



County of Calaveras Department of Planning

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Initial Study / Mitigated Negative Declaration
Review Period: March 16, 2026, to April 16, 2026

Initial Study ENVIRONMENTAL CHECKLIST

For: Two Eighty-Eight Joint Ventures, LLC
Tentative Parcel Map and Zoning Amendment 2019-029
Assessor's Parcel Nos. 040-001-015 and 040-001-017

1. Project Title: 2019-029 Tentative Parcel Map and Zoning Amendment for Two Eighty-Eight Joint Ventures, LLC
2. Lead Agency Name and Address: Calaveras County Planning Department
891 Mountain Ranch Road
San Andreas, CA 95249
3. Contact Person: Madeleine Flandreau, Senior Planner
mflandreau@calaverascounty.gov
(209)754-6394
4. Project Location: APN: 040-001-015 and 040-001-017
5. Project Sponsor's Name and Address: Two Eighty-Eight Joint Ventures, LLC
1481 East Lane
Imperial Beach, CA 91032
6. General Plan Designation: Resource Production
7. Zoning: Agriculture Preserve (AP)
8. Project Description: The applicant is requesting approval of a Tentative Parcel Map to divide one legal parcel with two assessor parcel numbers (APNs) approximately 288 acres in size, into four parcels. Proposed Parcels Nos. 1, 2, and 3 are 40+ acres in size and proposed Parcel No. 4 is approximately 160 acres in size. In addition, the applicant is requesting approval of a concurrent Zoning Amendment to rezone the parcels from Agriculture Preserve (AP) to General Agriculture (A1). The parcel is currently undeveloped, and is not enrolled in a Williamson Act Contract, thus no longer required to be zoned AP. The subject parcel is located off of Kestrel Lane in Valley Springs. APNs: 040-001-015 and 040-001-017 are located in Section 4, T04N, R11E, MDM.

9. Surrounding land uses and setting:

Location	General Plan Designation	Zoning	Land Use
North	Resource Production	General Agriculture (A1), Agriculture Preserve (AP)	Cattle ranches, undeveloped
South	Resource Production	Agriculture Preserve (AP)	Cattle ranches, undeveloped
East	Resource Production, Rural Transition B	Agriculture Preserve (AP)	Single family dwellings, undeveloped
West	Resource Production	General Agriculture (A1), Agriculture Preserve (AP)	Cattle ranches, Single Family Dwellings

10. Other public agencies whose approval is required: Calaveras County Public Works Department, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers.

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

No requests for consultation have been received as of the date of this report.

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.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared.
- I find that, although the original scope of the proposed project **COULD** have had a potentially significant effect on the environment, there **WILL NOT** be a significant effect because revisions/mitigations to the project have been made by or agreed to by the applicant. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a potentially significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** or its functional equivalent will be prepared.
- I find that the proposed project **MAY** have a potentially significant impact on the environment. However, at least one impact has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis, as described in the report's attachments. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the impacts not sufficiently addressed in previous documents.
- I find that, although the proposed project could have had a significant effect on the environment, because all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to applicable standards, and have been avoided or mitigated, pursuant to an earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, all impacts have been avoided or mitigated to a less-than-significant level and no further action is required

Madeleine Flandreau

Madeleine Flandreau, Senior Planner
Project Planner

3/9/2026
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

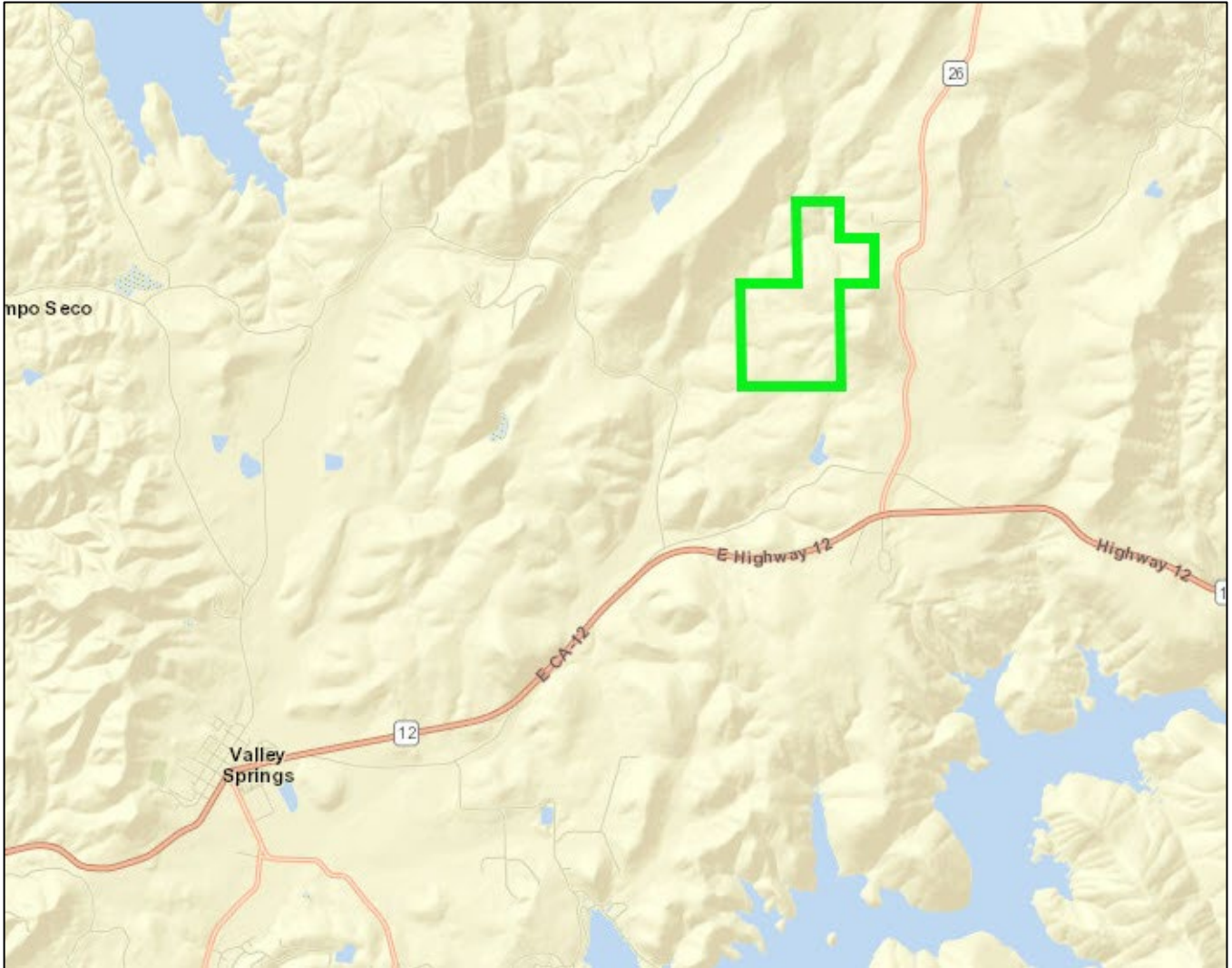


Figure 1 – Location Map

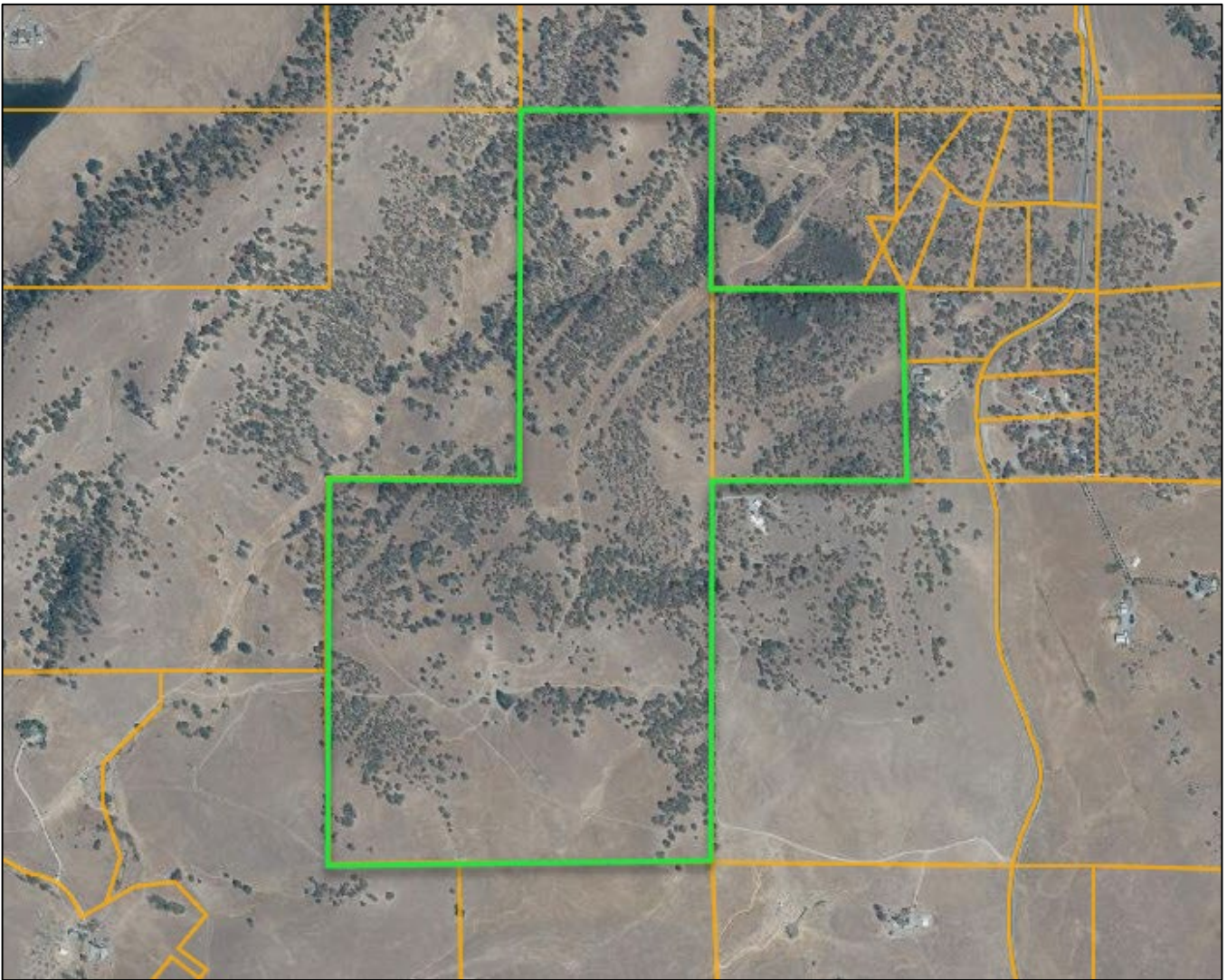


Figure 2 – August 2022 County Aerial Image (parcel boundaries are approximate)

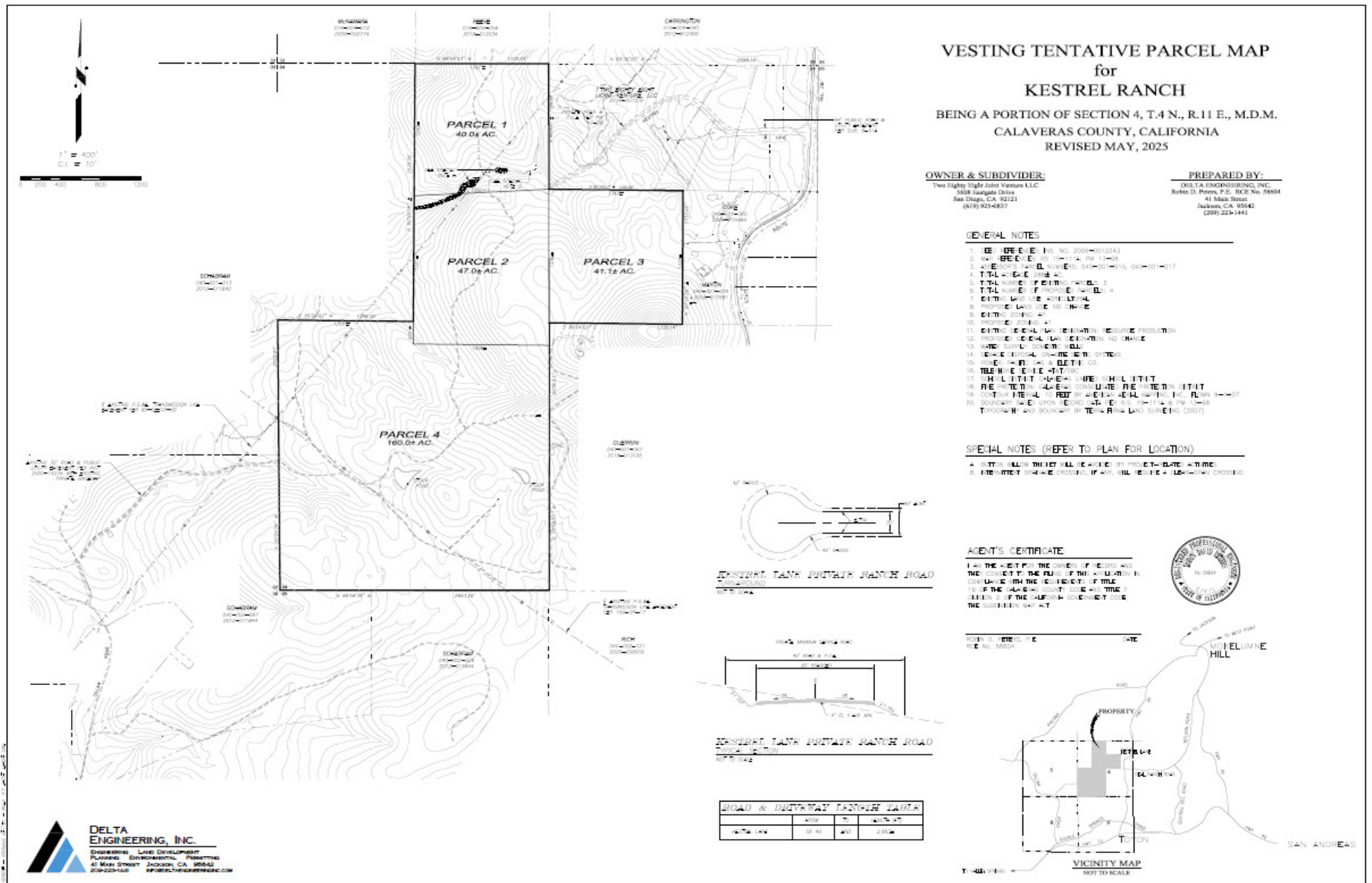


Figure 3 – Tentative Parcel Map

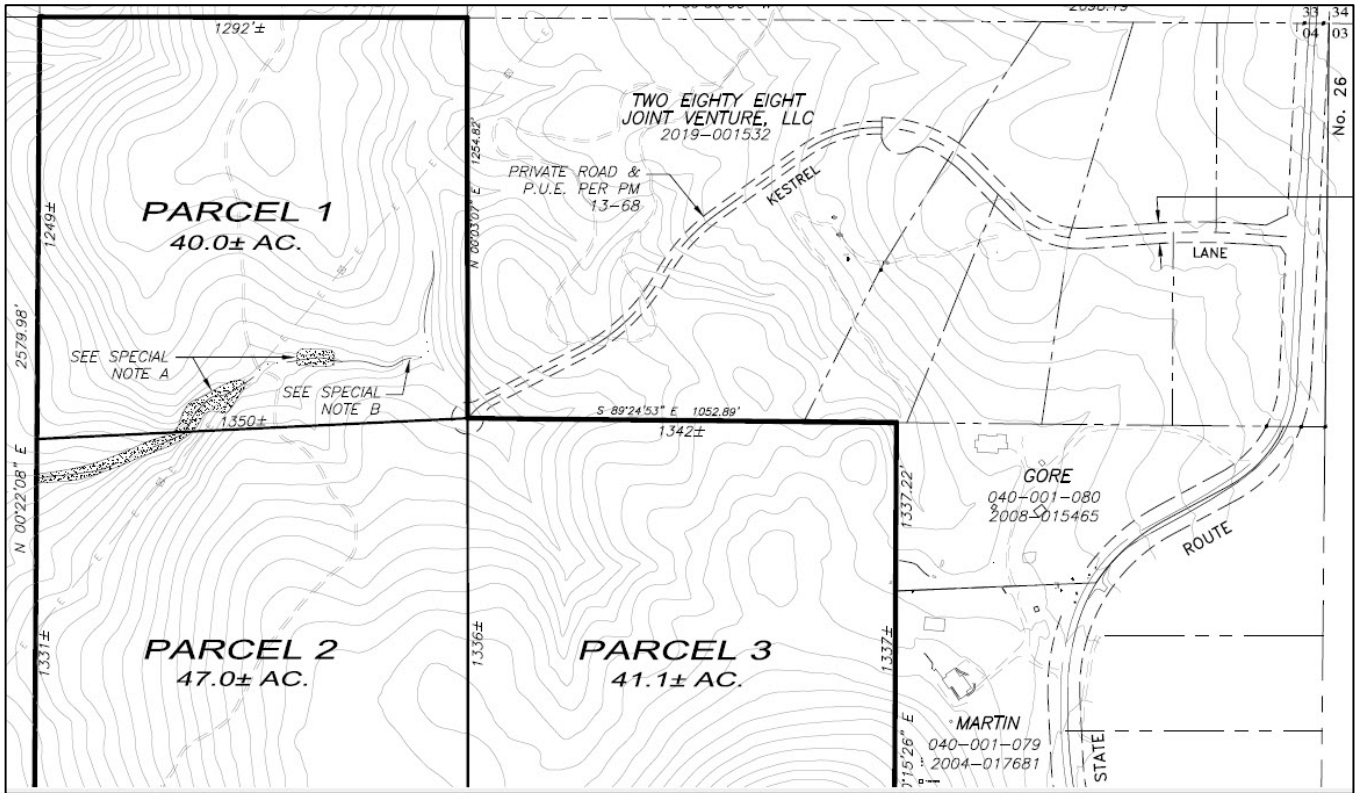


Figure 4 – Zoom of proposed extension of Kestrel Lane

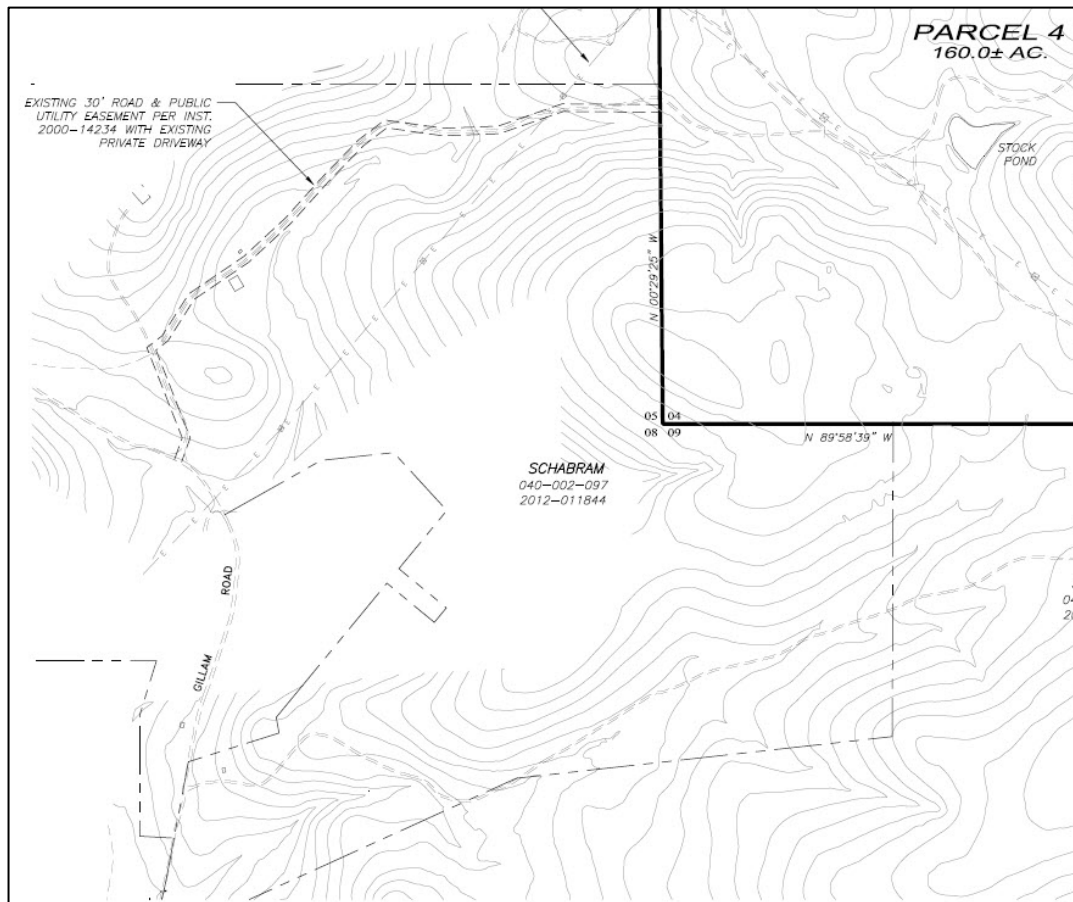


Figure 5 – Zoom of Easement off of Gillam Road



Figure 6: View from old jeep trail on proposed Parcel 2



Figure 7: View of large stock pond on proposed Parcel 4



Figure 8: View of power lines on proposed Parcel 4



Figure 9: View of road at drainage crossing in proposed Parcel 4

South West Elevation

☉ 67°NE (T) ● 38°13'25"N, 120°47'5"W ±16ft ▲ 835ft



Figure 10: View Looking East at Gate Along Access Easement to Parcel 4

Environmental Impact Analysis:

The application is requesting approval of a Zoning Amendment (ZA) and Tentative Parcel Map (TPM) to divide one parcel approximately 288 acres in size into three parcels 40+ acres in size and one 160+ acres in size and rezone the parcels from AP (Agriculture Preserve) to A1 (General Agriculture). The parcel is currently undeveloped, is being used as pasture for cattle and is not enrolled in the Williamson Act, thus is no longer required to be zoned AP. In Calaveras County, agricultural preserves and their associated AP zoning are not established unless and until there is a request for a qualifying property to enter into a Williamson Act contract, but the properties are not automatically rezoned back to a regular zoning designation once the land is no longer under contract. The rezone to A1 would reflect the current status of the properties, as not participating in the Williamson Act.

The existing single legal parcel is composed of two APNs: 040-001-015 and 040-001-017, and is located in a portion of Section 4, T04N, R11E, MDM. Proposed Parcel 4 will use an existing easement from Gillam Road through the adjacent lots to the west. Proposed Parcels 1-3 will gain access from Kestrel Lane, a private paved road which was constructed for the Virginia Oaks Subdivision (an undeveloped subdivision adjacent to the east) off of State Route 26. The applicant owns an existing easement through the adjacent parcel to the east (APN 40-001-094), from the terminus of Kestrel Lane that is proposed to be utilized to connect Parcels 1-3 to Kestrel Lane. The proposed road will follow the existing unimproved easement. This proposed road will be a 40-foot private road and public utility easement, with an 84-foot diameter roadbed for turnaround at the point of intersection of proposed Parcels 1-3. Access to Parcel 1 from the turnaround will require a clear span bridge to cross the unnamed intermittent stream crossing through the southern portion of the parcel. This will be a condition on the map.

The purpose of the TPM is to divide the lots up amongst the members of the LLC. Future use of the parcels is anticipated to be primarily agricultural, focusing largely on livestock grazing. The proposed land division would allow for the future construction of one single family residence, one accessory dwelling unit, as well as accessory structures and other activities associated with construction such as grading, tree removal, road/driveway improvements and fire clearance measures. However, there are no structures proposed in the project description. The proposed lots will rely on private wells and on-site septic systems.

The subject parcel has a General Plan land use designation of Resource Production, which allows for AP, TP, GF, and A1 zoning classifications. The proposed A1 zone is intended to be the main resource production zone. It is to classify areas for general farming and ranching practices and assign such uses the primary emphasis for the area. The division of the parcel is consistent with the Calaveras County General Plan and with approval of the zoning amendment, will exceed the zoning requirements of a minimum of 20-acre parcel size for the A1 zone. Table 17.04.020 Land Use Regulations – Resource Zones in the Zoning Code lists the permitted, administrative, and conditional uses in the AP and A1 zones. The majority of the commercial, residential, industrial, utility, and agricultural uses are the same in both zones, and there are no uses that are permitted outright in A1 that aren't allowed outright in AP (that is without approval of a use permit). There are a few administrative and conditional commercial uses that are allowed in the A1 zone and not the AP zone. However, these uses would require the road to meet County commercial road standards, which is infeasible due to the access through the existing

subdivision. Therefore, the project design and conditions will effectively limit the uses on the subject property to the same ones allowed in the existing AP zone.

I. AESTHETICS

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

DISCUSSION

a-c) **Less than Significant Impact** – A scenic vista is an area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. The County General Plan’s Conservation and Open Space Element notes that the County’s scenic resources are some of its most valued assets and include forests, rolling hills, ranches, agricultural land, historic landscapes, oak woodlands, rock formations and other unique topographical features, river corridors, lakes, and streams. The Project site is located approximately 500 feet to the west of Highway 26 within a rural area outside of the small community of Valley Springs in an area that consists of cattle ranches. The project site is largely undeveloped and generally characterized by low rolling hillsides dominated by annual grassland with various-sized patches of oak woodland and scrub vegetation. An intermittent stream crosses through proposed Parcel 1 and the northwestern corner of proposed Parcel 2, and another intermittent stream crosses through the southeast corner of the remainder parcel, which contains an emergent wetland along the stream. Both of the streams connect to Youngs Creek to the west. The majority of the project site is grazed by cattle. There are multiple transmission lines supported by wooden poles or lattice towers and two-track dirt roads throughout the project site.

While the proposed project area does contain scenic resources, as do most of the ranch parcels in this area, such as the existing mature landscape including oak trees, it is not considered to provide a scenic vista within the meaning of this impact category, and no scenic vistas have been designated by the Calaveras County General Plan in the proposed project area. In addition, it does not contain any unique or distinguishing features that would qualify the site for designation as a scenic vista.

As the proposed parcels are 40+ acres in size, they remain large enough to develop residentially and use agriculturally while still retaining the natural landscape necessary to maintain the rural character and scenic beauty of the property. Any future development on the newly created parcels would be in accordance with the permitted uses of the General Agriculture zoning district and would have less than significant impact on the current character or quality of the site and its surroundings.

The only state highway in the area is State Highway 26, which is 500 feet to the east. According to Caltrans, this portion of State Highway 26 is not designated as a state scenic highway.

- d) **Less Than Significant Impact** – The addition of three new parcels, and therefore a potential new light source from additional single-family residences, would not add a significant increase to the light or glare that currently exists in the area, nor would any views be adversely affected by the addition of any light that would be associated with a single-family residence on the property. Outdoor lighting for future development would be subject to the Building Code, which requires that residential lighting be located, adequately shielded, and directed such that no direct light falls outside the property perimeter, or into the public right-of-way. With the adherence to outdoor lighting regulations at the time of development, the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact.

II. AGRICULTURE AND FORESTRY RESOURCES

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

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

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

DISCUSSION

- a) **Less than Significant Impact** - According to the County General Plan, the land use designation of the subject parcel is Resource Production, which identifies those lands capable of and primarily used for agricultural operations, timber production and/or mineral resource production; in order to maintain the land’s viability and economic productivity and protect these lands from the intrusion of incompatible uses or activities. Resource Production Lands have the capability of being utilized for several resource production uses and/or compatible activities. The County’s zoning code would allow for these multiple uses. This designation also includes, but is not limited to, lands with conservation easements and lands designated as critical habitat areas, agricultural preserves, and timber production (including lands zoned for timberland production pursuant to the California Timberland Productivity Act of 1982). Typical uses include irrigated and non-irrigated crop production, orchards and vineyards, grazing and raising of livestock, timber and forest product production and harvesting, mineral exploration and extraction, resource conservation, other uses/activities that support these operations (e.g. production and processing facilities, farm stands, tasting rooms), small scale commercial/industrial uses secondary to the resource use of the land; public and quasi-public uses; and other similar and compatible uses.

The purpose of the TPM is to divide the lots up amongst the members of the LLC. Future use of the parcels is anticipated to be primarily agricultural, focusing largely on livestock grazing. The proposed land division would allow for the future construction of one single family residence, one accessory dwelling unit, as well as accessory structures and other activities associated with construction such as grading, tree removal, road/driveway improvements and fire clearance measures. However, there are no structures proposed in the project description. The requested entitlements or potential to construct dwellings and accessory structures on the lots would not diminish the production of agricultural uses in the area because each of the resulting parcels will be large enough to support the same types of agricultural uses the existing parcel supports, and because these uses will remain permitted uses in the A1 zone.

According to the California Farmland Mapping and Monitoring Program (FMMP), the subject property is not designated as prime, unique or farmland of statewide importance. Therefore, no prime farmland will be converted as a result of this Project.

The project was reviewed by the Calaveras County Agriculture Advisory Committee regarding potential impacts to agricultural uses per the General Plan Policy RP 1.8, and the Committee had no comments or concerns.

- b) **Less than Significant Impact** – According to the County Assessor’s office records the subject parcel was previously entered in a Williamson Act Contract as part of a larger agricultural preserve that included the adjacent parcels to the east; however, the parcel’s contract was non-renewed as of 2011. In Calaveras County, the placement of lands into agricultural preserves is only considered when a Williamson Act contract is proposed for those lands and does not reflect any determination by the County that the lands placed in preserves are of higher quality from an agricultural standpoint than lands zoned for agriculture that are not in preserves. The division of land does not conflict with any agriculture use of the property, because the resulting parcels will remain suitable for agricultural uses such as cattle ranching and will not allow for more than two single-family residences (one primary and one accessory) per lot. This will leave ample space on each parcel for large animal grazing.
- c&d) **No Impact** - Located at 300 feet in elevation, the parcel and surrounding area is not located in a forested area, nor is it classified as forestland, as defined in Public Resources Code Section 12220(g), or as timberland, as defined in Public Resources Code Section 4526, nor is it considered to be forest land by the County’s General Plan or Zoning Ordinance. Therefore, the proposed project would not result in the rezoning of forest or timberland and would not cause the loss of forest land or the conversion of forest land to non-forest land.
- e) **Less than Significant Impact** – Based on the discussion in a-d, the land division and rezone from Agriculture Preserve (AP) to General Agriculture (A1) would not cause additional changes in the existing environment that could result in the conversion of farmland to non-agricultural uses or forest land to non-forest land. The potential for each of the resulting parcels to be used for agricultural versus non-agricultural purposes will not change as a result of project approval, and the resulting zoning will remain agricultural.

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.

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a-b) **Less Than Significant Impact** - Calaveras County is part of the Mountain Counties Air Basin (MCAB). Air quality within the County is under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD). The County has been 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). To become designated as a non-attainment area for the State and Federal standards, there must be at least one monitored violation of the ambient pollutant standards within the area’s boundaries. An area is designated in attainment of the State standard if concentrations for the specified pollutant are not exceeded. An area is designated in attainment for the Federal standards if concentration for the specified pollutant is not exceeded on average more than once per year.

The California Environmental Quality Act (CEQA) requires that projects be consistent with the local management plan and the State Implementation Plan (SIP). A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the County General Plan and the SIP in the following ways: (1) it fulfills the CEQA goal of fully 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 fully addressed; and (2) it provides the local agency with ongoing information assuring local decision-makers that they are making real contributions to clean air goals contained in the SIP. Projects that are consistent with the local general plan are, therefore, considered consistent with the air quality management plan.

Emissions that could be created by the proposed project would result from temporary impacts during construction of dwellings. One single-family residence, one accessory

dwelling, and accessory structures are permitted per legal parcel. There are currently no structures on the subject parcel. Temporary construction activities would not generate significant amounts of air quality emissions and would be required to comply with all applicable CCAPCD rules and regulations in addition to the General Plan policies, and State and Federal Particulate Matter standards. Therefore, it will not conflict with or obstruct the current air quality plans nor would it 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. As such, the proposed project is consistent with the goals of County General Plan, the SIP, and air quality impacts will be less than significant.

- c) **Less Than Significant Impact** - The proposed parcels, which upon build out, can have two residential units, do not typically expose sensitive receptors (i.e. schools, residential neighborhoods, etc.) to substantial pollutant concentrations. Construction activities, such as improvements of the access road and the development of residential units will create temporary emissions of dust and automobile exhaust (i.e. construction equipment). However, these activities are temporary and periodic in nature. Furthermore, future development of the site would be required by CCAPCD to have best management practices in place for construction to minimize dust and construction emissions.

- e) **No Impact** - The proposed project would not create any objectionable odors and is not near any sensitive receptors.

IV. BIOLOGICAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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-b) **Less than Significant Impact with Mitigation** – A Biological Resources Analysis (BRA), Aquatic Resources Delineation, and California Red-legged Frog Habitat Assessment were initially prepared by Dudek in December of 2020 for the original project, which was an 8-parcel Tentative Subdivision Tract Map (TSTM). The original TSTM encompassed the current footprint plus the adjacent parcel to the east (APN 040-001-094). Since preparation of the original assessments in 2020, there has been a reduction in the number of lots (converting the project from a TSTM to a TPM), exclusion of APN 040-001-094 from the map, and changes to the roadways associated with the project. The original map required a private road through the adjacent parcel to the west (APN 040-001-097), which was proposed along the existing easement as it was accessing 4 parcels. As the current project only proposes to have one parcel (Parcel 4) to be accessed from the adjacent parcel, improvements to the easement are no longer required.

The assessments were updated by Dudek in May of 2024 for the most recent version of the map. The project bounds in this current updated 2024 TPM are fully contained with the original project site assessed in 2020. As part of the BRA, a records search was conducted for the 2020 assessment for threatened or endangered plant and wildlife species that could potentially occur in the vicinity of the Project Area, which was updated again in 2024, and field surveys were conducted on June 15, 16, and 17, and on July 22, and 31, 2020. According to Dudek, no significant changes to the onsite habitat have occurred since the field surveys were conducted, and therefore, no additional field studies were required.

The project site is largely undeveloped and generally characterized by low rolling hillsides dominated by annual grassland with various-sized patches of oak woodland and scrub vegetation. Vegetation communities and land cover types were documented on the project site: chamise chaparral, interior live oak forest, blue oak woodland and forest, California annual grassland, button willow thickets, blue oak savannah, and disturbed/developed. There are three intermittent drainages, including Youngs Creek, that generally meander through the project site. There are seven ephemeral drainages on the project site, a majority of which have been degraded from apparent cattle use which was evident by soil compaction, bank erosion, and grazing observed during the delineation fieldwork.

Special-Status Plant Species

Results of the database research revealed 16 special-status plant species that are known to occur in the project region. The subject parcel would be within only two of these species' known geographic or elevation range: Stanislaus monkeyflower and Patterson's navarretia.

Patterson's Navarretia

The Patterson's navarretia had a low potential to occur on the project site. This species was not identified during the field survey conducted when this species would be evident and identifiable, and other moist areas on the project site lack serpentine soils and thus provide marginal habitat for Patterson's navarretia. Therefore, no significant impacts to Patterson's Navarretia will occur, and no mitigations measures are recommended.

Stanislaus Monkeyflower

The Stanislaus monkeyflower has a moderate potential to occur on site. Intermittent streams and other aquatic resources on the project site provide habitat for Stanislaus monkeyflower. The Stanislaus monkeyflower was not identified during the field surveys; however, the 2020 field surveys were conducted when this species would not be evident and identifiable. The nearest documented occurrence of Stanislaus monkeyflower is based on a historical collection lacking specific location and habitat details, approximately 4.5 miles northeast of the project site (CDFW 2020a; Calflora 2020; CCH 2020). Although Stanislaus monkeyflower is not state- or federally listed as threatened or endangered, it is listed as a California Rare Plant Rank List 1 species and as such, is considered a special-status species pursuant to CEQA. Therefore, impacts to this species would be considered a potentially significant impact under CEQA. If Stanislaus monkeyflower plants are determined to be in areas proposed to be impacted, and if impacts to the plants cannot be avoided, appropriate measures would need to be implemented to mitigate, pursuant to CEQA, the loss of any plants. Although not proposed as a part of this project, the applicant has the ability to construct of a primary residence, accessory dwelling, and accessory structures per parcel. This eventual development on the project site could result in impacts to the Stanislaus monkeyflower, including destruction of individual plants or populations of plants in the construction footprint. As a condition to the map, access to Parcel 1 will include a clear span bridge across the unnamed intermittent stream which will avoid impacts to the unnamed stream (ID-2) in this portion of Parcel 1. To avoid or minimize the potential impacts to this species, implementation of the following mitigation measure is required:

Mitigation Measure BR-1:

Where ground disturbance activities will occur within 50 feet of habitat suitable for Stanislaus monkeyflower (i.e. drainages, seeps, and other aquatic resources), focused surveys for special-status plant species shall be conducted by a qualified botanist, pursuant to the CNPS Botanical Survey Guidelines and the Protocols for Surveying and Evaluating Impacts to Special Status Native Populations and Natural Communities, prior to the commencement of construction-related activities. The surveys shall be conducted between March and May, when Stanislaus monkeyflower would be evident and identifiable, in the season prior to ground-disturbance.

Should Stanislaus monkeyflower be documented within 50 feet of the construction footprint, avoidance measures shall be implemented to minimize indirect impacts to individual plants wherever feasible. These measures include the following: Adjustments

to the limits of grading boundaries to confine work to avoid populations of special-status plants by at least 50 feet or as otherwise determined by a qualified botanist and in consideration of the type and extent of ground disturbance, potential for indirect impacts following ground disturbance activities, topography, and other factors.

Prior to construction activities, a qualified botanist shall flag or fence the location of special-status plant populations and the corresponding avoidance setback. This flagging shall be in addition to, and distinguished apart from, any required construction boundary fencing. The construction contractor shall be responsible for maintaining the flagging through the duration of construction. The flagging (or similar) shall be removed immediately following construction.

If avoidance is not feasible, the following additional measure is required:

If avoidance of Stanislaus monkeyflower plants is not feasible, a Rare Plant Salvage and Translocation Plan shall be prepared by a qualified botanist prior to implementing any ground-disturbing activities related to the project. The Rare Plant Salvage and Translocation Plan shall be pre-approved by the County and CDFW and shall include, at a minimum: identification of occupied habitat to be preserved and removed; identification of on-site or off-site preservation, restoration, enhancement, or translocation locations; methods for preservation, restoration, enhancement, and/or translocation; goals and objectives; replacement ratio and success standard of 1:1 for impacted to established acreage; a monitoring program to ensure mitigation success; adaptive management and remedial measures in the event that the performance standards are not achieved that include financial assurances and a mechanism for conservation of any mitigation lands required in perpetuity.

Special-Status Wildlife

Results of the literature research revealed 16 special-status wildlife species as present in the project site region. Of these, 12 species were removed from consideration due to lack of suitable habitat on or adjacent to the project site, or due to the site being outside of the species' known geographic or elevation range. The remaining four special-status wildlife species that have a potential to occur on the project site include: Crotch's bumble bee, California tiger salamander, California red-legged frog, and Northwestern pond turtle.

Crotch's Bumble Bee

The Crotch's bumble bee (CBB) has a high potential to occur on the project site. The Crotch's bumble bee is a candidate for listing as endangered under the California ESA. Although not proposed as part of this project, eventual development on the project site could impact CBB if nests are present within the construction footprint. As a state candidate endangered species, direct impacts to CBB would be considered "take" under CESA as well as a significant impact under CEQA. To avoid or minimize impacts to CBB, the following measures will be implemented:

Mitigation Measure BR-2:

•A pre-construction survey for CBB shall occur within the construction area during the primary flight period for workers and males (March 1 through June 30) prior to the start of construction activities. The survey shall ensure that no nests for CBB are located within the construction area. CBB is a habitat generalist, ground-nesting bee. For the purposes

of this mitigation measure, nest resources are defined as small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, rock walls, and brush piles.

- The pre-construction survey will be performed by a biologist with expertise in surveying for bumble bees and include at least 2 surveys that are distributed throughout the survey period. The timing of these surveys shall coincide with the flight period for workers and males (March 1 through June 30), which avoids the peak flight times for mature and new queen bees. Surveys shall occur at least 2 hours after sunrise and 3 hours before sunset. Surveys will not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors will wait at least 1 hour following rain. Optimal survey conditions consist of sunny to partly sunny skies and ambient air temperatures greater than 60° Fahrenheit. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 mph). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to five minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after five minutes of observation. If a bumble bee worker is detected, then a representative bee shall be identified to species. Biologists should be able view several burrows at one time to sufficiently determine if bees are entering/exiting them depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area.
- Identification will include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation if able. The bee will be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee identifying characteristics cannot be adequately captured in the container due to movement, the container will be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly. If CBB nests are not detected, no further mitigation would be required. The mere presence of foraging CBB would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests.
- If nest resources occupied by CBB are detected within the construction area, no construction activities shall occur within 50 feet of the construction zone, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the CBB nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest as the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to proposed open space (see MM-WCSP-BIO-5) or other suitable areas beyond that have

suitable hibernacula resources. Because construction will have occurred in the area outside of the occupied nesting resources, no suitable habitat will be present in the impact area, and it is assumed that new queens will disperse to habitat outside of the construction area.

- A written survey report will be submitted to the County within 30 days of the pre-construction survey. The report will include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any CBB nest sites or individuals observed. If CBB nests are observed, the survey report will also include recommendations for avoidance, buffering (if appropriate), and egg/hatchling preservation (if found), and the location information will be submitted to the CNDDDB at the time of, or prior to, submittal of the survey report.
- If the above measures are followed, it is assumed that the Project shall not need to obtain authorization from CDFW through the California Endangered Species Act Incidental Take Permit process.
- If the nest resources cannot be avoided, as outlined in this measure, the Project Applicant shall consult with the California Department of Fish and Wildlife (CDFW) prior to construction regarding the potential for project activities to result in take, and shall comply with any Incidental Take Permit issued by CDFW.
- Mitigation for impacts to Crotch's bumble bee occupied habitat shall be fulfilled through compensatory mitigation at a minimum 1:1 habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation shall be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank and lands are conserved separately, a cost estimate shall be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for management of the conservation easement area(s) in perpetuity. The funding source shall be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount shall be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all management activities to fulfill the requirements of the conservation easement(s).

Northwestern Pond Turtle

The northwestern pond turtle (NWPT) was present on the project site. Northwestern pond turtle is proposed as threatened under the federal ESA as of October 3, 2023, and final listing of the species is expected by the U.S. Fish and Wildlife Service. Two NWPT adults were detected on the project site during the California red-legged frog habitat assessment conducted in March 2019, and one carcass/shell was identified on the project site in June 2020. Eventual development on the project site could impact NWPT if nesting or aestivation sites or individual NWPT are present within the construction footprint prior to ground disturbance. If ground-disturbing activities associated with eventual site development occur during the nesting and subterranean neonatal period (typically May through the following March), this could cause direct mortality or injury to nests, hatchlings, neonates, and adult NWPT in upland habitat. This could be considered a potentially significant impact under”.

NWPT is also proposed for listing under FESA, and many species experts believe that it will soon be officially listed. To avoid or minimize impacts to NWPT, the following measures shall be implemented:

Mitigation Measure BR-3:

- A qualified biologist shall conduct visual encounter surveys of suitable habitat for northwestern pond turtle (NWPT) prior to any ground disturbance within 160 feet of aquatic habitat. A minimum of two surveys shall be conducted at least 2 weeks apart during the morning (within 2 hours of 8:00 a.m.) or mid-afternoon (3:00 to 5:00 p.m.) when NWPT are typically basking. The purpose of this survey is to identify occupied aquatic habitat features around which further investigations of upland nesting would need to occur in subsequent measures. If no NWPT are detected during this survey, implementation of the below measures would not be necessary.
- If NWPT are detected during the visual encounter survey, biologists shall conduct visual detection/nesting surveys of upland areas for NWPT within 160 feet of occupied aquatic habitat in the May and June prior to project start (i.e., ground disturbance) to mark/flag/protect as many nests as possible. The biologists will create an exclusion buffer of at least 50 feet around any found NWPT nests by installing construction fencing or other obvious barrier that will not be crossed by construction equipment.
- The biologist will create any exclusion buffer/zone by April 1st of the year of project start in an area with upland habitat buffer. Install unclimbable, smooth fencing (e.g., Animex HDPE#2 material or wooden fencing) at the interface between aquatic and upland habitat. Maintain the fencing between its installation and project start with regular monitoring (1-2 hours of observation every monitoring period) to ensure that turtles and other special-status species are not being entrapped by the fencing. The intent of this measure is to ensure that once NWPT neonates leave the upland in April, no additional nests will be established during the following season.
- If eggs are excavated during a project, they will likely die unless they are already very close to hatching. If eggs are encountered and remain intact, a qualified biologist with required handling permit shall, within 1 hour of detection, set the eggs in dry soil in the shade, keeping them indoors and covered to ensure darkness, and attempt to let the clutch hatch.
- If no biologist with appropriate handling permits is available within 1 hour, the eggs shall be covered slightly with dry soil and the nest site protected from construction/predation (flagging, cage over the spot, etc.) until the biologist can arrive. If the eggs cannot be left in place because of project ground disturbance, the biological monitor or other responsible on-site party shall call CDFW for further directions.
- If live hatchlings are excavated between August 1 through October 31, a qualified biologist with appropriate handling permit shall transfer the neonates to the source water body nearest the nest site.
- If live hatchlings are excavated between November 1 through February 29, the nestling turtles will not survive outside the nest and must be transferred by a qualified biologist with handling permit to a licensed wildlife rehabilitator.

California Tiger Salamander

The California tiger salamander (CTS) has a low potential to occur as the project site lacks suitable breeding habitat due to the presence of predatory bullfrogs. Based on the results of the habitat assessment, potentially suitable CTS breeding habitat is not present within the ponds or the drainages on the proposed parcels. In addition, the project site is situated at the easternmost extent of the species' geographic range and documented CTS occurrences in the vicinity are rare (CDFW 2020a). No CTS were observed during any of the site surveys.

California Red-Legged Frog

On March 14, 2019, Dudek conducted a formal habitat assessment for the federally threatened California red-legged frog (CRLF) within the ±288-acre project area. The majority of the subject parcel is located within designated Critical Habitat for the CRLF by the U.S. Fish and Wildlife Service (Unit CAL-1). Although CRLF have been previously documented in Youngs Creek downstream of the project site, the likelihood for CRLF to breed on the project site is low due to the presence of bullfrogs in the two ponds and the general paucity of suitable upland habitat, and to scouring seasonal flows and insufficient hydrology in the drainages. In addition, there is likely low potential for CRLF to utilize the on-site drainages (except potentially for refugia and foraging habitat during overland movements in the winter and spring when water is typically present) due to minimal in-stream cover and lack of deep pools. However, eventual project development, including road improvements in the vicinity of Youngs Creek (ID-1), especially at the west end of the project site, could potentially impact individual CRLF that may use Youngs Creek as refugia and/or movement habitat. As a federally listed threatened species, direct impacts to individual CRLF would be considered "take" under the FESA as well as a significant impact under CEQA. Direct impacts to aquatic habitat that could potentially support CRLF should be avoided (see Dudek 2020b). For example, any future crossings over Youngs Creek should utilize a clear span bridge to avoid direct impacts to aquatic habitat.

The following measures would be implemented to reduce potential direct impacts to California red-legged frogs should they be using upland habitat at the time of ground disturbance:

Mitigation Measure BR-4:

Pre-construction surveys. A qualified biologist familiar with CRLF identification and ecology will conduct a preconstruction survey for CRLF within 48 hours prior to ground-disturbance in riparian and aquatic habitat. If any CRLF are found, construction activities will stop in the riparian and aquatic habitats, and the appropriate agencies (CDFW and/or USFWS) will be contacted immediately for further guidance.

Environmental Awareness Training. A qualified biologist shall conduct environmental awareness training for all individuals working on the project before work begins. The training shall cover the life history, habitat requirements, and conservation measures for potentially affected species. The training shall also include information on federal and state regulatory protections, restrictions, and guidelines that must be followed by crews to avoid and minimize impacts to threatened and endangered species and their habitat. Upon completion of training, crews shall sign a form stating that they attended the training and understand all conservation measures. If new personnel are added to the project, the new personnel shall receive the training prior to starting work.

Speed Limits. Project-related vehicles shall observe a daytime speed limit of 15 miles per hour, except on County roads and state and federal highways. Emergency vehicles are exempt from these restrictions in emergency situations.

Off-Road Traffic Prohibition. Off-road traffic outside of designated project areas shall be prohibited.

Trash Abatement. All food-related trash items, such as wrappers, cans, bottles, and food scraps, shall be disposed of in a closed container and removed from the project site daily.

Spill Prevention. A Spill Prevention Control and Countermeasure Plan shall be prepared prior to project implementation. All machinery shall be properly maintained and cleaned to prevent spills and leaks. Any spills or leaks from equipment shall be reported and cleaned up in accordance with applicable local, state, and federal regulations.

Fire Prevention. A Fire Prevention and Suppression Plan shall be prepared prior to the start of project activities.

Work Window. Project work shall be performed during daylight hours, and any work in amphibian upland dispersal habitat shall occur from May 1 through October 31, if feasible.

Take Avoidance. Project construction shall occur during daylight hours, and work shall begin on or after May 1 and be completed by October 31 of each year, if feasible. Whether this seasonal restriction can be followed or not, within 7 days prior to clearing existing vegetation or grading, a qualified biologist shall survey for the presence of CRLF and potential underground refugia for CRLF (e.g., small mammal burrows). If potential refugia are observed, they shall be excavated by hand (e.g., shovels and non-powered hand tools) to confirm CRLF absence. A qualified biologist shall monitor all refugia excavation. All excavated burrows shall be backfilled after the biologist confirms that CRLF are absent. If any CRLF are found and avoidance is infeasible, the construction shall immediately stop and 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 take. If an Incidental Take Permit (ITP) for the state-listed is obtained from CDFW, the Project Applicant shall comply with any mitigation requirements included in the ITP. Additionally, if avoidance is infeasible, consultation with U.S. Fish and Wildlife Service shall occur prior to commencing or continuing construction regarding the potential for project activities to result in take, and the Project Applicant shall comply with any mitigation requirements in the permit for project impacts to both federally listed species, including authorization for the qualified biologist to capture and relocate animals per a Relocation Plan, as described below.

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 CRLF, including equipment sterilization techniques. The Relocation Plan shall also outline where relocated individuals shall be moved and a process for reducing oversaturation. Construction shall not commence or continue until after the amphibians have been removed from the site in conformance with the Relocation Plan.

Amphibian Exclusion Fencing. Exclusion fencing shall be installed between work areas and adjacent habitat for California red-legged frogs. The fence shall be a minimum of 2.5 feet tall, and the bottom 6 inches shall be buried to prevent amphibians 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. 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.

Fence Inspections. A qualified biologist shall inspect the exclusion fence for any CRLF during construction. If any CRLF are found in the work area, construction shall immediately stop and shall not be continued until the amphibians have been removed from the site in conformance with the approved Relocation Plan that is authorized by the project's ITP for the species.

Habitat Mitigation. Impacts on areas determined to be occupied habitat for CRLF shall be fully mitigated in consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife as part of the ITP process.

Native Bats

If bats are roosting on the project site, direct impacts to individual bats could result from the removal of roosting sites, such as rock outcrops, trees, and snags. Should individual bats be roosting during construction activities, removal of active day roost sites that would result in the harm or mortality of native bats would be considered a violation of the take provisions of Section 4150 of the California Fish and Game Code for non-game mammals (including native bats). To avoid or minimize the potential for take of roosting bats, the following measures shall be implemented:

Mitigation Measure BR-5:

- A qualified biologist shall conduct a habitat assessment for roosting bats within the construction area prior to initiating ground disturbance. The habitat assessment shall include a visual inspection of potential roosting features (bats need not be present) and presence of guano within the construction area and 50 feet around these areas. The biologist shall survey these areas between 30 and 120 days prior to the start of work. Potential roosting features found during the survey shall be flagged or marked.
- If bats are determined to be using on-site structures/resources for roosting and such areas cannot be completely avoided, the individuals shall be safely evicted under the direction of the qualified bat biologist. If individuals cannot be safely evicted due to factors such as lack of alternative roosting sites, as determined by the qualified bat biologist, ground-disturbing activities within a specified distance of the roost (specified distance to be determined by the bat biologist, based on surroundings and vulnerability of roost site, etc.) shall be postponed or halted until conditions are suitable for safe eviction or the roost has vacated naturally.

- c) **Less than Significant Impact with Mitigation** –Dudek prepared an Aquatic Resource Delineation Report to document the location and extent of waters, including wetlands, that may qualify as jurisdictional Waters of the United States by the United States Army Corps of Engineers (USACE). Dudek delineated approximately 3.94 acres of aquatic resources in the study area potentially subject to USACE, Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW) jurisdiction.

Eventual development in the study area should avoid aquatic resources where possible. Development on proposed Parcel 1 will require crossing of intermittent creek ID-2. The driveway entering proposed Parcel 1 will include construction of a clear span bridge to avoid impacts to ID-2. The following mitigation measure is required to avoid indirect impacts:

Mitigation Measure BR-6:

If no direct impacts to jurisdictional aquatic resources are anticipated, exclusion fencing shall be installed between the avoided aquatic resources and limits of disturbance to protect these features from indirect impacts. A qualified wetland specialist shall guide installation of the exclusion fencing. Appropriate best management practices and spill prevention measures shall also be implemented to ensure protection of jurisdictional aquatic resources during construction on the project site.

If direct impacts to jurisdictional aquatic resources are anticipated, all required aquatic resource permits from the USACE, RWQCB, and/or CDFW (e.g., 404 Individual or Nationwide Permit, 401 Water Quality Certification, and 1600 Streambed Alteration Agreement) shall be obtained prior to approval of grading and building permits, as well as a Preliminary or Approved Jurisdictional Delineation from the USACE to identify aquatic resources on site within federal jurisdiction and a field verification with the USACE to confirm jurisdictional boundaries. In addition, compensatory mitigation may be required for permanent impacts to aquatic resources to ensure no net loss of these resources. Potential compensatory mitigation options include purchasing mitigation credits from an agency-approved wetlands mitigation bank or paying an agency-approved in-lieu fee.

One sensitive riparian community – button willow thicket, which is protected by California Fish and Game Code Section 1602 – was mapped along two segments of an intermittent drainage ID-2 in proposed Parcels 1 and 2.

Development on proposed Parcel 1 will require crossing of intermittent creek ID-2. The driveway entering proposed Parcel 1 will include construction of a clear span bridge to avoid impacts to ID-2. The community of buttonwillow thicket mapped by Dudek is along the southwestern portion of proposed Parcel 1 and the northwestern portion of proposed Parcel 2, away from the terminus of the access road. Therefore, any future driveways into Parcels 1 and 2 will not be near the buttonwillow thicket. If, however, avoidance to buttonwillow thicket proves infeasible for some reason, impacts to this sensitive community would be considered a significant impact under CEQA. The following mitigation measure shall be implemented to reduce impacts to less than significant:

Mitigation Measure BR-7:

If avoidance of button willow thicket is not feasible by the project as proposed due to future development on the project site, direct impacts to button willow thicket would be considered a significant impact under CEQA and would require prior authorization from the CDFW in the form of a Streambed Alteration Agreement, which will likely require, at least in part, compensatory mitigation for any trimming or removal of button willow thicket. Compensatory mitigation may also involve implementing a restoration and mitigation monitoring plan, prepared by a qualified botanist and approved by CDFW, to off-set vegetation impacts on the project site. These plans normally contain, at a

minimum, mitigation goals and objectives, mitigation location, a discussion of actions to be implemented to mitigate the impact, performance criteria, monitoring methods, and actions to be taken if the mitigation is not successful. Compensatory mitigation may take place on site or at an appropriate off-site location as determined by the CDFW.



Figure 11- Buttonwillow thicket along ID-2 (shown in green)

- d) **Less than Significant Impact with Mitigation** – The Migratory Bird Treaty Act (MBTA) protects all common wild birds in the United States except a select few species. California Fish and Game Code 3503 makes it illegal to destroy any bird nests or eggs protected under the MBTA. The project site provides habitat for numerous local and migratory bird species protected by the California Fish and Game Code and the federal MBTA. Specifically, trees, shrubs, rock outcrops, and human-made structures, such as transmission line poles, provide bird nesting habitat on the project site. Multiple common and migratory birds were detected during the June and July 2020 field surveys, but no active nests were observed.

Eventual development on the project site could involve tree and vegetation removal, which has the potential to impact nesting birds protected by the federal MBTA and California Fish and Game Code. In addition to violating the protections under the MBTA and CFGC, direct

or indirect impacts to nesting birds would likely be considered a potentially significant impact under CEQA. To avoid impacting active nests, tree or vegetation removal shall be conducted outside of the nesting season (February through August). If this is not feasible, the following measures shall be implemented to avoid or minimize impacts to nesting birds:

Mitigation Measure BR-8:

- A qualified biologist shall conduct a survey for nesting birds within 1 week prior to vegetation removal or ground-disturbing activities during the nesting season (February through August). The survey shall cover the limits of construction and accessible suitable nesting habitat within 150 feet.
- If any active nests are observed during surveys, a qualified biologist shall establish a suitable avoidance buffer from the active nest. The buffer distance will typically range from 50 to 300 feet and shall be determined based on factors such as the species of bird, 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 shall be established in the field with flagging, fencing, or other appropriate barriers and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist.
- If vegetation removal activities are delayed, additional nest surveys shall be conducted such that no more than 7 days elapse between the survey and vegetation removal activities.
- If an active nest is identified in or adjacent to the construction zone after construction has started, work in the vicinity of the nest shall be halted until the project biologist can provide appropriate avoidance and minimization measures to ensure that the nest is not disturbed by construction. Appropriate measures may include a no disturbance buffer until the nest has fledged and/or full-time monitoring by a qualified biologist during construction activities conducted in close proximity to the nest.

- e) **Less than Significant Impact with Mitigation** – The project site is largely undeveloped and generally characterized by low rolling hillsides dominated by blue oak woodland (197.18 acres), California annual grassland (62.67 acres), and blue oak savannah (54.69 acres) as the dominant vegetation communities present on the project site. Other vegetation communities and land cover types documented on the project site include: chamise chaparral (10.48 acres), interior live oak forest (2.48 acres), button willow thickets (0.82 acres), and disturbed/developed (2.03 acres).

Direct impacts to oak woodlands could potentially occur from construction of the proposed road, which will follow the existing unimproved easement; however, this section is already partially developed with a dirt road, through an area of annual grassland which passes between blue oak woodland. No oak trees are anticipated to be removed as a part of the road construction. There is also the potential for development to occur on each of the proposed parcels, including one single-family dwelling, one accessory dwelling, and accessory structures per legal parcel, although there is no plan for development at this time.

Mitigation Measure BR-9:

The land area requiring mitigation shall be the cumulative land area within the development footprint of any future structures, plus any canopy cover that is removed

beyond the footprint. Mitigation shall be implemented using the following requirements presented in Calaveras County General Plan (Calaveras County, 2019a).

Calaveras County General Plan COS-4D Oak Woodlands Requirements

The following measures for impacts to oak woodlands are specified in the County General Plan Conservation and Open Space Element dated July 31, 2019 (Calaveras County, 2019a, pp. COS 18- COS 19).

Develop local mitigation measures pursuant to PRC § 21083.4(b)(4) in addition to the mitigation measures provided in PRC § 21083.4(b)(1-3) to facilitate the environmental review process relative to mitigating significant direct and cumulative impacts to oak woodlands in conjunction with discretionary project approval and address pre-development removal of oaks.

In the interim, require development that is subject to a discretionary entitlement and subject to CEQA review to enlist the services of a qualified professional (meaning a qualified biologist, botanist, arborist, or Registered Professional Forester) to survey the property in question for oak woodlands and to recommend options for avoidance and/or mitigation consistent with the provisions of PRC 21083.4. If a potentially significant impact to oak woodlands is identified, the following shall apply:

- The oak woodland on the project site shall be mapped and the extent of woodland canopy proposed to be removed as a result of the proposed project shall be identified.
- If avoidance is utilized for all or part of the mitigation, the oak woodland to be avoided by the project shall be protected by identifying the dripline of the oak woodland canopy to be preserved on all construction plans and by implementation of best management practices or other measures recommended by the qualified professional to prevent damage to the woodland to be preserved.
- Mitigation consistent with the provisions of PRC 21083.4, other than avoidance, shall be applied at a ratio of 1:1 to 2:1. The ratio and the type(s) of mitigation chosen shall be informed by the recommendations of the qualified professional with respect to providing similar habitat functions and values as the woodland habitat removed as part of the project.
- If mitigation consisting of replacement planting, transplanting and/or identification of off-site mitigation through acquisition of a conservation easement is utilized, it shall be applied based on the recommendations of the qualified professional that the replacement habitat will provide similar habitat functions and values as the woodland habitat removed as a part of the project. Mitigation shall take place in Calaveras County.

With implementation of mitigation measure BR-9 and Calaveras County General Plan Requirements, potential impacts would be less than significant after mitigation.

- f) **No Impact** - The Project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would not conflict with any local policies, ordinances or plans protecting biological resources.

V. CULTURAL RESOURCES

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

DISCUSSION

- a-b) **No Impact** – No known cultural resources to have value to local cultural groups have been identified for the project site. The project application was circulated to the local Native American representatives with no response. Under the 1996 General Plan, which was in effect at the time that this application was received, the site was listed in a low resource sensitivity area, distinguishing that the discovery of significant sites is unlikely. A California Historical Resources Information System records search with a ½-mile buffer (which includes the project site) was conducted in December 2024 at the North Central Information Center for another project approximately ¼ mile to the south of the project site. This records search did not identify any tribal cultural resources or resources of Native American origin within the ½ -mile buffer.
- c) **Less than Significant Impact with Mitigation** - Future development would be required to comply with the required procedures of conduct following the accidental discovery of human remains as mandated in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA).

In the event of accidental discovery of human remains, the procedures pursuant to Title 14 section 15064.5 of CA Code of Regulations should be followed.

Section 7050.5 of the California Health and Safety Code states that if human remains are found during construction activities, all operations are to cease until the County coroner has determined that the remains are not subject to the provisions of law concerning investigation of the circumstances in the manner provided in Section 5097.98 of the Public Resources Code. The potential exists to possibly uncover previously unidentified resources; therefore, it is concluded that there is a less than significant impact with mitigation measure incorporated.

Mitigation Measure CR-1:

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified

professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.

- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:

A. is not eligible for the NRHP or CRHR; or

B. that the treatment measures have been completed to their satisfaction.

- If the findings include human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Calaveras County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

VI. ENERGY

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. Calaveras County has not adopted a local renewable energy or energy efficient plan.

Any future development for residential dwellings on the proposed parcels will be subject to the California Energy Code. These requirements will also be applicable to any future construction, ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and also preventing any conflict with state or local plans for energy efficiency and renewable energy. The increased energy usage resulting from an additional residential parcel is minimal when compared to the existing baseline in the surrounding area. Assuming the project complies with these regulations, the project will not have a significant impact on renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a)
- i) **No Impact** – There are no known active faults transversing the project site, and the project site is not within an Alquist–Priolo Earthquake Fault Zone or any other established fault zones (CGS 2024). Thus, the proposed project would not be exposed to fault rupture hazards, and no impact would occur.
 - ii) **Less-than-Significant Impact** – The primary seismic hazard for the project site, as with most regions in California, is the susceptibility to ground shaking due to the presence of major active or potentially active faults in the region. Although not proposed at this time, the design and construction of any future residential or agricultural structures as a result of the proposed project would comply with all applicable building codes and standards established by regulatory agencies, including the County Department of Public Works and the latest California Building Code, to minimize damage in the event of an earthquake. There is no indication that future residential or agricultural construction would induce strong seismic ground shaking. Complying with all applicable building codes and standards would ensure project impacts related to strong seismic ground shaking would be less than significant.
 - iii) **Less-than-Significant Impact** – Potential secondary seismic effects of strong seismic ground shaking include liquefaction, lateral spreading, and seismically induced settlement/differential compaction. Liquefaction is defined as a loss of strength of saturated, cohesionless soil, generally due to seismic shaking. Soil types most susceptible to liquefaction are loose, saturated silty to clean fine sands. There are no Zones of Required Investigation for liquefaction or earthquake-

induced landslides on the project site (CGS 2024). Therefore, the potential for the proposed project to exacerbate hazards from liquefaction and subsequent lateral spreading on this site are negligible. Compliance with all applicable building codes and standards would ensure the proposed project would result in a less-than-significant impact.

iv) **Less-than-Significant Impact** – The project site is within an “unevaluated area” for earthquake-induced landslide zone according to the Earthquake Zones of Required Investigation Valley Springs Quadrangle Map (CGS 2024). Any future construction would comply with the latest CBC standards to minimize damage in the event of a nearby landslide. Compliance with standard building code requirements generally minimizes potential geologic risk. There is no indication that the future construction of residential or agricultural structures as a result of the proposed project would induce or exacerbate the risk of landslides in the project site. Therefore, impacts would be less than significant.

b) **Less than Significant Impact** – The areas of landslide concern are those that include high elevations with steep ravines and gulches associated with river and stream channels. The elevation of the subject parcel varies from approximately 900-1100 feet, and the parcel slopes primarily to the west with three intermittent stream channels. According to the National Resource Conservation Service, there are four soil types mapped on the subject parcel, the two dominant soil types mapped on subject parcel being Loafercreek-Bonanza and Loafercreek-Gopheridge complexes, which comprise about 85% of the subject parcel. Both of these soil types consist of well drained loam and gravelly loams on slopes ranging from 15-30%. The remaining areas of the site consist of Angelscreek-Pentz and Pardee both of which are cobbly loams. Sites in Calaveras County with liquefaction potential would be those on alluvial deposits having groundwater and sand or silt layers of uniform grain sizes within about 30 feet of the surface. Such conditions are not found on the subject parcel and are generally not present in the County.

Soil erosion and loss of topsoil is expected during future construction/development of the site. Existing codes and Best Management Practices that regulate erosion control would be implemented during wet winter months and during future grading and development of the property in compliance with Title 8 as it pertains to the County’s grading ordinance and improvement standards.

c) **Less than Significant Impact** – The project site is relatively flat and is not within a geological unit or soils that are considered unstable. According to the Department of Conservation Data Viewer, the project site has not been mapped within a designated liquefaction, landslide, or earthquake fault hazard zone (CDC 2025b). Seismic hazard zones for liquefaction have not been established in Calaveras County. Based on the presence of shallow bedrock, the potential for liquefaction occurring at the site is considered very low. Although there are slopes at the site, large-scale slope failures are not anticipated based on the bedrock type. The proposed project would not be expected to result in on-site or off-site impacts due to landslide, liquefaction, lateral spreading, subsidence, or collapse, and complying with the latest CBC requirements would ensure proposed project impacts are less than significant.

- d) **Less than Significant Impact** – Expansive soils generally have a significant amount of clay particles that can give up water or take on water which exerts stress on buildings and other loads placed on these soils. Consolidated formations like bedrock are generally less likely to be impacted compared to unconsolidated material such as alluvium. The project site is underlain by Mehrten Formation, and other metamorphic rock formations that are particularly resistant and not considered expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994). Therefore, impacts related to expansive soils would be less than significant.
- e) **Less than Significant Impact** – Although no construction is proposed with this project, there is the potential for the applicant to construct additional dwellings in the future, following recordation of the map. Any future development will be required to meet the County standards for on-site wastewater systems from the Environmental Management Agency before construction is finalized, and, under existing state and local regulations, no dwelling will be approved without a permitted onsite wastewater system. As such, the project will have a less than significant impact related to the lots adequately supporting a wastewater system.
- f) **No Impact** – The site does not consist of any rock outcroppings or geologic features. See the discussion under Cultural Resources above for further details.

VIII. GREENHOUSE GAS EMISSIONS

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

DISCUSSION

a-b) **Less than Significant Impact** – No development is proposed with this project. The development potential of this project is low as only one primary residence, an accessory dwelling, and accessory structures are permitted per legal parcel, and therefore, impacts would be less than significant. In terms of potential temporary construction impacts as a result of this parcel map, the proposed Project would not conflict with any applicable state or county plan, policy, or regulation currently in place, or violate any air quality standard, or contribute substantially to an existing or projected air quality violation. An incremental increase in greenhouse gas emissions may be generated through construction due to construction equipment operations and heating and cooling of accessory dwellings after construction, but this increase is temporary. Building standards contained in Title 24 of the California Code of Regulations (California Building Standards Code), and adopted without amendments by Calaveras County, now require high-efficiency materials, and construction

for residential and non-residential buildings which in turn reduce greenhouse gas emissions related to the development of additional residences and accessory structures.

Auto emissions are the primary source of greenhouse gas (GHG) emissions in Calaveras County (Calaveras County 2018 Greenhouse Gas Emissions Inventories). The County has not adopted a plan or program to reduce GHGs; therefore, the proposed project would not conflict with any such plan. The State of California has adopted legislation to reduce GHGs and charge local jurisdictions to develop plans for such reductions. While the County has not yet developed such a plan, the construction of four 40+ acre parcels in the A1 zone that will not be converted away from agricultural uses, each containing a maximum of one primary and one accessory dwelling plus those accessory structures that would support a small agricultural operation, would not result in significant GHG emissions. Furthermore, the mere construction of residential and accessory structures would have an insignificant impact by itself, as construction-related GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change.

IX. HAZARDS AND HAZARDOUS MATERIALS

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a-b) **Less than Significant Impact** – The proposed General Agriculture zoning will permit various agricultural operations to be conducted on the property. Hazardous materials are not routinely used in livestock/small scale farming operations and therefore, will not create a significant hazard to the public. Materials such as pesticides and fertilizers may be routinely used in general farming activities. Pesticide use is regulated by permit through the County Agricultural Commissioner’s office to ensure safe handling of the materials. Depending on the operation, a Waste Discharge Permit may also be required through the Central Valley Regional Water Quality Control Board. Finally, the parcels are already being used as part of a large cattle grazing operation, so the creation of smaller parcels supporting smaller-scale agricultural operations is not likely to result in a use of hazardous materials that will deviate significantly from baseline.
- c) **No Impact** – There are no existing or proposed schools within one quarter mile of the subject parcel. Toyon Middle School is located 4,000 feet to the southeast. The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.
- d) **No Impact** – The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and as noted above, does not include the use or storage of hazardous materials on-site. Therefore, the project is anticipated to have no impact on creating a significant hazard to the public or the environment.
- e) **No Impact** – The subject parcel is not within an airport land use plan or within 2 miles of a public airport or public use airport.
- f) **No Impact** – There is no adopted emergency response plan or emergency evacuation plan specifically involving the parcel in question. The proposed project does not impede any traffic or alter any roads. The project proposes to use Kestrel Lane, an existing private road off of State Route 26, which currently meets County Road Standards and which will be extended and conditioned by the Public Works Department to meet the same standards. The map was routed to California Department of Forestry (CalFire) for review under Section 4290 of the Public Resources Code which regulates minimum fire safety standards related to defensible space. As the dead-end road exceeds the maximum length of 2,640 feet for driveways under 4290, CalFire required that the entire road be 30 feet wide to allow for both ingress and egress as well as emergency vehicles. The map has since been revised to comply with this section. CalFire reviewed the revised map and had no further comments. Therefore, the project would not obstruct emergency vehicle

access. The project has also been reviewed by the Calaveras Consolidated Fire Protection District, which had no comments or recommended conditions.

- g) **Less than Significant Impact** – According to The California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP), this area of the county has a high fire risk. Topography and natural vegetation in the form of dry grasses pose fire hazards, especially to structures located near wildlands if adjacent clearing is not done. However, introduction of residential development could reduce the amount of fire fuels on the property. At the time of a building permit and/or grading permit, the Building Department will ensure structures and driveways are in compliance with current fire and safety regulations.

Parcels 1-3 will take access off of a 40-foot-wide private road which extends from Kestrel Lane, an existing 64-foot-wide public road which connects to State Route 26 and currently provides access to the adjacent parcels to the east. The Calaveras Consolidated Fire Protection District has reviewed the proposed Project and has no concerns or conditions. The project has also been reviewed by CalFire and California Building Code for fire safety regulations and has been determined to meet the maximum dead-end road length requirements.

X. HYDROLOGY AND WATER QUALITY

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

or provide substantial additional sources of polluted runoff; or

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| (iv) impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

a-b) **Less than Significant Impact** – The creation of 3 additional parcels which are 40+ acres in size would not have a direct impact to water quality or storm water drainage systems; however, the potential of future development could result in minimal runoff and small amounts of erosion from grading and construction. Any future development of the site would be subject to the rules and requirements of the Environmental Management Agency related to water quality, and subject to the rules and requirements of the Department of Public Works related to storm drainage and groundwater. The proposed General Agriculture zone, like the existing Agricultural Preserve zone, permits various agricultural operations, some of which may need a waste discharge permit from the Central Valley Water Quality Control Board. The potential for agricultural uses on the property will not change as a result of project approval. If a future agriculture operation will result in the discharge of waste, the property owner shall consult with the Board to determine if a permit is needed. As a result, impacts to water quality, groundwater, and storm drainage and any related implementation or management plans are expected to be less than significant. As proposed, the project will not affect any nearby wells and would not deplete groundwater supplies or otherwise interfere with groundwater recharge.

c) **Less than Significant Impact** – Any future development on proposed Parcel 1 will require crossing of intermittent creek ID-2. As a condition to the map, access to Parcel 1 will include a clear span bridge across the unnamed intermittent stream which will avoid impacts to the unnamed stream (ID-2) in this portion of Parcel 1. The project would not alter drainage patterns or change absorption rates, or the rate and amount of surface runoff. As the proposed site is 288+ acres in size any future development would be a minor physical change to the site, and 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 would ensure that project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality and would reduce any hydrology or water quality impacts to less than significant. The project must comply with the County Road Ordinance (Chapter 12.02), Encroachment Ordinance (Ch 12.08), Storm Water Quality Ordinance (13.01), and the Grading & Draining Ordinance (15.05), in order to prevent substantial impacts to erosion and pollution of water due to construction. These are utilized and enforced by not only the Public Works department during grading activities, but also the Building Department during construction through inspections.

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.

- a) **No Impact** – The subject parcel is not within a flood hazard, tsunami, or seiche zone. The project would result in no impact since there is no risk of release of pollutants due to project inundation.
- b) **No Impact** – The proposed tentative parcel map does not propose any development that would obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

- a-b) **No Impact** – The subject parcel is located in a rural area outside of the town of Valley Springs and is surrounded by large ranch properties with active agricultural uses. The proposed land division would not occur within an established community, nor would it result in the division of an established community.

The proposed project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The proposed General Agriculture zoning is consistent with the Resource Production land use designation in the General Plan. Agriculturally zoned parcels may be divided, at the County’s discretion, provided that the minimum acreages are met and the proposal is consistent with policies in the General Plan that seek to preserve agricultural land by maintaining viable agricultural parcels that are large enough to sustain agricultural activities. The project as proposed is consistent with these General Plan policies.

XII. MINERAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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** – USGS Topographical Map indicates mine shafts located in the southwestern corner of proposed Parcel 4. However, according to the County Assessor’s Maps, no mines or mining features are located on the subject parcel. The project site is currently zoned AP and does not include the mineral extraction (ME) zoning combining district, nor is any mining activity or mining closure activity being requested as a part of this Zoning Amendment; therefore, surface and subsurface mining operations will not be permitted on the resulting lots. Mineral resource extraction is not proposed with this project.

The project site is designated as Resource Production, which is a land use designation for areas within the County with the potential to contain mineral resources. However, there are no known resources on or in the vicinity of the Project site. The Project site is also not within or adjacent to any active mining operations. Thus, the Project would not result in the loss of availability of any known mineral resources of value to the region or result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

XIII. NOISE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project result in:				
a) Generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

- a-b) **Less than Significant Impact** – The County’s General Plan Noise Element identifies major noise sources as traffic noise, railroad noise, airport noise, and fixed noise sources (i.e. industrial related process). Noise levels contributed by the proposed project would include temporary construction noise during future build-out of the resultant parcel and the improvements of the access road. Construction noise associated with development will primarily be from the use of heavy equipment, generators, and power tools which would be temporary, and would not result in long-term noise impacts. Potentially, ground borne vibrations and/or noise could occur during preparation of construction or a small-scale agricultural use which would also be temporary. There are no known potential noise generators in the area.

- d) **No Impact** – The subject property is not located in the airport land use plan, nor is there a public or private airstrip within 2 miles.

XIV. POPULATION AND HOUSING

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

DISCUSSION

- a) **Less than Significant Impact** – The proposed project will create three additional parcels that, upon subdivision and rezoning of the parcels to A1, will permit residential development in accordance with Chapter 17.16 of the County’s Zoning Ordinance. Chapter 17.16 permits the development of one primary residence per parcel and one accessory dwelling, limited to 1,200 square feet in size as well as usual and customary accessory structures and uses associated with a residence. The County’s Housing Element of the General Plan, estimates the County’s household size at 2.32 persons per household. Therefore, the proposed project may reasonably be anticipated to result in a population increase of fourteen persons (2.32 x 6 = 13.92). The increase in population created as a result of the proposed project is not considered significant.

- b) **No Impact** –Therefore, the proposed project will not result in the displacement of the local population.

XV. PUBLIC SERVICES

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

DISCUSSION

- a) **Less Than Significant Impact** – The proposed project could result in six new dwelling units, which could theoretically affect fire and police services. The proposed project is located within the jurisdiction of the Calaveras Consolidated Fire District and is provided police services by the Calaveras County Sheriff’s Department. Build-out of the resultant parcels may incrementally increase the demand for these services. The improvements to the access road will comply with the County’s Road Ordinance with respect to providing adequate access for emergency fire equipment. Due to the low number of new residential units that could result from project approval, it is not anticipated that project implementation would require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. Additionally, County Code requires the payment of impact fees to help offset the impacts that new residential development has on the fire protection and police services. Fire protection impact fees would be paid at the time of building permit issuance for a new dwelling unit.

The proposed project has the potential to result in the addition of fourteen persons, of which some may attend schools within the Calaveras Unified school districts. However, any new construction of residences as a result of the proposed project will be required to pay the appropriate school impact fees required by the State. These fees are intended to mitigate any impacts created as a result of new students entering the impacted School District. The proposed project is located within a rural portion of the county where there are no parks or other public facilities in the vicinity.

No comments to the application were received from the Fire Protection District, Calaveras Unified school district, or the Sheriff’s Office. Therefore, the increase in population created

as a result of the proposed project will not have a significant impact to response times or other performance objectives for any public services.

XVI. RECREATION

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

DISCUSSION

- a) **Less Than Significant Impact** – The proposed project will generate minimal growth even if dwellings are constructed on the resultant parcel. The County’s Housing Element of the General Plan, estimates the County’s household size at 2.32 persons per household. Therefore, the proposed project may reasonably be anticipated to result in a population increase of fourteen persons ($2.32 \times 6 = 13.92$). The increase in population created as a result of the proposed project will result in a less than significant increase in the use of county parks and recreational facilities.
- b) **No impact** – The proposed project does not include plans for additional recreational facilities, nor would it require expansion of existing recreational facilities. Therefore, the project would not result in any adverse physical effects on the environment from construction or expansion of recreational facilities.

XVII. TRANSPORTATION

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d) Result in inadequate emergency access?

DISCUSSION

- a) **No Impact** – The project will not conflict with any adopted policies, plans or programs related to public transit, bicycle or pedestrian features. Goals, policies and implementation programs regarding Calaveras County’s transportation system, including transit, roadway, bicycle, and pedestrian facilities are contained with the Circulation Element of the 2019 General Plan. Public transit is provided by Calaveras Transit, however, there are no transit stops in the project vicinity. There are no sidewalks or bike lanes in the project vicinity, so there would not be any loss, nor are these facilities required as part of this project. In addition, the project has been reviewed for consistency with the applicable road standards found in Title 12 and 15 of the County Code.
- b) **Less Than Significant Impact** – Although the Calaveras County Council of Governments (CCOG) is in the process of preparing SB 743 vehicle miles traveled (VMT) implementation guidelines, no CEQA thresholds have been adopted at this time. While the proposed project has the potential to introduce new residences or agricultural uses which would generate an incremental change in traffic volumes, the potential increase in trips per day generated by any future dwellings would be minimal to the volume of traffic on SR 26. The proposed project will create 3 additional parcels that, once approved, will permit residential development in accordance with Chapter 17.04 of the County’s Zoning Ordinance which allows one primary residence per parcel and one accessory dwelling. Therefore, 3 additional parcels could have 6 dwellings, each with an average of 10 trips per day. Therefore, the proposed project may result in an increase of 60 trips per day (6 dwellings x 10 trips per day per dwelling = 60 trips per day per dwelling). The California Governor’s Office of Land Use and Climate Innovation’s project size screening criterium (projects generating 110 daily trips or fewer) are intended to address permanent vehicle trips (OPR 2018b). In addition, Caltrans did not have comments regarding the potential increase in traffic generated by the project. Therefore, the increase in traffic volume created as a result of the proposed project meets the VMT screening criteria of generating fewer than 110 daily trips and is not considered significant.
- c) **No Impact** – No changes to the road system are proposed. There will be no increase in hazards due to a design feature or incompatible uses, as the proposed tentative parcel map will not affect the roadways.
- d) **Less Than Significant Impact** – The encroachment off of State Route 26 was previously constructed in accordance with all applicable regulations contained in Titles 12 and 15 of the County Code and the California Fire Code to allow for sufficient emergency vehicle access. Local and State emergency services, including the fire district, have been notified of the project. The Calaveras Consolidated Fire Protection District reviewed the application and recommend approval, without recommending additional conditions. The width of the access road on the map was increased to allow ingress and egress of emergency vehicles per Section 4290 of the PRC. Any future structures will subject to ministerial permitting procedures from the land use departments which require the applicant to ensure adequate emergency access. As a result, the potential impact is less than significant impact.

XVIII. TRIBAL CULTURAL RESOURCES

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:

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a-b) **Less Than Significant with Mitigation** – In accordance with AB 52, County staff-initiated consultation with tribes that have requested formal notification of proposed projects within their geographic area of traditional and cultural affiliation per AB 52 Notification Request, Public Resources Code Section 21080.3(b). The Calaveras Band of Miwuk Indians, California Valley Miwok Tribe, Lone Band of Miwuk Indians, Buena Vista Rancheria, and the Washoe Tribe of NV and CA were notified of this project in January of 2024, and no responses were received from any of the tribes.

A California Historical Resources Information System records search with a ½-mile buffer (which includes the project site) was conducted in December 2024 at the North Central Information Center for another project approximately ¼ mile to the south of the project site. This records search did not identify any tribal cultural resources or resources of Native American origin within the ½ -mile buffer.

The project site is an unimproved, vacant parcel void of historical resources. Calaveras County does not maintain local register of historical resources officially designating or recognizing parcels as historically significant.

If any site excavation occurs in the future and any artifacts uncovered, that project would be subject to laws governing the accidental discovery. It is concluded the proposal will have a less than significant impact with mitigations incorporated.

Discovery of Tribal Cultural Resources

In accordance with State and Federal Laws if any potentially prehistoric, protohistoric, and/or historic cultural resources are accidentally encountered during future excavation of the site, all work shall cease in the area of the find pending an examination of the site and materials by a qualified archaeologist.

<p>Mitigation Measure TCR-1: All personnel upon entering the project site are to undergo tribal cultural awareness training by, at minimum, reviewing and concurring to the corresponding Conditions of Approval and Mitigation Measures requiring to stop work and notify the lead agency and tribes in the event of discovery.</p>
<p>Mitigation Measure TCR-2: In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.</p>

XIX. UTILITIES AND SERVICE SYSTEMS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

DISCUSSION

a-e) **Less than Significant Impact** – The resultant parcels are not currently serviced by a water or waste water treatment facility and shall therefore require the construction of on-site domestic wells and on-site septic systems. Any new construction shall be required to comply with all conditions from the Environmental Management Agency and Onsite Wastewater Departments. Additionally, a well permit is required by the County to ensure well drilling standards are achieved and health and safety standards are met. Well production from new wells would be tested to determine if sufficient output it available for the anticipated uses to occur on the resultant parcels. The project site is not located within the boundary of the Eastside San Joaquin Groundwater Sustainability Area or any other GSA, and according to County groundwater data, is within an area with moderate to high groundwater potential. Based on these reviews, existing groundwater supplies are anticipated to be available to the serve the proposed project, and no additional or expanded entitlements are required for groundwater extraction and use.

The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater treatment, stormwater drainage, natural gas, or telecommunication facilities.

The Paloma Transfer Station is the nearest disposal site to the project site. The facility has adequate capacity to serve the solid waste disposal needs of the additional residential parcels. The project would not require expansion of the facility to accommodate its needs. Calaveras County Code Title 8, Chapter 8.20 requires the property owner/occupant to appropriately collect, store, and arrange for the disposal of solid waste generated on-site. This project may result in a minimal increase in materials deposited at local transfer stations and to landfills, but it is not expected to occur on a scale that would impact the overall capacity of landfills accepting waste. The proposed project will comply with all federal, state, and local statutes and regulations related to solid waste. Therefore, the proposed project will have a less than significant impact.

XX. WILDFIRE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

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

a&c) **Less than Significant Impact** – In 2021, the Multi-Jurisdictional Hazard Mitigation Plan (Plan) for Calaveras County was updated which provides mitigation solutions to minimize each jurisdiction’s vulnerability to the identified natural hazards and reduce vulnerability and make the communities of Calaveras County more disaster resistant and sustainable. The Plan includes existing information on typical hazards such as earthquakes, flooding and fire, and provides risk assessments of each hazard and the potential for occurrence in the County. Mitigation actions provided in the Plan range from improving water supply systems and conveyance systems for potential fire needs, initiating fuel reduction and fuel breaks in high-priority areas, to updating existing and preparing new fire protection and evacuation plans. Although there are existing plans, programs, ordinances, and regulations in place

within the County, wildland fire risks and the potential for future fire hazards occurring within the County is considered high.

The Project does not propose activities that would substantially impair the Calaveras County Emergency Operations Plan. All roads in the area would remain open. The project site is located on private property with adequate access to county roads. The project will not interfere with adjacent roadways that may be used for emergency response or evacuation. The project will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

The project will not result in a need to install or maintain infrastructure which might otherwise exacerbate the risk of fire because no development is proposed as part of this project, and any resulting new development will result in the further removal or maintenance of flammable vegetation on the site. The proposed road extension to serve proposed Parcels 1-3 will not create additional fire risk or create temporary or ongoing impacts to the environment. It will, instead, reduce fire risk by removing or reducing the vegetation in the road easement.

b&d) Less than Significant Impact – The current use of the parcel for cattle grazing has limited the amount and height of much of the flammable vegetation. The project site is characterized as agricultural lands situated on the north side of State Route 12 and west side of State Route 26. Surrounding uses include ranches on parcels which are 75-250 acres in size. It is not in an area that exposes occupants to wildfires.

As previously discussed under “Geology and Soils” and “Hydrology and Water Quality,” runoff occurs naturally at the project site and flooding and landslide events are not common within the project area. Areas with slopes greater than 20% may be susceptible to erosion, instability, or landslides, especially during periods of high rainfall or snowmelt. In respect to areas recently affected by wildfires, steep slopes can be the site of fast-moving, highly destructive debris flows in response to heavy rains. Slopes on the project site are less than 20%, posing a less than significant risk to landslides and post-fire slope instability.

IX. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 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**– Based on the information and analysis provided throughout this Initial Study, implementation of the proposed Project would not substantially degrade the quality of the environment and would not 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, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of California history or prehistory.

Although not proposed as a part of this project, the applicant has the ability to construct a primary residence, accessory dwelling, and accessory structures per parcel. The future development of residential or agricultural structures has the potential to impact Stanislaus monkeyflower, Crotch's bumble bee, Northwestern pond turtle, California red-legged frog, California tiger salamander, and native bats. CEQA-level project-specific biological and cultural resource studies were required per the General Plan at the project application stage, and the none of the reports prepared in the wake of these studies suggested that any potential project-specific impacts could be consequential enough to any biological or cultural resource to trigger one or more of the mandatory findings of significance. Similarly, no direct or indirect safety-related impacts or large-scale environmental impacts were identified that could be consequential enough to trigger one or more of the mandatory findings of significance. All mitigation proposed for this project in Section IV. Biological Resources is adequate to clearly avoid triggering any impact that could trigger a mandatory finding of significance.

Development of the proposed project would not affect known historic, archaeological, or paleontological resources. There are no known unique ethnic or cultural values associated with the project site, nor are known religious or sacred uses associated with the project site. All mitigation proposed for this project in Section V. Cultural Resources and Section XVIII. Tribal Cultural Resources is adequate to clearly avoid triggering any impact that could trigger a mandatory finding of significance. Additionally, the project applicant is required to comply with California Code of Regulations (CCR) Section 15064.5(e), California Health and Safety Code Section 7050.5, and Public Resources Code (PRC) Section 5097.98 as a matter of policy in the event human remains are encountered at any time. Adherence to these measures, as well as regulations governing

human remains, would reduce potential impacts to cultural and paleontological resources to less than significant with implementation of mitigation.

- b) **Less than Significant Impact** – The proposed project has either no impact, a less than significant impact, or a less than significant impact with mitigation incorporated with respect to all environmental issues pursuant to CEQA. Due to the limited scope of direct physical impacts to the environment associated with the proposed project, the project's impacts are primarily project-specific in nature. The proposed project site is located within an area has been designated by the County for residential and agricultural uses. The cumulative effects resulting from build out of the Butte County General Plan 2030 were previously identified in the General Plan EIR. The type, scale, and location of the proposed project is consistent with County's General Plan and zoning designation and is compatible with the pattern of development on adjacent properties. Because of this consistency, the potential cumulative environmental effects of the proposed project would fall within the impacts identified in the County's General Plan EIR.
- c) **Less than Significant Impact** – The analysis of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial adverse effects on human beings, either directly or indirectly. The project will serve only to divide a very large agricultural parcel into smaller (but still large) agricultural parcels, and the project is inherently limited by its design, the required mitigation measures, and the existing regulatory scheme such that the potential type and intensity of the uses allowed on the parcel will not exceed what is already allowed by right. Any impacts to the area are minor in nature and do not trip established thresholds or create significant and unavoidable impacts related to human health or safety. Emergency response times or access will not be significantly affected by the project. The proposed land division and rezone is consistent with the General Plan land use designation and zoning, which were already analyzed under CEQA for adverse human impacts. Implementation of Mitigation Measures BR-1 through BR-9, CR-1, TCR-1 and TCR-2 is adequate to clearly avoid triggering any impact that could trigger a mandatory finding of significance. The requirement of ministerial permits to develop the project to its full potential will require compliance with standard regulations and implementation best management practices to ensure that there won't be any significant adverse impacts to human beings. No comments have been received, and no reports generated through the analyses required for this project, suggesting that project approval could have a substantial adverse effect on human beings.

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3. Calaveras County Planning Department, Revised Land Use Application completed by 288 Joint Ventures, dated May 19, 2025.
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5. *Memorandum, Biological Resources Analysis for the Kestrel Ranch Project*, by Dudek, dated May 13, 2024.
6. *Biological Resources Assessment for the Kestrel Ranch Project in Calaveras County, California*, by Dudek, dated December 11, 2020.
7. *Aquatic Resource Delineation Report for the Kestrel Ranch Project*, by Dudek, dated September 2020.
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11. California Department of Transportation. California Scenic Highway Mapping System <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>
12. California Department of Forestry. *Fire Hazard Severity Zones in State Responsibility Areas*. Adopted by CAL FIRE on November 7, 2007.
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