessary consumption of energy resources. Construction would be temporary and fuel consumption would end when construction is complete. Calaveras County has not adopted a local renewable energy or energy efficiency plan; however, all new construction must comply with adopted State and local regulations. The project does not propose any additional development beyond the tire shop. The energy usage resulting from the shop, when compared to the existing baseline of energy consumption by current development in the surrounding area, is expected to be less than significant.

VII. GEOLOGY AND SOILS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
	☐	☐	☐	☒

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

DISCUSSION

a. **Less than Significant Impact** – Pursuant to the County General Plan Safety Element and the 2021 Calaveras County Multi-Jurisdictional Hazard Mitigation Plan (referred to as Local Hazard mitigation Plan in the General plan), Calaveras County is in the Sierra block of Seismic Risk Zone 3, an area of historically low seismic activity.[1] The County is not in, adjacent to, or crossed by an Alquist-Priolo Earthquake Fault Zone,[7] and Calaveras County ranks at the lowest earthquake risk in the California Multi-Hazard Mitigation Plan. The nearest Alquist-Priolo Earthquake Fault Zone to the project parcel is the Greenville Fault Zone located roughly 58 miles to the southwest located in the Altamont Quadrangle.[8] Therefore, the risk of surface fault rupture within the County is considered to be low, and while ground shaking due to earthquakes with epicenters located elsewhere have been felt, no major earthquakes have been recorded in the County due to its location between major fault areas.

Areas of concern for landslides are those that include high elevations with steep ravines and gulches associated with river and stream channels, and areas of concern for liquefaction are areas 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 loose to medium density. Cosgrove Creek runs through the northeast end of the project parcel, and an ephemeral tributary to Cosgrove Creek daylights from a culvert just north of the project parcel and meanders through the parcel before flowing offsite. There is a flood zone on the subject parcel and a regulatory floodway adjacent to it that follows Cosgrove Creek.[9] However, none of these features include steep ravines or gulches that could potentially contribute to a landslide.

Additionally, the project parcel is described by the USDA Web Soil Survey as Urban Land – Amador Complex, 2 to 15 percent slopes.[10] This is described as 60 percent urban land, 15 percent Amador Series and similar soils, and the remaining 25 percent is made up of other minor components. The Amador Series soil is a shallow well-draining sandy loam characteristic of shallow undulating volcanic hills. Due to its relative uniformity, this type of soil is potentially prone to liquefaction or landslides if it becomes sufficiently saturated with water. However, the project parcel, and the immediately surrounding area, are flat and do not contain steep gulches or ravines, and no portion of the County is in a seismic hazard zone. Likewise, adjacent commercial development in the townsite has had no instances of liquefaction. Therefore, the risk of loss, injury, or death as a result of strong seismic ground shaking, seismically induced liquefaction, or a landslide on the project parcel as a result of the proposed project is less than significant.

b-c) **Less than Significant Impact** – The USDA Web Soil Survey maps the project parcel as Urban Land – Amador Complex, 2 to 15 percent slopes.[11] This is described as 60 percent urban land, 15 percent Amador Series and similar soils, and the remaining 25 percent is made up of other minor components. The Amador Series soil is a shallow well-draining sandy loam characteristic of shallow undulating volcanic hills.[10] While this soil type does have moderate potential for erosion, simple erosion control measures such as those implemented through the Best Management Practices (BMPs) required by existing Building and grading regulations will reduce the risk of potential erosion. Likewise, there is potential for erosion during the construction of the project, but BMPs implemented through existing Building and grading

regulations will reduce the potential for construction related erosion. In addition, the project parcel does not possess the seismological or soil conditions necessary for liquefaction or landslides, and adherence to soil compaction regulations through the building and grading permit process will mitigate the potential for subsidence and lateral spreading. Therefore, the project will have a less than significant impact.

d. **Less than Significant Impact** – The soil of the subject parcel is the Amador Series, which is described as a well-draining sandy loam, and is not considered a highly expansive soil.[10] Additionally, the proposed tire shop will require a building permit and a grading permit which will require an analysis of the soil and will address how the proposed project can be accommodated due to the soil conditions on the project site. Compliance with the California Building Code and related laws, as well as the implementation of BMPs would be required during construction. Therefore, the proposed project would have a less than significant impact.

e. **No Impact** – The soil on the subject parcel could potentially support a septic system. However, the project parcel is designated by the General Plan as Commercial (C), which requires connecting to public water and public sewer services.[1] The project parcel is within the service area of the Calaveras County Water District (CCWD) for water and sewer service, and CCWD submitted comments that confirm this. Therefore, the proposed project will have no impact because it will connect to public water and sewer service.

f. **No Impact** – No paleontological resources have been mapped on the project parcel, and the Cultural Resources Assessment conducted for the project did not identify any paleontological resources on or near the project parcel.[6] Therefore, the proposed project will have no impact on paleontological resources.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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?	☐	☐	☒	☐

DISCUSSION

a-b) **Less than Significant Impact** – The project proposes to rezone the subject parcel to facilitate the construction of a tire shop. An incremental increase in GHG emissions would be generated through construction due to construction operations and auto emissions. Building standards in Title 24 of the California Code of Regulations (California Building Standards Code) dictate standards for efficient construction for residential and non-residential buildings. Emissions from any new construction are therefore already reviewed under the standards contained in Title 24.[3]

Auto emissions are the primary source of GHG emissions in Calaveras County; however, the County has not yet adopted a climate action plan or program to reduce GHGs, therefore the project would not conflict with any such plan or program. Additionally, the owner of the proposed tire shop currently has a tire and auto repair business roughly a quarter mile east of the subject parcel at 742 Hogan Dam Rd. If the zoning amendment were to be approved and the tire shop constructed, then their current shop would be used for tire storage. Therefore, the proposed project would not be expected to induce additional demand from people in the region, and the new shop would be closer to Valley Springs, reducing the distance that customers in the area would need to travel to get to the shop.

The Proposed Project does not involve construction or operational usage that meets criteria for emission generating uses. Although the proposed tire shop would generate vehicular trips, the proposed Project would fall below the Calaveras County Air Pollution Control District thresholds. Future construction would be required to comply with the updated Title 24 of the California Code of Regulations established by the Energy Commission. Therefore, the amount of greenhouse gas emissions produced by the proposed Project would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency	☐	☐	☒	☐

response plan or emergency evacuation plan?				
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

DISCUSSION

a-b) **Less than Significant Impact** – The proposed project to rezone the subject parcel to facilitate the construction of a tire shop would not create a significant hazard to the public or environment. The shop is not proposing to perform other vehicle services beyond tires. The shop may use potentially hazardous solvents, adhesives, sealants, and lubricants typical of automotive service businesses during their day-to-day operation; however, because the shop is not proposing to perform other vehicle services significant quantities of these substances as waste, and the primary waste generated by the proposed shop would be waste tires, which are not classified by the State or Federal Environmental protection Agency as hazardous waste. The waste tires generated by the shop will be disposed of by a tire disposal company.

Additionally, the Environmental Health Department requires a Hazardous Materials Business Plan to be put in place if hazardous materials are stored or handled in quantities that equal or exceed 55 gallons for liquid, 500 pounds for solids, or 200 cubic feet for gases. All applicable Federal, State, and County regulations will apply to all hazardous materials that may be used or stored on the subject parcel in the future, such as the diesel for the back-up generator. The proposed Project will not involve the regular transport of hazardous materials. Likewise, the proposed project does not involve unusually hazardous operations or conditions that would increase the likelihood of accidental release. Therefore, assuming proper storage and use of any hazardous materials in compliance with existing regulations, the potential for significant impacts from these materials is less than significant.

c. **No Impact** – The project parcel is not within one quarter mile of an existing or proposed school. Therefore, the proposed project would not result in hazardous emissions or the handling of acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school, and there will be no impact.

d. **No Impact** – The project parcel is not included on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5.[12,13,14]

e. **No Impact** – The project parcel is not located within an airport land use plan or within two miles of a public airport or public use airport.

f. **Less than Significant Impact** – The County has a Hazard Mitigation Plan[1]; however, this project will not impair the plan or its implementation and mitigation goals as the proposed project would not impede traffic circulation or alter any roads, and the commercial encroachment off of Hogan Dam Rd. would provide emergency access as necessary. Likewise, any hazardous material generated by the business would be subject to any applicable regulations contained within the Hazard Mitigation Plan. Therefore, the impacts will be less than significant.

g. **Less than Significant Impact** – The project parcel is in an area designated as a high fire risk by the California Department of Forestry and Fire Protection's Fire Hazard Severity Zone

Map.[15] However, the project was routed to the Building Department, Public Works, and all applicable fire protection districts and agencies. The Calaveras Consolidated Fire District provided a comment which stated that the applicant would need to provide fire apparatus access roadways. Public Works responded that, when an application is submitted for building permits, the project will be reviewed in terms of grading and drainage, and that in addition to road fees, the encroachment onto the project parcel will be required to be improved to commercial standards. The proposed tire shop includes a site plan showing an encroachment and parking lot that can accommodate fire apparatus. Likewise, the proposed Project would be required to comply with current CalFire and California Building Code requirements for fire safety. The project does not propose uses or activities that would increase exposure of people and/or structures to significant loss, injury, or death involving wildland fires. Therefore, the potential for the proposed project to increase the risk of death or injury due to wildfire is less than significant.

X. HYDROLOGY AND WATER QUALITY

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☒	☐
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
(iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

DISCUSSION

a. **Less than Significant Impact** –The proposed zoning amendment to allow the construction and operation of a tire shop would be subject to all applicable state, local, and regional regulations regarding stormwater runoff and retention, waste discharge, and water quality, including the County Grading and Drainage Ordinance and the County Stormwater Quality Ordinance. Adherence to these regulations fully mitigate potential impacts associated with the construction of the proposed tire shop to a less than significant level. Additionally, the project parcel is designated as Commercial (C) by the General Plan.[1] This designation does not allow for the use of wells or septic systems and requires connections to a public water and wastewater service. The proposed tire shop will be connected to the Calaveras County Water District's (CCWD) water and wastewater systems. Therefore, construction and operation of the proposed tire shop will not violate any water quality standards, wastewater discharge requirements, or otherwise substantially degrade surface or groundwater quality, and the proposed project will have a less than significant impact.

b. **Less than Significant Impact** – A tire shop is not a heavy water-demanding business and therefore water use by the proposed business would be minimal. Furthermore, due to the land use designation of the project parcel[1], the proposed tire shop will be connected to CCWD's water and wastewater systems. Additionally, the only development proposed by the project is a tire shop in the first few hundred feet of the western end of the parcel leaving the remaining approximately 12 acres of the parcel undeveloped. The project parcel is located within the Eastern San Joaquin Groundwater Basin which is managed by the Eastside San Joaquin GSA for which the local POC is CCWD. The proposed project was routed to both CCWD and the Eastern San Joaquin Groundwater Authority, and neither agency indicated that the proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the proposed project may impede sustainable groundwater management of the basin. Therefore, the proposed project will not have a significant impact on ground water recharge and will not have an impact on groundwater supplies.

c. **Less than Significant Impact** – A portion of Cosgrove Creek runs through the east end of the parcel, and a tributary to Cosgrove Creek daylights from a culvert just north of the project parcel and meanders through the parcel before flowing offsite to connect to Cosgrove Creek. The tire shop is proposed to be sited in the northwest corner of the project parcel approximately 300 feet away from the tributary and approximately 1,000 feet away from Cosgrove Creek. The parking area for the tire shop will create some impervious surface and will extend toward the tributary to Cosgrove Creek. However, pursuant to the submitted site plan the proposed project does not include any work within Cosgrove Creek or the tributary.

   Additionally, the proposed Project would include construction on a disturbed, flat site, it would not result in an impact to, or substantially alter, the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Compliance with applicable codes, policies, and regulations regarding waste discharge and water quality is required and will ensure that project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Compliance with the County Road Ordinance (Ch 12.02), Encroachment Ordinance (Ch

12.08), Storm Water Quality Ordinance (Ch 13.01), and the Grading & Draining Ordinance (Ch 15.05) is required in order to prevent substantial impacts to erosion and pollution of water due to construction. These regulations are enforced by the Public Works and Building Departments during the grading and building permit processes. Compliance with these regulations and the small-scale of this project ensures there will not be substantial erosion, siltation or runoff that would impact the site or area off-site. Therefore, there will be a less than significant impact.

d. **Less than Significant Impact** – Cosgrove Creek is a riverine, and a regulatory floodway runs through the southeast portion of the project parcel with Cosgrove Creek and then runs parallel to the property, and a flood zone crosses the parcel from roughly the center of the parcel to the southwest corner of the property.[9] The proposed location of the tire shop is the northwest corner of the project parcel which is not covered by a flood hazard zone. A portion of the parking area for the shop may encroach onto the flood zone. However, the County Building Code, by way of adopting the 2022 California Building Code Appendix G, prohibits substantial improvement or other development in flood hazard areas unless the applicant submit an engineering analysis prepared by a registered design professional, demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 1 foot at any point within the community. Additionally, the project parcel is not located in a tsunami or seiche zone. Therefore, the project will have a less than significant risk of releasing pollutants due to project inundation.

e. **No Impact** – The project parcel is designated as Commercial by the General Plan.[1] This designation requires connection to a public water service, and the project parcel is within the service area of the Calaveras County Water District (CCWD). The proposed tire shop will connect to CCWD's water and wastewater systems. The project parcel is located within the Eastern San Joaquin Groundwater Basin which is managed by the Eastside San Joaquin GSA for which the local POC is CCWD. The proposed project was routed to both CCWD and the Eastern San Joaquin Groundwater Authority, and neither agency had objections to the proposed project. Likewise, a tire shop is not a water intensive business. Therefore, the project will not conflict with or obstruct implementation of a water quality control plan or groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Physically divide an established community?	☐	☐	☐	☒
b) Couse a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

DISCUSSION

a. **No Impact** – The project parcel is within the Valley Springs Community Area[1], and the project parcel does not connect surrounding land uses nor is it used to access the surrounding community. Approval of the zoning amendment would allow for the construction of the proposed tire shop, and this development would not result in the physical division of an established community. Therefore, there will be no impact.

b. **Less than Significant Impact** – The project proposes to rezone the subject parcel from Rural Residential (RR) to General Commercial (C2) to allow for the construction of a tire shop on the subject parcel. The subject parcel is designated as Commercial (C) by the General Plan[1]. However, the RR zone is not compatible with the Commercial designation, while the C2 zone is. Therefore, the proposed zoning would comply with the Calaveras County General Plan, the Calaveras County Zoning Ordinance, applicable County Code sections, and all other applicable regulations. The project parcel does not have an environmental protection overlay zone nor is there an overlay for any special design review or aesthetic requirements in place for the project parcel. Likewise, there are no habitat conservation plans or natural community conservation plans that are applicable to the project parcel. The project parcel is within the Valley Springs Community Area, but no community plan has been adopted for this area. Additionally, the project parcel is located within the Eastern San Joaquin Groundwater Basin which is managed by the Eastside San Joaquin GSA for which the local POC is CCWD. The proposed project was routed to both CCWD and the Eastern San Joaquin Groundwater Authority, and neither agency had objections to the proposed project. Therefore, the project would have a less than significant impacts related to any plan, policy, or regulation to avoid or mitigate an environmental effect.

XII. MINERAL RESOURCES

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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?	☐	☐	☐	☒

DISCUSSION

A-B) **No Impact** – The project parcel is not within the County's Mineral Resource overlay zone, which identifies areas where mining operations are permitted, and the U.S. Geological Survey Mineral Resources Online Spatial Data viewer shows no known mineral resources on the subject parcel.[16] The project parcel is designated Commercial by the General Plan which does not permit mining operations, and the property is not within or near any active mining operations. Therefore, the proposed project would not 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. Thus, the proposed project will have no impact on mineral resources.

XII. NOISE

Would the project result in:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

DISCUSSION

a. **Less than Significant Impact** – Some land uses are particularly sensitive to noise and vibration. Generally, these uses include residences, schools, hospital facilities, places of worship, and open space/recreation areas where quiet environments are necessary for the enjoyment, public health, and safety of the community. The nearest sensitive receptors to the project parcel are residences to the northwest, southeast, and southwest, with the closest being roughly 1,200 feet away from the project parcel. Likewise, the project parcel is adjacent to a mini storage, commercially zoned parcels, a sewage treatment pond, and public service zoned parcels which are generally more compatible with the operational noise of a tire shop. Operation of the tire shop would be subject to the County's Noise Ordinance, Chapter 9.02 of the County Code. This chapter limits exterior noise levels to 70 decibels between 7:00 AM and 10:00 PM and 60 decibels between 10:00 PM and 7:00 AM for commercial land uses.[3] The proposed tire shop does not include any outdoor uses, it would operate between the hours of 9:00 AM and 6:00 PM, and adherence to the Noise Ordinance would ensure that noise generated by the operation of the proposed tire shop would be at a less than significant level. Therefore, the project will have a less than significant impact on ambient noise levels in the vicinity of the project in excess of the standards established in the General Plan and Noise Ordinance.

b. **Less than Significant Impact** – The project proposes to rezone the subject parcel to facilitate the construction of a tire shop. Construction of the shop would result in an increase in ground-borne vibration and noise; however, this increase would be temporary in nature and limited to the hours of 7:00 AM and 6:00 PM by the County Noise Ordinance. Additionally, the day-to-day operations of a tire shop do not typically include the use of heavy machinery that would result in a significant increase in ground-borne vibration and noise. Therefore, the project would have a less than significant impact on the generation of excessive ground-borne vibration or ground-borne noise levels.

c. **No Impact** – The project parcel is not located within the vicinity of any known private airstrip or an airport land use plan, nor is it within two miles of a public airport or public use airport. Therefore, there will be no impact.

XIV. POPULATION AND HOUSING

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

DISCUSSION

a. **No Impact** – The project proposes to rezone the parcel from Rural Residential (RR) to General Commercial (C2) to facilitate the construction of a tire shop. No residential development is proposed with this project, and the project would not result in the extension of roads or other infrastructure. Therefore, the proposed project would result in substantial unplanned population growth and would have no impact.

b. **No Impact** – The subject parcel does not currently have any residential development; therefore, the project will not displace any existing people or housing and will have no impact.

XV. PUBLIC SERVICES

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

DISCUSSION

a. **Less than Significant Impact** – Current development on the subject parcel consists of a shack to sell strawberries and dirt roads to access the field. The proposed project would change the zoning of the project parcel from Rural Residential (RR) to General Commercial (C2) to allow for the construction of a tire shop. The adjacent parcels contain commercial development; public service uses or are undeveloped. The proposed tire shop is not expected to cause a significant increase in customers from outside the area that would use existing public services and facilities. Likewise, the proposed project does not include residential development and therefore is not expected to result in an increase in population thereby resulting in impacts to schools or parks. Additionally, the project was routed to local service providers, and none of the comments received indicated that the project would have a significant impact to service ratios, response times, or other performance objectives. Therefore, the proposed project will have a less than significant impact.

XVI. RECREATION

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

DISCUSSION

a-b) **No Impact** – The proposed project does not include any residential development; therefore, it would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities. Likewise, the proposed project does not include any recreational facilities or require the construction or expansion of recreational facilities, and the project is not a tourist attraction that would be likely to increase the use of local and regional parks by additional visitors. Therefore, the proposed project will have no impact.

XVII. TRANSPORTATION

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐

b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

DISCUSSION

a. **Less than Significant Impact** – The project proposes to rezone the subject parcel to facilitate the construction of a tire shop which will take access from Hogan Dam Rd., a county-maintained road. The Calaveras Council of Governments (CCOG), the Regional Transportation Planning Agency for Calaveras County and the City of Angels, has an adopted Regional Transportation Plan The construction of the shop will be required to meet standards for onsite circulation, parking, emergency access, and other related County ordinances at the time of building permit submittal. Likewise, construction of the tire shop will require payment of Road Impact Mitigation (RIM) Fees, payment of Valley Springs Benefit Basin (VSBB) Fees, and improvement of the encroachment to commercial standards. The project parcel is within the Valley Springs Community Area; however, no Community Plan has been adopted for this area. Therefore, the proposed project will not conflict with any program, plan, or policy regarding transportation.

b. **Less than Significant Impact** – The project parcel is located on the east side of the intersection of Hogan Dam Rd. and State Highway 26. This is a local serving business that does not typically draw clients from the greater regional area. The proposed location is close to Valley Springs, and adjacent to the commercial center in Valley Springs, therefore local patrons would not need to travel a significant distance to get to the business. As a result, the proposed location of the tire shop is expected to result in no net change in vehicle miles traveled (VMTs). Therefore, the proposed project will have a less than significant impact on VMTs.

c. **Less Significant Impact** – The project parcel takes access from Hogan Dam Rd., a paved county-maintained road. The proposed project does not include new roads or road improvements. The project was routed to the Calaveras County Department of Public Works and Caltrans. Public Works commented that, at the time of construction, the proposed tire shop will be required to pay RIM Fees, VSBB Fees, and that the encroachment will need to be improved to commercial standards. Caltrans commented that the project should ensure that the current geometries of the intersection triangle of Highway 26 and Hogan Dam Rd. can accommodate traffic, corner sight distances, and delivery truck turns. Hogan Dam Rd. curves around the western end of the subject parcel where it takes access, and there are no features proposed with the project, or within the intersection triangle currently, that would block corner sight distances. Additionally, the proposed tire shop is a change in location from their current location at 742 Hogan Dam Rd, and the current geometries of the intersection triangle have adequately accommodated its traffic and delivery trucks. If delivery trucks are unable to make the right turn off of Highway 26, then they could alter their route to approach the shop from the north. Likewise, access to the project parcel would be required to meet commercial encroachment standards. Therefore, the proposed project will have a have a less than significant impact.

d. **Less than Significant Impact** – Project was routed to the Calaveras County Department of Public Works, Calaveras Consolidated Fire District, and CalFIRE. No comments were received that indicated the proposed project would result in inadequate emergency access. The only comments received regarding emergency access were from Calaveras Consolidated Fire District which indicated that the proposed project would require fire apparatus roadways, and at the time of construction the proposed tire shop will be required to meet state, regional, and local standards for parking, on-site circulation, and emergency access. Therefore, the proposed project will have a less than significant impact.

XVIII. TRIBAL CULTURAL RESOURCES

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

DISCUSSION

a-b) **No Impact** – As discussed above in Section V. Cultural Resources, there are no known cultural or archeological resources on or adjacent to the subject parcel, including tribally significant resources. Likewise, the subject parcel has already been disturbed by tilling for the former crop fields and the roads that were made to access them. The project proposes to construct a tire shop in the northwest corner of the subject parcel. Part of the processing of the project application included consultation with tribes that have requested formal notification of projects within their geographic region of traditional and cultural affiliation pursuant to an AB 52 notification request, Public Resources Code §20080.3(b) and SB 18, Government Code §65352.3. The applicant's consultant, Solano Archeological Services (SAS), contacted the Native American Heritage Commission (NAHC) requesting a records search of Sacred Land Files and a list of Native American community members that should be contacted about the project. The NAHC indicated that no significant properties or sites were known to be present

within or near the project area, and a list of representative contacts. SAS received no response from any of the representatives contacted.[6] Likewise, Staff also noticed the project to the NAHC, the Calaveras Band of Miwuk Indians, California Valley Miwok Tribe, Ione Band of Miwok Indians, Buena Vista Rancheria, and the Washo Tribe of Nevada and California. Only the California Valley Miwok Tribe responded to Staff's notice, and they indicated that they had no comments or concerns related to the proposed project. Therefore, the project will have no impact.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

DISCUSSION

a-e) **Less than Significant Impact** – Existing development on the subject parcel consists of a shack to sell strawberries and roads to access the fields. The project parcel has not previously been connected to any utilities. Power will be provided by Pacific Gas and Electric (PG&E), and water and wastewater service will be provided by the Calaveras County Water District (CCWD). The project was routed to both agencies and neither indicated that they would be unable to accommodate the project or that the proposed project would require relocation or construction of new or expanded facilities. Likewise, the proposed tire shop will have a tire disposal company picking up the used tires and will contract with Cal Waste for typical solid waste disposal. Therefore, the proposed project will have a less than significant impact.

XX. WILDFIRE

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	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 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?	☐	☐	☒	☐

DISCUSSION

a-d) **Less than Significant Impact** – Calaveras County has an Emergency Operations Plan (EOP) which outlines the functions, responsibilities, and regional risk assessments of Calaveras County for large scale emergencies such as wildland fires, hazardous materials incidents, and flooding. The EOP addresses the planned response to extraordinary emergency situations and establishes a flexible, all hazards, emergency management organization required to facilitate the response to, and to provide for short term recovery activities related to any significant emergency or disaster affecting Calaveras County.[1]

The proposed project does not include any development that would substantially impair an adopted emergency response plan or emergency evacuation plan as the proposed project does not include any roadwork beyond improving the encroachment onto the project parcel, and the project parcel is not used to access other roads or parcels. The project parcel is currently developed with a shack to sell strawberries and roads to access the fields. The project proposes to construct a tire shop in the northwest corner of the subject parcel. The project would not require the installation or maintenance of new infrastructure, such as powerlines, that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Roughly 15,000 square feet of the proposed development will be occupied by the tire shop with a parking area extending roughly 145 feet from the front of the building, and construction of the shop would be subject to all state, regional, and local regulations regarding fire safety. Furthermore, the construction of the proposed tire shop and its parking area would reduce the amount of flammable vegetation on the subject parcel, and any new

landscaping would be subject to applicable regulations, such as those governing defensible space.

A regulatory floodway crosses the eastern end of the project parcel with Cosgrove creek and then runs parallel to the subject parcel. Likewise, there are flood hazard zones of a 0.2% to 1% annual chance of flood hazard running south across the subject parcel from the culvert roughly in the center of the northern property boundary to the southwest corner of the parcel.[9] However, the northwestern corner of the project parcel, where the tire shop is proposed, is not in any flood hazard zone, and the shop and parking area would be required to be engineered in a manner that meets all state, regional, and local standards regarding flood hazards and runoff. Additionally, the subject parcel and the surrounding area are relatively flat and do not contain any steep gulches, ravines, or hillsides that could result in landslide conditions. Therefore, the project would not expose people or structures to significant risks of downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The proposed project does not require the installation of any new roads, nor does it alter any existing roads or impede traffic. The proposed tire shop would not negatively alter any risk that may or may not currently exist on the subject parcel. The project was also routed to the Calaveras Consolidated Fire Protection District, and the only comment provided was that there would need to be access for fire apparatuses. The proposed project would be required to adhere to standards for emergency access and circulation. Therefore, the proposed project would have a less than significant impact.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Does the project have the potential to Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION

a. **Less than Significant Impact with Mitigation** – Approval of the proposed zoning amendment will not significantly impact the environment. The analysis of environmental issues contained in this initial study indicates that the project will not substantially degrade the quality of the environment, substantially reduce the habitat or population of wildlife species, substantially restrict the range of special status species, or eliminate important cultural or archeological resources. The project parcel is currently developed with a shack to sell strawberries and roads to access the fields, and a large portion of the parcel has been disturbed through tilling for past strawberry cultivation. As discussed in Section IV. Biological Resources, any impacts to special status species will be reduced to a level of less than significant with the implementation of the mitigation measures discussed in that section and implemented through the mitigation monitoring and reporting program. Additionally, despite there being a flood zone (Figure 4) and wetland swale on the project parcel, they are not within the vicinity of the proposed development, as shown on the submitted site plan (Figure 3), and will not be impacted. Likewise, the subject parcel is adjacent to a developed area with substantial commercial development. Therefore, the proposed zoning amendment is not anticipated to have a significant impact on the environment with the implementation of the aforementioned mitigation measures.

b. **Less than Significant Impact** – Approval of the proposed zoning amendment would not create a cumulative impact to any of the items discussed in this initial study. The project is consistent with the General Plan and Zoning Code, and the zoning amendment will not result in considerable cumulative impacts to the environment. The proposed tire shop is allowed by right in the requested C2 zone. No significant impacts were found on the subject parcel and development is proposed as part of the project, but the rezoning of the 15-acre parcel from RR to C2 does not increase the development potential such that it will create cumulatively considerable impacts. Any impacts to the area will be minor and will not be significant enough to create a cumulative impact when considered in relation to the impacts of other past present, or probable future projects.

c. **Less than Significant Impact** – The analysis of environmental issues in this initial study indicates that the proposed project is not expected to have a substantial adverse effect on human beings, either directly or indirectly. Best management practices and compliance with standards regulations will reduce any environmental impacts to a less than significant level.

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