

DRAFT  
INITIAL STUDY  
MITIGATED NEGATIVE DECLARATION

*for the*

**Tuolumne Utilities District/Curtis Creek  
Elementary School District Water System  
Consolidation Project  
Standard, Tuolumne County, CA**

March 2019

Prepared for:

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## Abbreviations and Acronyms

<i>Abbreviations and Acronyms</i>	
AB	Assembly Bill
APN	Assessor's Parcel Number
BMP	Best Management Practice
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDMG	California Division of Mines and Geology (now California Geological Survey)
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFGF	California Fish and Game Code
CIA	Community Impact Assessment
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
County	Tuolumne County
Corps	U.S. Army Corps of Engineers
CRHR	California Register of Historic Resources
CRLF	California Red-Legged Frog
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Federal Clean Water Act
DTSC	California Department of Toxic Substance Control
ESA	Environmentally Sensitive Area
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FIRM	Flood Insurance Rate Maps
FYLF	Foothill Yellow-legged Frog
GHG	Greenhouse Gas
HCP	Habitat Conservation Plan
HSC	California Health and Safety Code
MBTA	Migratory Bird Treaty Act
MM	Mitigation Measure
MTCO <sub>2e</sub>	Metric tons of carbon dioxide equivalent
NAAQS	National Ambient Air Quality Standards

### ***Abbreviations and Acronyms***

NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NEPA	National Environmental Policy Act
NOA	Naturally Occurring Asbestos
NPDES	National Pollution Discharge Elimination System
NRCS	National Resource Conservation Service
NRHP	National Register of Historic Places
PRC	Public Resources Code
Project	Curtis Creek Waterline Extension Curtis Creek Elementary School Water System Consolidation with the Tuolumne Utilities District
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SCC	Species of Special Concern
SOIS	Secretary of the Interior Standards
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCAPCD	Tuolumne County Air Pollution Control District
TCOC	Tuolumne County Ordinance Code
TUD	Tuolumne Utilities District
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WPT	Western Pond Turtle

## INITIAL STUDY

**DATE:** March 25, 2019

**OWNERS:** See Table 1

**APPLICANT:** Tuolumne Utilities District for Curtis Creek Elementary School

**LOCATION:** The line will extend northerly from Curtis Creek Elementary School (18755 Standard Road) along Standard Road to Mono Way then westerly along the south side of Mono Way to the existing TUD connection near the entrance to Tractor Supply Company (14879 Mono Way). Construction will not cross Mono Way.

**ASSESSOR'S**

**PARCEL NOS:** See Table 1

**GENERAL**

**PLAN/**

**ZONING:** See Table 1

## 1.0 PROJECT AND SETTING

### 1.1 PROJECT LOCATION

The project is located in a portion of Sections 3 and 10, T1N, R15E, and the southern portion of Section 34, T2N, R16E Mount Diablo Base and Meridian (MDB&M) in Tuolumne County Standard USGS 7.5' Quadrangle. Elevations along the water main installation footprint range between 2,250± feet and 2,350± feet above mean sea level (amsl). The line will extend northerly from Curtis Creek Elementary School (18755 Standard Road) along Standard Road to Mono Way then westerly along the south side of Mono Way to the existing TUD connection near the entrance to Tractor Supply Company (14879 Mono Way). Construction will not cross Mono Way. See **Figure 1**.

**Table 1: Parcels Adjoining Public ROW, Zoning, General Plan**

Assessor's Parcel Number	Owner	Zoning/a/	General Plan
043-132-029	Sharline Tillery-Yates Brian Yates, etal	M-1	Light Industrial (LI)
043-132-033	California Gold Properties LP Attn. Patterson Scot L	C-1	General Commercial (GC)
043-132-035	T-Five Ranches Inc	M-1	General Commercial (GC)
043-132-038	California Dpt. of Transportation	Pending/b/	Public (P)
043-132-039 043-132-042	Tuolumne County – Standard Road	N/A	Public (P)

Assessor's Parcel Number	Owner	Zoning/a/	General Plan
043-132-049	Maya Investments LLC	Pending/b/	Public (P)
043-132-050	California Dpt. of Transportation	Pending/b/	Public (P)
061-140-008	Sierra Pacific Industries	R-1:PD:MX, O-1:PD	High Density Residential (HDR)
061-140-009	Benites Distributing Company	C-2, O	Heavy Commercial (HC)
061-140-011	Sierra Pacific Holding Company	C-1 and O	General Commercial (GC)
061-140-012	Sierra Pacific Industries	R-1:MX, K, O-1	Low Density Residential (LDR)
061-140-013	James P. Beaty TR	C-1, C-2	General Commercial (GC)
061-140-016	Sierra Pacific Industries	R-1:MX, O-1	Low Density Residential (LDR)
061-140-017	Sierra Pacific Industries	R-1:MX, P, and O-1	Low Density Residential (LDR)
061-140-036	Benites Distributing Company	C-1, A-10	Heavy Commercial (HC)
061-140-038	Sierra Pacific Industries	RE-1:MX, O-1:PD	LDR
061-140-059	Sierra Pacific Industries	M-1, M-2 and O	Heavy Industrial (HI)
097-120-003 097-120-008	Curtis Creek Elementary	A-10	P
097-120-004	Curtis Creek Elementary	M-1	P
097-120-009	Sierra Railroad	N/A	N/A

/b/ Surplus Caltrans Property recently sold

Key to Zoning/a/:

A-10 General Agricultural, ten acre minimum  
 RE-1 Residential Estate, one acre minimum  
 R-1 Single-family residential  
 C-1 General Commercial  
 C-2 Heavy Commercial  
 M-1 Light Industrial  
 M-2 Heavy Industrial  
 K General Recreational  
 O-1 Open Space -1  
 O Open Space  
 :MX Mobilehome Exclusion Combining District  
 :PD Planned Unit Development Combining District

Figure 1: Site Plan



## 1.2 PROJECT PURPOSE AND NEED

The project is necessary to bring the Curtis Creek Elementary school's water system into compliance with state regulations, meet system demands, maintain adequate service pressures, and provide efficient, safe and reliable water service as follows:

The Curtis Creek Elementary School District owns and operates a non-community public water system at Curtis Creek Elementary School under the jurisdiction of the State Water Resources Control Board (SWRCB) Division of Drinking Water. The water system, originally constructed in 1958, has multiple deficiencies:

- Source capacity. The existing water supply for the system comes from a single groundwater well serving a population of approximately 600 students and staff. It is unable to meet combined irrigation and domestic water demands resulting in system failures and school closures.
- Storage capacity. The existing 1,200-gallon storage tank system is insufficient to provide a safe and reliable emergency water supply for fire protection. A minimum storage volume of 180,000 gallons is required to meet California Fire Code requirements of 1,500 gpm for 2 hours.
- Water quality. No water quality violations or compliance orders have been issued to the school in the last two years. However, staff anticipates substantial sedimentation in the water system due to low water conditions.

## 1.3 PROJECT DESCRIPTION

Curtis Creek School is proposing to:

- Consolidate the existing school water system with the existing Tuolumne Utilities District (TUD) system.
- Construct 5,700± linear feet of 12" diameter water main from the school located at 18755 Standard Road, along Standard Road to Mono Way then westerly along the south side of Mono Way to the existing connection near the entrance to Tractor Supply Company (14879 Mono Way). Construction will not cross Mono Way. The line will connect downstream of a TUD pressure regulating station and system served by TUD's Mono Village Water Treatment Plant and storage tanks (560,000-gallon tank capacity) and Scenic View Water Treatment Plant System and Sommette Storage Tank (125,000-gallon storage capacity).

The water main alignment will be located primarily within the roadway with stubbing to individual parcels along Standard Road from the water main. The system has been designed to TUD standards.

Two service laterals will connect the school distribution system to the TUD water main, one serving the existing distribution system and one serving the fire hydrant system.

On-site improvements at the school include: disconnecting the existing well from the potable water system. The existing well is proposed to remain in place as an option to irrigate the upper and lower fields as needed. Therefore, the project includes installing a 2.5" diameter water line a distance of 150± feet allowing for rerouting piping to the existing buildings for disconnection of the well and irrigation system from the new potable water distribution system.

The project is being funded by the State Water Resources Control Board (SWRCB).

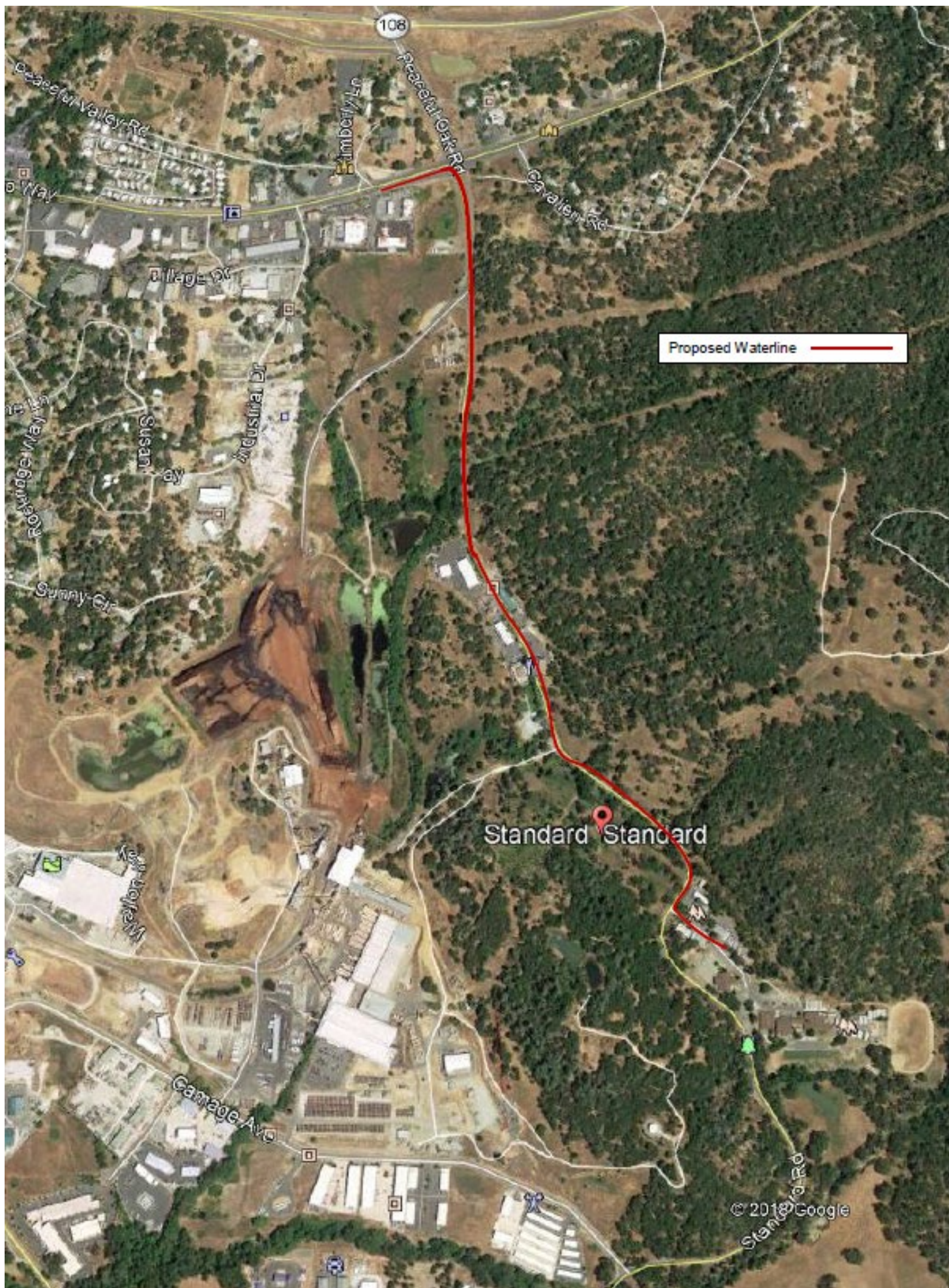
#### **1.4 SITE DESCRIPTION:**

The project site runs primarily along Standard Road within the road right-of-way. The project is bounded to the south by Curtis Creek Elementary School. To the east, is a 612.3 acre approved 306-unit residential subdivision that has not yet been constructed. To the west is the Standard lumber mill. To the north and northeast is Mono Way and a relatively new shopping center with a Tractor Supply Company, gas station, McDonald's and a tire store.

Centrally, the historic commercial center of Standard remains with a mix of original buildings and more modern additions providing offices, a restaurant, some retail, and a church.

Standard Road is tree-lined, primarily with Sycamore trees through the center of the townsite.

Figure 2: Project Aerial



## 1.5 ALTERNATIVES

Alternatives are evaluated in Section 2.20 herein. Alternatives considered include:

Alternative 1: Proposed Project (aka Consolidation Option 1, Phase 1). (See Project Description, **Section 1.3**).

Alternative 2: No Build Alternative. In addition to the Project, a No-Build Alternative is evaluated herein. Under the No-Build Alternative, no changes would be made to the existing water system.

Alternative 3: Construction of a New Water Source and On-Site Fire Storage

This option includes constructing a new well source and fire storage tank to increase storage capacity. The option necessitates acquiring property from an adjacent parcel owner to accommodate a new well, site improvements, storage tank and necessary fire pump to provide required pressures for fire-fighting.

Alternative 4: Consolidation Option 1 Phase II: This option would be in addition to the Project and includes an interconnect with TUD's Sunshine storage tank located northeast of the Mono Way connection point. The alternative would require construction of 8,625± linear feet of water line from the Sunshine Tank cross country and down Peaceful Oak Road to Standard Road and the Mono Way connection point.

Alternative 5: Consolidation Option #2: Construct 1,250 linear feet of new water main from the TUD Sierra Pacific Industries tank to the school.

## 1.6 PUBLIC RESOURCE CODE SECTION 21080.3.1 CONSULTATION

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California tribes as part of CEQA. Under AB 52, tribes requesting formal consultation from the Lead Agency are notified of the project prior to the preparing the CEQA document. AB 52 consultations were undertaken with the Tuolumne Band of Me-Wuk for this project. The results of that consultation are summarized in Section 2.17.

## 1.7 CEQA PROCESS

This document has been prepared to satisfy the requirements of CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before they approve or implement those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. In the case of the proposed Project, the Tuolumne Utility District is the lead agency and will use the Initial Study to determine whether the proposed Project has a significant effect on the environment.

If the lead agency finds substantial evidence that any aspect of the proposed Project, either alone or in combination with other projects, may have a significant effect on the environment, that agency is required to prepare an Environmental Impact Report (EIR), a supplement to a previously prepared EIR, or a subsequent EIR to analyze the proposed Project at hand. If the

agency finds no substantial evidence that the proposed Project or any of its aspects may cause a significant impact on the environment, a negative declaration may be prepared. If, over the course of the analysis, the proposed Project is found to have a significant impact on the environment that, with specific mitigation measures, can be reduced to a less-than-significant level, a supplemental mitigated negative declaration may be prepared. In the case of this proposed Project, all significant or potentially significant impacts on the environment would be reduced to less-than-significant levels with incorporation of specific mitigation measures. Therefore, this document is a mitigated negative declaration.

## **1.8 INCORPORATION BY REFERENCE**

The following studies applicable to the proposed Project are hereby incorporated by reference. Copies of these studies, unless identified as confidential, may be viewed at the Tuolumne Utilities District offices located at 18885 Nugget Blvd., Sonora, CA 95370 during regular business hours.

Augustine, Amy. April 2018. *Biological Study Report Curtis Creek Elementary School Waterline Extension and Water System Consolidation with the Tuolumne Utilities District*

Black Water Consulting Engineers, Inc. July 2018. Construction Plans Curtis Creek Elementary School Water System Consolidation Project.

Pacheco Patrick, Melinda and Ian Patrick with contributions from Judith Marvin. October 2018. *Draft Cultural Resources Report of the Curtis Creek Elementary School Consolidation with the Tuolumne Utilities District (Project No. 5500152-005P)*<sup>1</sup>

PBS&J for County of Tuolumne. August 2008. Final Environmental Impact Report for the Peaceful Oak Estates Project. SCH No. 2003062035.

Shijo, Wayne. KD Anderson & Associates, Inc. Transportation Engineers. February 2018. Curtis Creek Waterline Extension Project Air Quality Analysis.

## **1.9 OTHER PUBLIC AGENCY APPROVALS**

Other public agency approvals that may be required for the Project are summarized in the following table.

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<sup>1</sup> Cultural Resources reports contain confidential cultural resource location information; report distribution is being restricted. Cultural resources are nonrenewable, and their scientific, cultural, and aesthetic value can be significantly impaired by disturbance. To prevent vandalism, artifact hunting, and other activities which can damage cultural resources, and to protect the landowner from trespass, the locations of cultural resources are being kept confidential. California Government Code 6254.1 exempts archaeological site information from the California Public Records Act. Redacted copies of these studies may be requested from the Tuolumne Utilities District.

**Table 2: Other Public Agency Approvals or Reviews that May be Required**

Permitting Agency	Permit
Tuolumne County	Road Encroachment Permit
Tuolumne County Air Pollution Control District	Authority to Construct/Burn Permit
California Regional Water Quality Control Board	Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit [California's National Pollutant Discharge Elimination System (NPDES) General Permit
<i>All other applicable local, state and federal permits required by law.</i>	

## 2.0 ENVIRONMENTAL EVALUATION

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

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

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

### DETERMINATION:

- ☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent and a MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

\_\_\_\_\_  
Tuolumne Utilities District, General Manager

\_\_\_\_\_  
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.

## 2.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the Project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.1.1 Background and Setting

The Project is located within a community which once operated as a company town served by a railroad with a commercial center and residential uses supported by a lumber mill. A lumber mill continues to operate on site—primarily west of Standard Road. An approved, but not yet constructed residential subdivision, Peaceful Oaks Estates, forms what is primarily vacant oak woodlands along the eastern boundary of Standard Road. Curtis Creek School forms the southern site boundary. The commercial center of the townsite – now a mix of original historic buildings and new construction, borders both sides of Standard Road near the center of the water line replacement route. The line continues north to Mono Way (formerly SR 108) and a modern shopping center with a Tractor Supply Company, gas station, McDonald's and tire store.

### 2.1.2 Analysis

#### *a. Have a substantial adverse effect on a scenic vista?*

**No Impact.** No scenic vistas exist within the Project area, and no scenic vistas outside of the Project area would be affected by the proposed Project. Therefore, no substantial adverse effects on scenic vistas are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

#### *b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** The project is located along Standard Road and a short portion of Mono Way—neither is a state highway. Therefore, no substantial adverse impacts to scenic resources within a state scenic highway are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

*c. Substantially degrade the existing visual character or quality of the site and its surroundings?*

*d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**No Impact.** The water line will be located underground primarily within existing road rights of way. Therefore, the water line will not be visible no impacts to the existing visual character or quality of the area is anticipated. Similarly, the underground water transmission line will not require lighting for operations. Therefore, no new lighting will occur in conjunction with the Project and no impacts to day or nighttime views related to substantial light or glare are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.2 AGRICULTURE AND FORESTRY RESOURCES

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

II. Agriculture and Forestry Resources: Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on <a href="#">the maps prepared pursuant to the Farmland Mapping and Monitoring Program</a> of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a <a href="#">Williamson Act</a> contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in <a href="#">Public Resources Code section 12220(g)</a> ), timberland (as defined by <a href="#">Public Resources Code section 4526</a> ), or timberland zoned Timberland Production (as defined by <a href="#">Government Code section 51104(g)</a> )?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.2.1 Background and Setting

The project involves installing a water line almost exclusively within public right-of-way along a road. Segments that may edge slightly out of the road right of way will encroach into commercial, residential and industrial property. No agricultural land is located within or adjacent to the project boundaries.

### 2.2.2 Analysis

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

**No Impact.** The project involves installing a waterline underground and will not convert existing land from its present use. The Project site is not under a Williamson Act Land Conservation Contract and is not within an agricultural preserve. The site is bounded by a lumber mill to the west, an approved residential subdivision to the east, urban development to the north and a school to the south. No timber production lands existing on or adjacent to the proposed Project. Therefore, no conversion of forest land or agricultural lands to an alternative use are anticipated and no impact will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.3 AIR QUALITY

**III. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 2.3.1 Background and Setting

Air quality conditions are evaluated in comparison to California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). Where Tuolumne County has lower concentrations of a given pollutant than the established state or national standard, the County is considered to have a status of "attainment." For those pollutants for which Tuolumne County has a higher concentration than the established air quality standard, the County is classified as "non-attainment." For those pollutants for which inadequate information is available or where the pollutant is not measured, a status of "unclassified" is assigned. The status of each air quality parameter for Tuolumne County is summarized in the following table.

**Table 3: Tuolumne County Ambient Air Quality Standards (California Air Resources Board)**

California Ambient Air Quality Standards (CAAQS)	Status
Ozone	Non-attainment
Particulate Matter 2.5	Unclassified
Particulate Matter 10	Unclassified
Carbon monoxide	Attainment
Nitrogen dioxide	Attainment
Sulfur dioxide	Attainment

<b>California Ambient Air Quality Standards (CAAQS)</b>	<b>Status</b>
Sulfates	Attainment
Lead	Attainment
Hydrogen sulfide	Unclassified
Visibility reducing particles	Unclassified
<b>National Ambient Air Quality Standards (NAAQS)</b>	<b>Status</b>
8-hour ozone	Unclassified/Attainment
Particulate Matter 10	Unclassified
Particulate Matter 2.5	Unclassified/Attainment
Carbon Monoxide	Unclassified/Attainment
Lead	Unclassified/Attainment
Nitrogen Dioxide	Unclassified/Attainment
Sulfur Dioxide	Unclassified

As shown, Tuolumne County is currently designated as a nonattainment area with respect to state standards for ozone. One contributor to the non-attainment designation is related to emissions transport from the Sacramento metropolitan area and northern portion of the San Joaquin valley rather than from emissions generated in Tuolumne County.

An air quality analysis, previously incorporated by reference, was prepared for the project as follows (hereinafter, Air Quality Study):

Shijo, Wayne. KD Anderson & Associates, Inc. Transportation Engineers. February 2018.  
*Curtis Creek Waterline Extension Project Air Quality Analysis.*

The Air Quality Study also addresses project construction, operation, and emissions associated with planned development already approved or expected to occur, but which may occur at a faster pace with waterline installation on the following parcels (See Land Use and Planning Section, **Figure 4** and Population and Housing Section, **Figure 5**):

- A retail commercial project southeast of the intersection of Standard Road & Mono Way. This project would involve development of a site 3.22 acres in size. This project is referred to as the “North Retail Commercial Project” in this letter report.
  
- The Peaceful Oak Subdivision project is on a 438-acres site plus open space for a total of 612.3 acres. The majority of this project is north and east of the Curtis Creek Elementary School on the east side of Standard Road. However, portions of this project are west and south of Curtis Creek Elementary School, including a portion west of Standard Road. The project would involve 306 residential lots developed in four phases.
  
- A retail commercial project on the east side of Standard Road approximately one and a half mile south of the intersection of Standard Road & Mono Way. This project would involve development of a site 7.88 acres in size. This project is referred to as the “South Retail Commercial Project.”

### 2.3.2 Analysis

#### *a) Conflict with or obstruct implementation of the applicable air quality plan?*

**No Impact.** The County is not subject to an applicable air quality plan. Therefore, the Project will not conflict with any such a plan.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

#### *b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

#### *c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

#### **Less Than Significant.**

Implementation of the Project would result in construction activity which would generate air pollutant emissions. Construction activities such as grading, excavation and travel on unpaved surfaces would generate dust, and can lead to elevated concentrations of inhalable particulate matter smaller than 10 microns in diameter (PM<sub>10</sub>). The operation of construction equipment results in exhaust emissions. A substantial portion of the construction equipment is powered by diesel engines, which produce relatively high levels of nitrogen oxide (NO<sub>x</sub>) emissions.

To evaluate the significance of pollutant emissions impacts, the Tuolumne County Air Pollution Control District (TCAPCD) has established significance thresholds for emissions of ozone precursors ROG and NO<sub>x</sub>, PM<sub>10</sub>, and CO. These types of emissions are referred to as “criteria” pollutants. Significance thresholds used in this report are from the TCAPCD *CEQA Thresholds of Significance* (Tuolumne County Air Pollution Control District 2017).

The TCAPCD significance thresholds are:

- 1,000 pounds per day (ppd) or 100 tons per year (tpy) of ROG,
- 1,000 ppd or 100 tpy of NO<sub>x</sub>,
- 1,000 ppd or 100 tpy of PM<sub>10</sub>, and
- 1,000 ppd or 100 tpy of CO.

If the proposed project’s criteria pollutant emissions exceed the above pollutant thresholds, the Project will be considered to have a significant effect on air quality.

#### Construction-Related Emissions for Criteria Pollutants

Construction of the proposed Project would result in the generation of criteria pollutant emissions. During a daily period, construction activity would generate:

- 7.84 ppd of ROG,
- 85.10 ppd of NO<sub>x</sub>,
- 43.50 ppd of PM<sub>10</sub>, and

- 58.49 ppd of CO.

During an annual period, construction activity would generate:

- 0.24 tpy of ROG,
- 2.49 tpy of NO<sub>x</sub>,
- 1.60 tpy of PM<sub>10</sub>, and
- 1.81 tpy of CO.

None of the above values would exceed the TCAPCD significance thresholds. Therefore, this impact is considered less than significant, and no mitigation measures are required.

For planned development adjacent to the water line that might develop at a faster pace than is anticipated without the waterline, construction emissions are:

During the daily period, construction activity would generate a maximum of:

- 180.34 ppd of ROG,
- 28.02 ppd of NO<sub>x</sub>,
- 19.30 ppd of PM<sub>10</sub>, and
- 27.17 ppd of CO.

During an annual period, construction activity would generate a maximum of:

- 2.87 tpy of ROG,
- 2.22 tpy of NO<sub>x</sub>,
- 0.50 tpy of PM<sub>10</sub>, and
- 2.54 tpy of CO.

None of the above values would exceed the TCAPCD significance thresholds. Therefore, the potential cumulative impact on air emissions is considered less than significant, and no mitigation measures are required.

#### Operational Emissions for Criteria Pollutants

The Curtis Creek Waterline Extension project would not result in a long-term change in water system capacity. As a result, the project would not result in a change in long-term operational criteria pollutant emission. This impact is considered less than significant and no mitigation measures are required.

For planned development adjacent to the water line that might develop at a faster pace than is anticipated without the waterline, operational emissions are:

During the daily period, the sum of operational emissions would be:

- 33.31 ppd of ROG,
- 33.43 ppd of NO<sub>x</sub>,
- 40.96 ppd of PM<sub>10</sub>, and
- 125.93 ppd of CO.

During an annual period, the sum of operational emissions would be:

- 5.36 tpy of ROG,
- 5.63 tpy of NO<sub>x</sub>,

- 6.32 tpy of PM<sub>10</sub>, and
- 18.31 tpy of CO.

None of the above values would exceed the TCAPCD significance thresholds. Therefore, this impact is considered less than significant, and no mitigation measures are required.

#### Naturally Occurring Asbestos (NOA)

Construction activity could potentially entrain naturally occurring asbestos (NOA), if present in the soil. Naturally occurring asbestos has been identified as a toxic air contaminant (TAC) by the California Air Resources Board (ARB). No quantitative significance thresholds have been set for NOA. However, the California Department of Conservation website ([http://www.conservation.ca.gov/cgs/minerals/hazardous\\_minerals/asbestos/Pages/Index.aspx](http://www.conservation.ca.gov/cgs/minerals/hazardous_minerals/asbestos/Pages/Index.aspx)) provides a map that may be used as a screening-level indicator of the likelihood of NOA being present on the Proposed Project site. The map, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos* (California Department of Conservation 2000) shows the locations considered to be subject to elevated risk of containing NOA.

The asbestos map shows the project site is located approximately six miles away from the nearest area considered more likely to contain NOA – in the Rawhide area on the east side of New Melones Lake.

Because of the distance between the project site and the nearest area considered more likely to contain NOA, this impact is considered less than significant and no mitigation measures are required.

#### *d) Expose sensitive receptors to substantial pollutant concentrations?*

**Less Than Significant with Mitigation Incorporated.** One of the most important reasons for air quality standards is the protection of those members of the population who are most sensitive to the adverse health effects of air pollution, termed "sensitive receptors." The term sensitive receptor refers to specific population groups, as well as the land uses where individuals would reside for long periods. Commonly identified sensitive population groups are children, the elderly, the acutely ill, and the chronically ill. Commonly identified sensitive land uses include facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Residential dwellings, schools, parks, playgrounds, childcare centers, convalescent homes, and hospitals are examples of sensitive land uses.

Land uses in the Project area generally consist of a mix of commercial and industrial uses. However, as note, the Project is adjacent to the Curtis Creek Elementary School. The Project has the potential to expose, temporarily, the school to air emissions including dust and equipment emissions during construction activities, a potentially significant impact. The following mitigation measures are included to minimize the potential for exposing sensitive receptors to construction dust and equipment emissions.

#### Mitigation Measure AQ-1: Dust Control

Throughout project construction, including demolition, site clearing, grading and associated activities, the Construction Contractor shall be responsible for dust abatement including:

- A. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions using application of water. A water truck shall be present on site throughout construction activities.
- B. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.
- C. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
- D. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance and visible dust plumes.
- E. Vehicular traffic speeds on unpaved surfaces shall not exceed 10 miles per hour.

**Mitigation Monitoring AQ-1:** The required mitigation measure will be implemented throughout Project construction. The measure is the responsibility of the construction contractor.

Construction activities have the potential to contribute, incrementally and temporarily to the overall emissions of ozone and PM10 – a potentially significant adverse impact. Mitigation to address this potential impact includes:

**Mitigation Measure AQ-2: Equipment Emissions**

Throughout Project construction:

- A. Properly tune and maintain construction equipment and vehicles. Use low-sulfur fuel in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114 (Compliance with Caltrans' Standard Specifications, Section 14-9).
- B. The extended idling of heavy-duty diesel-powered construction equipment is prohibited during periods when the equipment is not in use.
- C. Grid (electrical) power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.

**Mitigation Monitoring AQ-2:** The required mitigation measure will be implemented throughout Project construction. The measure is the responsibility of the construction contractor.

**Mitigation Measure AQ-3 Open Burning**

During vegetation clearing and grubbing activities; alternatives to open burning of vegetative material will be used unless otherwise deemed infeasible by the TCAPCD. Suitable alternatives include chipping, mulching, or conversion to biomass fuel.

**Mitigation Monitoring AQ-3:** The required mitigation measure will be implemented during clearing and grubbing. The measure is the responsibility of the construction contractor.

Proper implementation of the preceding measures will reduce the potential impact to a level of less-than-significant.

*e) Create objectionable odors affecting a substantial number of people?*

**Less Than Significant.** Minor sources of odors would be present during construction. The predominant source of power for construction equipment is diesel engines. Exhaust odors from diesel engines, as well as emissions associated with paving may be considered offensive to some individuals. However, because odors would be temporary and would disperse rapidly with distance from the source, construction-generated odors would not be anticipated to result in the frequent exposure of a substantial number of receptors to objectionable odorous emissions and is considered a less-than-significant impact.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.4 BIOLOGICAL RESOURCES

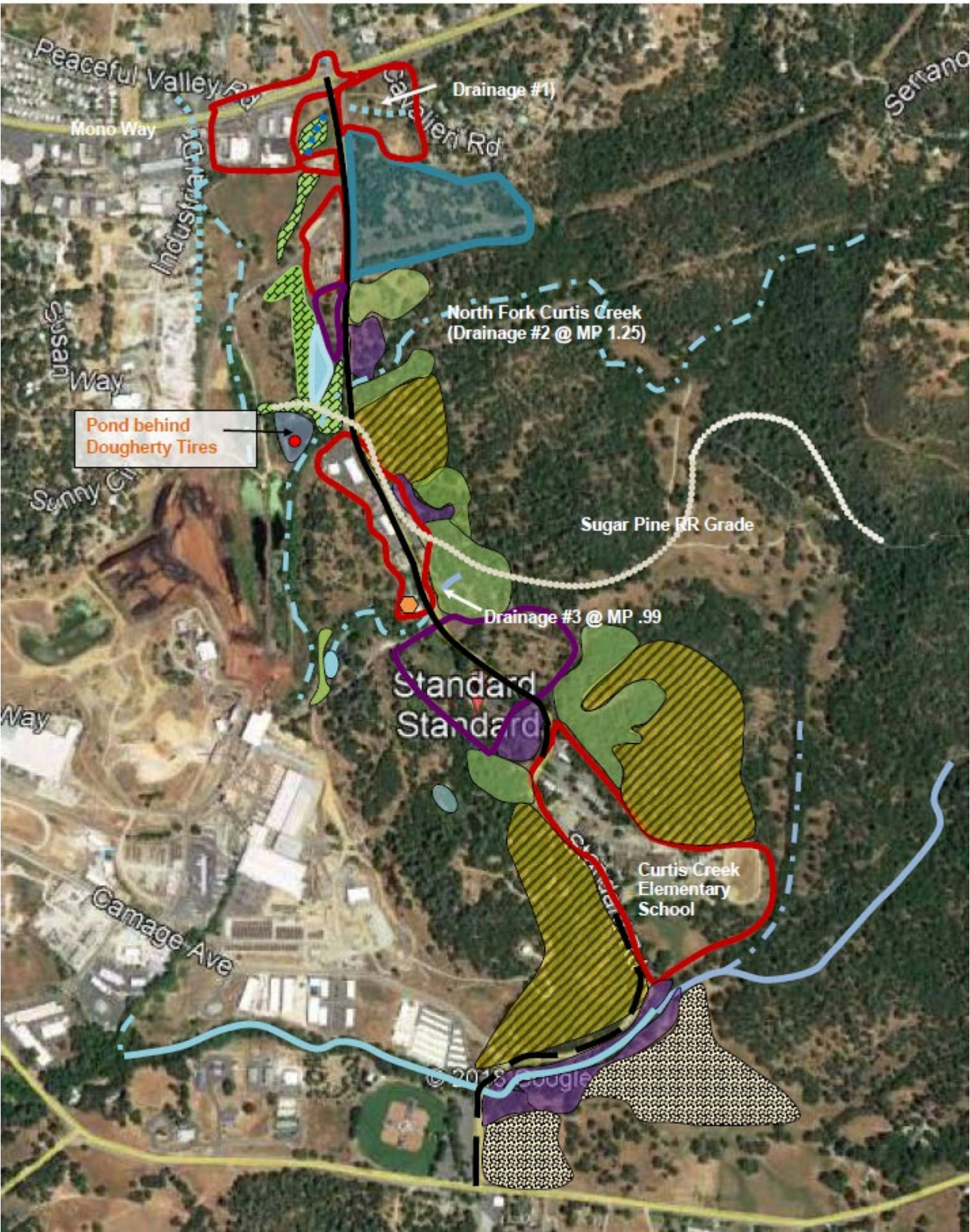
IV. BIOLOGICAL RESOURCES: Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the <a href="#">California Department of Fish and Game</a> or <a href="#">U.S. Fish and Wildlife Service</a> ?	<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 <a href="#">California Department of Fish and Game</a> or <a href="#">US Fish and Wildlife Service</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by <a href="#">Section 404 of the Clean Water Act</a> (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 resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted <a href="#">Habitat Conservation Plan</a> , <a href="#">Natural Community Conservation Plan</a> , or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.4.1 Background and Setting

Natural resources were identified through a review of databases and species lists from the United States Fish and Wildlife Service (USFWS), California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS) and CalFlora databases. Site surveys were conducted by foot on the following dates: 4/22/17, 6/2/17, 4/21/18, 4/22/18 (late afternoon/early evening), and 4/23/18. Surveys were conducted using q Canon Image Stabilizer 10 X 30 binoculars, Nikon D3300 digital camera (18- 55mm and 70-300mm lens), and standard field and collection supplies.

On-site vegetation is identified in **Figure 3**.

Figure 3: Project Vegetation



Key:

- Proposed water line (Standard Road) ———
- Standard Road (no water line) ———
- California annual grassland [Pattern]
- Live oak series [Pattern]
- Blue oak series [Pattern]
- Mixed oak series [Pattern]
- Valley oak series [Pattern]
- Old townsite residential (Fragmented habitat) [Pattern]

- Staging area [Symbol]
- Urban/Disturbed [Pattern]
- Railroad [Pattern]
- Drainage – Seasonal [Pattern]
- Drainage – Ditch [Pattern]
- Drainage – Year-round [Pattern]
- Pond – [Symbol]
- Fresh Water Emergent Wetland – [Pattern]
- Wetland (other) – [Pattern]

Sources: National Wetlands Inventory, Figure 4.8-1 (Revised) - Project Habitat Types Final Environmental Impact Report for the Peaceful Oak Estates Project SCH No. 2003062035

## 2.4.2 Analysis

- 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?*
- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

### Less Than Significant with Mitigation Incorporated.

#### A. Species Unlikely to be Present

The following State and/or Federally Listed and Candidate Species were determined Unlikely to be Present:

##### California red-legged frog (*Rana draytonii*)

The species is federally listed as threatened and is a California Department of Fish and Wildlife Species of Special Concern.

The species prefers quiet pools of streams, marshes, and occasionally ponds. Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. CNDDDB records for the species in Tuolumne County place its range here between 1,500± and 5,030± feet in elevation. The species requires 11-20 weeks of permanent water and access to estivation habitat. The species was not present during surveys.

The nearest CNDDDB record is more than 7 miles from the project site and no recent occurrences have been found in that, or any county location, since 1975. A review of the *History and Status of the California Red-Legged Frog (Rana draytonii) in the Sierra Nevada California, USA* (Barry and Fellers 2013) confirms that the BSA is not historically or currently known to support CRLF.

Curtis Creek, outside of the project's direct impact area, but within the BSA, is located south of the project area. It provides marginal habitat for CRLF, but would more likely provide a dispersal corridor for the species (if it had been found historically off-site). Curtis Creek does not generally retain water for a sufficient period to support CRLF breeding habitat.

The project site includes a former mill pond with minimal vegetation. No CRLF were observed during project surveys. Bullfrogs and pacific chorus frogs were present. Based on the lack of records for the species in this area of the county and the marginal nature of the habitat, the species is not expected to occur within the BSA.

##### Foothill yellow-legged frog (FYLF)

The FYLF is a Candidate for listing as threatened pursuant to the California endangered species act (CESA). The species is also a US Bureau of Land Management and U.S. Forest

Service sensitive species and a California Department of Fish and Wildlife Species of Special Concern. No FYLF were identified during biological surveys.

FYLF occur in or near rocky streams in valley-foothill hardwood, valley-foothill hardwood-conifer, valley-foothill riparian, ponderosa pine, mixed conifer, mixed chaparral, and wet meadow types. Per the CDFW, unlike most other ranid frogs in California, FYLFs are rarely encountered (even on rainy nights) far from permanent water—not even seasonally or to and from breeding areas. Normal ranges are believed to be less than 33 feet with only occasional “long” distance movements up to 165 feet during periods of high water. In California, breeding and egg laying may commence any time from mid-March to May depending on local water conditions. Garter snakes and bullfrogs (bullfrogs are present in the pond filled by the North Fork of Curtis Creek near the project site) are implicated in the reduction of foothill yellow-legged frog populations in the Sierra. (California Wildlife Habitat Relationships System California Department of Fish and Wildlife California Interagency Wildlife Task Group, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=1500&inline=1>).

The North Fork of Curtis Creek flows beneath (crosses) Standard Road at MP 1.25 (Figure #2, Creek #2) and empties into the remnants of a mill pond approximately 330 feet downstream of Standard Road. The intermittent creek provides rocky substrate in valley-foothill riparian habitat consistent with the species’ habitat requirements.

The nearest CNDDDB record is just under 7 miles from the project site. Some portions of the northern tributary of Curtis Creek (MP 1.25, Figure 2) provides marginal rocky substrate in valley-foothill riparian habitat. The creek was surveyed up and downstream for 100± feet from the centerline of Standard Road. Pacific chorus frogs (*Pseudacris regilla*) and American bullfrogs (*Rana catesbeiana*), but no foothill yellow-legged frogs were identified. The species does not tend to wander more than a few meters from its home stream and, therefore, is unlikely, even if present, to enter the construction area (located relatively high above the creek and separated from the creek by an extensive rock culvert structure).

### **Delta smelt**

Delta smelt are federally listed as threatened pursuant to the federal endangered species act. They occupy rivers and tributaries of the Sacramento-San Joaquin Delta. They occur seasonally in Suisun Bay, the Carquinez Strait and San Pablo Bay. The project site is outside the range of Delta smelt (i.e., Don Pedro Dam forms a barrier to species passage between Curtis Creek and Sacramento/San Joaquin Delta tributaries) and no suitable habitat for the species exists on or adjacent to the site.

### **Steelhead**

Steelhead are federally listed as threatened pursuant to the federal endangered species act. They occupy flowing waters of the Sacramento/San Joaquin Rivers. The project site is outside the range of the species (i.e., Don Pedro Dam forms a barrier to species passage between Curtis Creek and the Sacramento/San Joaquin Rivers) and no suitable habitat for the species exists on or adjacent to the site.

## **B. Special Status Species (Non-Listed) Potentially Present**

## **Reptiles**

### ***Western pond turtle (WPT)***

The WPT is a U.S. Forest Service Sensitive species and a Priority 3 CDFW Species of Special Concern. It is also a U.S. BLM Sensitive Species in the southern portion of its range and has been petitioned for listing under the federal endangered species act (where it remains under review since 2015). The species is not listed pursuant to either the state or federal endangered species acts. The species is not a fully protected animal pursuant to Fish and Game Code Sections 3511, 4700, 5050 and 5515.

A single adult WPT was identified during surveys in the remnant mill pond located 330 feet downstream of Standard Road along the North Fork Curtis Creek.

WPTs occur in a broad range of habitats include flowing streams, permanent lakes, ponds, reservoirs, settling ponds, marshes and other wetlands. The species may remain active year-round; however, this tends to occur only in the southern part of its range. WPTs require upland habitat suitable for nesting and overwintering. The species can persist, at least over moderate periods of time, in modified habitats with high human traffic (i.e. mill ponds).

Western pond turtles mate throughout the spring, summer, and fall. Nesting usually occurs in the spring or early summer normally within 300 feet of water, but may be located up to 1500 feet from water. Eggs hatch in the fall in the northern range and hatchlings often remain in the nest through the first winter. Soils for nesting must be loose enough to allow for excavation with disturbances infrequent enough to avoid nest disturbance. (Thomson, 2016).

Therefore, while it is unlikely that the WPT present at the pond within the BSA would move as far as Standard Road (along the North Fork Curtis Creek), the species would move though the culvert running beneath Standard Road rather than over Standard Road. To ensure that no turtles are nesting near the proposed construction area, the following minimization and avoidance measures are included:

#### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

All contractors involved in site development, affected TUD personnel, applicable County department and school staff, and environmental specialists (e.g., biologist, archaeologist) will attend a mandatory Environmental Awareness Training prior to any site disturbances. The program will address proper implementation of minimization and avoidance measures contained herein.

**Mitigation Monitoring BIO-1:** The required mitigation measure will be incorporated into the project bid package and contract and implemented throughout project construction. TUD shall have the authority to stop work or remove any construction worker on site that has not completed training. The measure is the responsibility of the construction contractor.

#### **Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources**

Prior to implementing any staging, construction, or ground disturbing activities:

- i) Unnamed drainage/ditch north of North Fork Curtis Creek (see below) and south of Mono Way (See Figure 2, Drainage #1). At the top of bank on both sides of Standard

Road, install high-visibility orange construction/safety fencing and silt fencing, fiber rolls, or equivalent erosion and sediment control devices adjacent to the safety fencing to prevent disturbances and erosion into the adjacent drainage.

- ii) North Fork Curtis Creek (MP 1.25 on Standard Road - See Figure 2, Drainage #2). At the top of bank on both sides of Standard Road adjacent to the north fork Curtis Creek, install high-visibility orange construction/safety fencing and silt fencing, fiber rolls, or equivalent erosion and sediment control devices adjacent to the safety fencing.
- iii) Unnamed Ephemeral Drainage (MP 0.99 on Standard Road - See Figure 2, Drainage #3). At the top of the east bank only (opposite the Church) adjacent to the unnamed drainage (and extending along the sides), install silt fencing, fiber rolls, or equivalent erosion and sediment control devices (note: An existing concrete headwall and metal bars provides sufficient barriers to encroachment within the drainage itself).
- iv) Standard Church Staging Area (See Figure 5). Install high-visibility orange construction/safety fencing along the edge of vegetation surrounding the drainage (bordering the south and west portions of the parking area) to separate the staging area at the Standard Church from riparian vegetation and the drainage surrounding the site.
- v) Sonora/Mono Toll Road. Install high-visibility orange construction/safety fencing along the edge of Standard Road to preclude staging along the Sonora/Mono Toll Road. (See Figure 4)

No construction-related materials, equipment, trash or other related debris shall be allowed, stored or staged within the fenced area. Fencing shall remain in place until the project is completed. The exact location of fencing shall be determined by the resident engineer in coordination with a qualified biologist with the goal of protecting water quality in the adjacent drainages. Silt fencing or other materials, as required, will be installed consistent with the applicable water quality requirements specified in the Project's Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP). Fencing or other erosion control materials or devices shall be shown on the final construction documents.

These areas will be avoided throughout Project construction and shall be monitored by the project manager throughout construction.

#### **Mitigation Monitoring BIO-2/CULT-10:**

The required mitigation measure will be incorporated into the project bid package and contract and implemented prior to ground disturbance. Implemented and maintained throughout project construction. The measure is the responsibility of the construction contractor.

#### **Avoidance and Minimization Measure BIO-6: Preconstruction Survey/Relocation for Western Pond Turtles**

Within 48 hours of commencing site disturbances, the Tuolumne Utilities District, or its representative, shall have a qualified biologist survey for and, if present, relocate any non-nesting western pond turtles from the project site. The biologist shall secure permission from the California Department of Fish and Wildlife to relocate up to 3 western pond turtles prior to commencing the survey. If found on site in locations where harm to the turtle may

occur from project activities, the turtle first will be given the opportunity to leave the site on its own if the turtle actively is in the process of attempting to leave the site and is likely to successfully do so within the hour in the opinion of the qualified biologist. Otherwise, the qualified biologist will relocate the turtle downstream of the work area along the creek where permanent or nearly permanent water is pooled or present. At the discretion of the qualified biologist, turtles may be located upstream if higher quality pools with permanent or nearly permanent pools are identified. [California Code of Regulations, Title 14, Division 1, Chapter 5, Subsection 40(b)]<sup>2</sup>.

**Mitigation Monitoring BIO-6:** The required mitigation measure will be incorporated into the project bid package and contract and implemented prior to ground disturbances (including staging). The measure is the responsibility of the construction contractor and project biologist.

Proper implementation of the preceding is expected to minimize or avoid impacts to the species to a level of less than significant.

## **Fish**

### ***San Joaquin Roach***

The San Joaquin Roach is a CDFW Species of Special Concern. It is capable of adapting to varying habitats from coastal streams to mountain foothill streams predominately found in small warm streams but capable of thriving in larger colder streams with diverse conditions. Spawning occurs March through early July and is temperature dependent. Breeds in gravel beds or riffles where groups of females lay eggs on and into the substrate.

The nearest CNDDDB record is within upper Curtis Creek less than 2 miles from the project site. Visual surveys of creeks crossing Standard Road within the BSA did not reveal species presence, although habitat for the species is present. Therefore, the potential for the species to be present within creeks flowing through and around the BSA exists. The following minimization and avoidance measures are proposed to minimize and avoid impacts to the species:

#### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

#### **Avoidance and Minimization Measure BIO-2: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages and Wetlands**

#### **Avoidance and Minimization Measure BIO-3: Best Management Practices (BMPs) to Protect Water Quality (Including NOI/NPDES/SWPPP)**

- The Contractor shall prepare an Erosion Control Plan for implementation for any construction to take place between October 15 and May 15 of any year. In the absence of such an approved plan, all construction shall cease on or before October

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<sup>2</sup> Pursuant to California Fish and Game Code Title 14, Subsection 40(b) the capture, temporary collection, or temporary possession of native amphibians done to avoid mortality or injury in connection with lawful activities is permitted and such live capture and release of native amphibians done to avoid death or injury may occur with the permission of the CDFW. Because WPTs are not listed species pursuant to the state or federal endangered species act, neither an incidental take permit nor consultation beyond securing permission from CDFW to capture and release the individuals, is required.

15, except that necessary to implement erosion control measures. If necessary, the plan shall be submitted to Tuolumne Utilities District or the Public Works Department of the CRA (as applicable) for review and approval.

- Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit - California's National Pollution Discharge Elimination System (NPDES) general permit for construction related storm water discharges for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction-related storm water discharge and the State Water Resources Control Board Permitting Unit shall be contacted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre is to be disturbed. Obtain coverage or an exemption from these requirements. [Federal Water Pollution Control Act, Section 401, California Clean Water Act]. The permit may include preparation of a Stormwater Pollution Prevention Plan (SWPPP).

### **Mitigation Monitoring BIO-3:**

The required mitigation measure will be incorporated into the project bid package and contract. Erosion control plan to be completed prior to October 15<sup>th</sup>. NOI/NPDES to be secured prior to ground disturbance. Implemented and maintained throughout project construction. The measure is the responsibility of the construction contractor.

Proper implementation of the preceding is expected to minimize or avoid impacts to the species to a level of less than significant.

### **Birds**

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. The migratory bird species protected by the Act are listed in 50 CFR 10.13. Most bird species are protected pursuant to the MBTA. Some birds have additional protections under state and federal laws.

The special status rufous hummingbird, Lewis's woodpecker, Lawrence goldfinch, oak titmouse and Clark's grebe are identified in Table 2 as having the potential to occur within the project boundaries. A Nuttall's woodpecker was identified within the BSA during surveys. All of these are USFWS bird species of conservation concern. In addition to these special status bird species, other birds protected pursuant to the MBTA could or do occur in the BSA (See **Appendix A** for species identified on site during surveys).

### ***Rufous hummingbird***

The rufous hummingbird is a USFWS Bird Species of Conservation Concern for migrating populations. Many post-breeders migrate south through the Sierra Nevada in summer, although spring migration mostly is through the lowlands and foothills (Grinnell and Miller 1944). The species breeds elsewhere. It uses riparian areas, open woodlands, chaparral, mountain meadows, and other habitats rich in nectar-producing flowers, including gardens

and orchards. The species uses valley foothill hardwood, valley foothill hardwood-conifer, riparian, and various chaparral habitats in both northward and southward migration (Garrett and Dunn 1981). It arrives in February and migrates north through lowlands and foothills until mid-April (south) and early May (north); a few remain in the state. Post-breeder males begin to migrate back through California in late June and early July. This early appearance of males in the Sierra Nevada has led some observers to suspect breeding. No CNDDDB records are currently maintained for the species.

#### ***Lewis's woodpecker***

The Lewis' woodpecker is a USFWS Bird Species of Conservation Concern. It is an uncommon, local winter resident occurring in open oak savannahs, broken deciduous, and coniferous habitats. It breeds locally in the Sierra Nevada. No CNDDDB records are currently maintained for the species. Oak woodlands exist throughout the BSA. The species has been identified at lower elevations in blue oak woodlands and potential for the species to occur on site in similar habitat exists although the species was not noted during surveys.

#### ***Lawrence's goldfinch***

The Lawrence's goldfinch is a USFWS Bird Species of Conservation Concern. No CNDDDB records are currently maintained for the species. Typical habitats include valley foothill hardwood and valley foothill hardwood-conifer. Nearby herbaceous habitats are often used for feeding. Small numbers winter in northern California. The summer range for the species extends into western Tuolumne County. American goldfinches were observed on site. While Lawrence's goldfinches were not identified during surveys, suitable habitat for the species exists within the BSA.

#### ***Oak titmouse***

The oak titmouse is a USFWS Bird Species of Conservation Concern. No CNDDDB records are currently maintained for the species. It is a common resident in a variety of habitats, but is primarily associated with oaks. And occurs in montane hardwood-conifer, montane hardwood, blue, valley, and coastal oak woodlands, and montane and valley foothill riparian habitats in cismontane California. The species' range encircles San Joaquin Valley onto the western slope of the Sierra Nevada. While not observed during surveys, the species is widespread throughout the project area and is expected to occupy the BSA's oak woodlands.

#### ***Clark's grebe***

The Clark's grebe is a USFWS Bird Species of Conservation Concern. No CNDDDB records are currently maintained for the species. The species is uncommon to fairly common on large lakes inland at low elevations. Winter range extends into Tuolumne County. The BSA includes some moderate sized ponds that may provide marginal habitat for the species. The species could temporarily occupy one of the ponds as it moves through the county. Because the species winters, but does not breed, in the county, it would remain mobile (i.e., can move to another location if disturbed), no impacts to the species are anticipated. The species was not identified on site during surveys.

#### ***Nuttall's woodpecker***

The Nuttall's woodpecker is a USFWS Bird Species of Conservation Concern. The species is a common, permanent resident of low-elevation riparian deciduous and oak habitats and surveys in oak woodlands.

### **Canada geese**

Canada geese were observed on site foraging throughout the BSA and with goslings on the pond within the BSA. It is anticipated that the geese will continue to nest on the pond located more than 300 feet downstream of Standard Road (i.e., well away from proposed Project construction). The geese appear well adapted to construction noise given their current successful nesting efforts surrounded by urban development (tire installation and sales facility) and an active lumber mill with operating heavy equipment. Similarly, the geese were observed foraging adjacent to standard daily truck and auto traffic along Standard Road. Therefore, impacts to nesting geese are not anticipated.

Although unlikely to be necessary, it is noted that while Canada Geese are protected pursuant to the Migratory Bird Treaty Act; unlike many other MBTA-protected species, 50 Code of Federal Regulations Section 21.50 allows some flexibility for depredation under specific circumstances for resident Canada geese by registering online with the USFWS<sup>3</sup>. Depredation normally occurs in the form of a qualified biologist treating unhatched eggs to ensure that they do not hatch.

In addition to the special status bird species noted above, other bird species protected pursuant to the Migratory Bird Treaty Act could or do occur in the BSA (See **Appendix A** for species identified on site during surveys). To minimize or avoid potential disturbances to nesting and/or breeding bird species protected pursuant to the MBTA, the following is proposed:

### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

#### **Avoidance and Minimization Measure BIO-7: Preconstruction Surveys Birds**

Prior to construction occurring between February 1<sup>st</sup> and August 30<sup>th</sup> (e.g., excavation, ground disturbance, or vegetation removal) a preconstruction survey for nesting birds will be conducted in accordance with the CDFW guidelines and a no-disturbance buffer will be established, if necessary.

If equipment staging, site preparation, vegetation removal, grading, excavation or other project-related construction activities are scheduled during the avian nesting season (generally February 1 through August 30), a focused survey for active nests would be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities.

Surveys shall be conducted in all suitable habitat in the BSA.

If an active nest is found, the bird shall be identified to species and the approximate distance from the closest work site to the nest estimated. No additional measures need be

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3 <https://epermits.fws.gov/eRCGR/> and <https://www.fws.gov/forms/3-200-13.pdf>

implemented if active nests are more than the following distances from the nearest work site: (a) 300± feet for raptors; or (b) 75± feet for other non-special-status bird species. Disturbance of active nests shall be avoided to the extent possible until it is determined that nesting is complete and the young have fledged. For species protected under the California Fish and Game Code (CFGF), if active nests are closer than those distances to the nearest work site and there is the potential for bird disturbance, CDFW will be contacted for approval to work within 300± feet of raptors, or 75± feet of other non-special-status bird species.

#### **Mitigation Monitoring BIO-7:**

The required mitigation measure will be incorporated into the project bid package and contract. Surveys will occur within 15 days of commencing construction that occurs between February 1<sup>st</sup> and August 30<sup>th</sup>. The measure is the responsibility of the construction contractor and project biologist.

Proper implementation of the preceding is expected to minimize or avoid impacts to the species to a level of less than significant.

#### **Bats**

The following bat species have the potential to occur within the BSA (see Table 2):

##### ***Hoary bat***

The hoary bat is a moderate risk species as identified by the Western bat working group. It is the most widespread North American bat. Breeding habitat includes all woodlands and forests with medium to large-size trees and dense foliage. The species requires water and occurs between 850± and 9,613± feet in elevation in Tuolumne County. One CNDDDB record from 1930 exists for this species approximately 3 miles east of the project site. The Project site has suitable breeding habitat. The species could forage over pond within the BSA in the evenings.

##### ***Spotted Bat***

The spotted bat is a U.S. Bureau of Land Management sensitive species and CDFW species of special concern. It is also at high risk as identified by the Western bat working group. The species occupies a wide variety of habitats from arid deserts and grasslands through mixed conifer forests, feeds over water and along washes almost entirely on moths, and requires rock crevices in cliffs or caves for roosting. The BSA includes rock crevices as potential roosts with a pond and washes that could provide foraging habitat. The nearest CNDDDB record occurs approximately one mile south of the project site. The species was not identified during surveys; however, given the wide variety of habitats suited to the species, it could occur within the BSA. For both of the preceding bat species, the following measures are proposed to minimize potential impacts to the species.

#### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

### **Avoidance and Minimization Measure BIO-5: Preconstruction Surveys Suitable Bat Roosting (or Nursery) Areas & Provisions for Protection, if Identified**

- 15 days or less before commencing ground-disturbing activities between April and September of the construction year, a qualified biologist will survey snags, trees, rock crevices and other suitable cavities and structures in the BSA for roosting bats or bat nurseries.
- If bats are not found and there is no evidence of bat use, construction may proceed. If bats are found or evidence of use by bats is present, CDFW shall be consulted for guidance on measures to avoid or minimize disturbance to the colony or nursery. Subject to CDFW approval, measures may include excluding bats from roosts before construction begins.

### **Mitigation Monitoring BIO-5:**

The required mitigation measure will be incorporated into the project bid package and contract. Surveys will occur within 15 days of commencing construction that occurs between April and September. The measure is the responsibility of the construction contractor and project biologist.

### **Avoidance and Minimization Measure BIO-10: Hours of Construction.**

Project construction shall be limited to 7:00 a.m. to 7:00 p.m. unless an emergency situation exists.

### **Mitigation Monitoring BIO-10:**

The required mitigation measure will be incorporated into the project bid package and contract. Implementation throughout project construction. The measure is the responsibility of the construction contractor.

Proper implementation of the preceding is expected to minimize or avoid impacts to these and other bird species to a level of less than significant.

### **Species – General**

The proposed project is expected to involve construction materials including pipes and open trenching. Common and special status wildlife species may inhabit or use construction materials as cover and smaller species may fall into trenches and become trapped. To ensure the protection of both wildlife and construction workers, the following provisions are included to avoid injuries related to inadvertently trapping wildlife:

### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

### **Avoidance and Minimization Measure BIO-8: Avoid Inadvertent Animal Trapping During Construction**

To avoid inadvertently trapping special status or common animal species during construction, all excavated steep-walled holes or trenches more than two feet deep shall be covered at the end of each working day with plywood or similar material, or provided with one or more escape ramps constructed of earth fill or wooden planks, or equivalent, at each end of the trench. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time a trapped animal is discovered, the contractor

shall place an escape ramp or other appropriate structure to allow the animal to escape. Alternatively, the contractor shall contact the project biologist or California Department of Fish and Wildlife for assistance. Similarly, stored pipes or other materials providing potential cover for animals will be inspected prior to installation or use to ensure that they are unoccupied.

#### **Mitigation Monitoring BIO-8:**

The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the construction contractor.

Proper implementation of the preceding is expected to minimize or avoid impacts to common and special status species to a level of less than significant.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

#### **Less Than Significant with Mitigation Incorporated**

##### ***Oak woodlands***

No trees are proposed for removal in conjunction with the proposed project. However, damage to individual native oaks may occur as a result of storing construction materials, spoils, soils or heavy equipment within the driplines of individual oaks. To reduce these potential impacts to the long-term survival of native oaks, the following measures are included:

##### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

##### **Avoidance and Minimization Measure BIO-4: Native Oak Tree Protection**

Throughout project construction, for native oak trees greater than 5" diameter at breast height (DBH), to the maximum extent feasible:

- Limit ground-disturbing activities to outside the dripline of native oaks and preferably outside 1-1/2 times the dripline;
- No storage equipment, supplies, vehicles, debris, construction wastewater, paint, stucco, concrete or any other clean-up waste, and temporary or permanent structures shall be placed within the driplines;
- Avoid cutting oak roots;
- Use boring, rather than trenching, within driplines;
- Avoid equipment damage to limbs, trunks, and roots of oaks trees;

- Do not attach signs, ropes, cables or other items to trees

#### **Mitigation Monitoring BIO-4:**

The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the construction contractor.

Proper implementation of the preceding is expected to minimize or avoid impacts to oak woodlands to a level of less than significant.

#### ***Wetlands and Other Waters***

No fill of wetlands, creeks, or other waters of the United States or alterations within the banks of streams is proposed or anticipated in conjunction with the proposed Project. The introduction of machinery and construction materials to the site has the potential to introduce non-native invasive species. To ensure that runoff from site construction does not indirectly impact water quality in streams and wetlands adjacent to the construction area, to avoid inadvertent encroachment within these sensitive habitats, and to ensure that non-native invasive species are not spread to these habitats, the following measures are included:

#### **Avoidance and Minimization Measure BIO-1: Environmental Awareness Training**

#### **Avoidance and Minimization Measure BIO-2: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages and Wetlands**

#### **Avoidance and Minimization Measure BIO-3: Best Management Practices (BMPs) to Protect Water Quality (Including NOI/NPDES/SWPPP)**

#### **Avoidance and Minimization Measure BIO-9: Minimize the Spread of Invasive Plant Species**

Throughout project construction:

- All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control on the project site shall be free of noxious weed<sup>4</sup> seeds and propagules (Food and Agriculture Code Sections 6305, 6341 and 6461).
- All equipment brought to the project site shall be thoroughly cleaned of all dirt and vegetation prior to entering the site to prevent importing noxious weeds and shall be cleaned of all dirt and vegetation prior to exiting the site to prevent exporting noxious weeds. (Food and Agriculture Code Section 5401).

All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be

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<sup>4</sup> Noxious weeds are as defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds (Food and Agriculture Code, Sections 6305, 6341, and 6461).

free of noxious weeds<sup>5</sup> and propagules. (Food and Agriculture Code Sections 6305, 6341 and 6461).

**Mitigation Monitoring BIO-9:**

The required mitigation measure will be implemented throughout Project construction. The measure is the responsibility of the construction contractor.

Proper implementation of the preceding is expected to minimize or avoid impacts to wetlands and other waters to a level of less than significant.

*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?*

**No Impact.** Neither a Habitat Conservation Plan (HCP) nor a Natural Community Conservation Plan (NCCP) exists for the area within the Project boundaries or the vicinity. Therefore, no impacts associated with such will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

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<sup>5</sup> Ibid.

## 2.5 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

<b>V. CULTURAL RESOURCES.</b> Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a <a href="#">historical resource</a> as defined in <a href="#">§ 15064.5</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to <a href="#">§ 15064.5</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>V. TRIBAL CULTURAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d ) 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:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) 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"/>
ii) 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 Resource 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"/>

### 2.5.1 Background and Setting

A cultural resources study was prepared for this Project and previously incorporated by reference as follows:

Pacheco Patrick, Melinda and Ian Patrick with contributions from Judith Marvin. October 2018. *Draft Cultural Resources Report of the Curtis Creek Elementary School Consolidation with the Tuolumne Utilities District (Project No. 5500152-005P)*<sup>6</sup>

The scope of work included a records search at the Central California Information Center (CCaIC) of the California Historical Resource Information System, archival research, Native American coordination, pedestrian survey, and an historic properties survey and evaluation. Work was conducted by persons meeting Secretary of the Interior Standards.

The survey area included a 100-foot corridor (50-feet on either side of the centerline); however, the majority of the survey area consisted of the shoulder of the road. Where access was available, a cursory survey based on an opportunistic strategy was employed. The remainder of the survey area encompasses private property and was viewed from the fence line for resources that might indicate areas of sensitivity for the area of direct impact.

**Figures 4 and 5** identify the anticipated Area of Potential Effect (APE) for cultural resources.

Field efforts in combination with pre-field research, identified eight previously recorded resources and two newly identified finds or unrecorded resources, within or directly adjacent to the survey area: one prehistoric habitation site (P-55-006321); multi-component sites, the Cowden Site (P-55-003169), a prehistoric village and historic habitation site (P-55-001390/CA-55-367), and the Town of Standard and prehistoric site (P-55-003749/CA-2763); historic-era sites, the Sierra Railroad (P-55-000347/CA-TUO-774H), Sonora-Mono Toll Road (P-55-000054/CA-TUO-1629H), borrow pit and refuse (P-55-006678), and Standard Road; and architectural features, Union Church (P-55-000120) and an historic-era mortared stone culvert (**Figure 6**).

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<sup>6</sup> Cultural Resources reports contain confidential cultural resource location information; report distribution is being restricted. Cultural resources are nonrenewable, and their scientific, cultural, and aesthetic value can be significantly impaired by disturbance. To prevent vandalism, artifact hunting, and other activities which can damage cultural resources, and to protect the landowner from trespass, the locations of cultural resources are being kept confidential. California Government Code 6254.1 exempts archaeological site information from the California Public Records Act. Redacted copies of these studies may be requested from the Tuolumne Utilities District.

Figure 4: Area of Potential Effects 1 of 2



Figure 5: Area of Potential Effects 2 of 2



Figure 6: Standard Road Stone Culvert



**Table 4: Summary of Cultural Resources in or Adjacent to Project – Descriptions and Impact Assessment**

Primary #	Trinomial	Name/Description	CRHR Eligibility	NRHP Eligibility	Relationship to APE	Assessment and Recommendations
Pending	N/A	Standard Road	Recommended ineligible	Recommended ineligible	In APE	No historic property adversely affected based on structure ineligibility for CRHR and NRHP.
Pending	N/A	Standard Road Culvert	Recommended ineligible	Recommended ineligible	In APE	<p><b>Less than significant with Mitigation.</b></p> <p>The structure was likely built with the intention of conveying the aesthetic of the period of significance of the town and may be of local interest. Therefore, preservation to the extent possible is recommended. Every effort was attempted to identify date of construction for the evaluation. If construction encounters a structure under the roadway which contradicts the research contained in the Project's cultural resources study, a re-evaluation may be required. See <a href="#">Mitigation Measure CULT-9 Standard Road Culvert Avoidance</a>. In addition, <a href="#">Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</a> will occur to ensure that all construction contractors are aware of this restriction.</p> <p>Proper implementation will reduce the potential impact to a level of less-than-significant. No historic properties will be adversely affected with mitigation.</p>
P-55-000347	CA-TUO-447H	Sierra Railroad Tuolumne Line	Eligible	Listed as eligible (3) 1988; recommended eligible as a district per Larson 2008 (3D); one segment determined ineligible (6Y)	In APE	<p>Less than significant impact with mitigation.</p> <p>Any extant features of the railroad shall remain intact due to the resource eligibility pursuant to both the CRHR and NRHR and as necessary to maintain continuity. See <a href="#">Mitigation Measure CULT-11 Sierra Railroad Preservation</a> addressing the use of boring TUD may bore under the railroad or placing the pipe in the right-of-way where the line has been dismantled. In addition, <a href="#">Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</a> will occur to ensure that all construction contractors are aware of this restriction.</p>

Primary #	Trinomial	Name/ Description	CRHR Eligibility	NRHP Eligibility	Relationship to APE	Assessment and Recommendations
						Proper implementation will reduce the potential impact to the resource to a level of less-than-significant. No historic properties will be adversely affected with mitigation.
P-55-001390	CA-TUO-367/H	Multicomponent site – Standard slaughterhouse , Lyon's house (former), prehistoric	Recommended eligible per Fernandez 2003 (no DOE)	Portions of the site recommended eligible and mitigated per Mason 1984; the remainder of the site not evaluated for the NR	Current boundaries are out of APE but the site may extend past the arbitrary boundaries and into the APE	<p><b>Less than Significant Impact with Mitigation.</b> Based on the recommendations of eligibility for the site, ground disturbances could uncover previously unidentified resources—a potentially significant adverse impact. To address this potential impact, the following mitigation measures are required.</p> <p><b>Mitigation Measure CULT-1: Extended Phase 1 for Resource P-55-001390</b></p> <p><b>Mitigation Measure CULT-2: Conduct Data Recovery for P-55-001390</b></p> <p><b>Mitigation Measure CULT-3: Install Fencing around Environmentally Sensitive Areas associated with P-55-001390</b></p> <p><b>Mitigation Measure CULT-4: Archaeological Monitoring P-55-001390</b></p> <p><b>Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</b></p> <p>Proper implementation will reduce the potential impact to the resource to a level of less-than-significant. No resources will be adversely affected with mitigation.</p>
P-55-003749	CA-2763/H	Historic town of Standard/multi-component archaeological site	Not evaluated	Exempt from evaluation	"In" APE	<p><b>Less than Significant Impact with Mitigation.</b> No features or structures of the townsite are in the APE. However, because the project is located within a sensitive resource area, best management practices are included as mitigation to ensure that project boundaries are maintained, that no encroachment outside the APE will occur, and that unanticipated resource discoveries will be addressed consistent with BMPs as follows:</p>

Primary #	Trinomial	Name/Description	CRHR Eligibility	NRHP Eligibility	Relationship to APE	Assessment and Recommendations
						<p><b>Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</b></p> <p><b>Mitigation Measure CULT-6: On-Site Monitoring</b></p> <p><b>Mitigation Measure CULT-7: Unanticipated Cultural Resource Discoveries</b></p> <p><b>Mitigation Measure CULT-8: Human Remains</b></p> <p><b>Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources</b></p> <p><b>Mitigation Measure CULT-12: Project Scope Changes</b></p> <p>Proper implementation will reduce potential impacts to resources outside the APE to a level of less-than-significant. No resources will be adversely affected with mitigation.</p>
P-55-006321	CA-TUO-4486	Prehistoric site	Potentially eligible until determination is confirmed per SHPO	Treated as eligible per 2015 SHPO determination (on-going consultation)	Unknown western border in APE capped with asphalt parking lot; established boundary of remainder of site outside APE	<b>Less-than-Significant.</b> The established site boundaries are outside of the APE. The estimated northwestern site boundary is adjacent to work which will include the installation of pipe in five feet of fill and road base (therefore no work will occur in native soils and no impacts associated with the resource are anticipated). The unknown western portion of the site, where a staging area has been proposed, is covered and capped with an asphalt parking lot and a retaining wall. Therefore, no impacts are anticipated. No historic properties will be adversely affected.
P-55-003169	CA-TUO 2195H	Cowden	Not evaluated	Historic component determined eligible during	Outside APE	<b>No Impact.</b> The established site boundaries are outside of the APE. Therefore, no impacts are anticipated. No historic properties will be adversely affected. No resources adversely affected.

Primary #	Trinomial	Name/ Description	CRHR Eligibility	NRHP Eligibility	Relationship to APE	Assessment and Recommendations
				testing and mitigated through data recovery. Prehistoric site evaluated as not eligible with SHPO concurrence. No further evaluations were conducted as part of this effort.		
P-55-000054	CA-TUO-1629H	Mono Toll Road SHL #422	Eligible	Eligible per Turner and Elliott 1995 and Turner 1996; Segment recommended eligible per Sonoma State 2001; various segments listed (6Y, 7R, 2S2)	Outside APE	<p><b>Less than Significant Impact with Mitigation.</b> The resource is located outside the APE. However, inadvertent staging could occur in the area unless the resource area is protected—a potentially significant adverse impact. To ensure that the area is protected, the following mitigation measure requiring ESA fencing throughout construction is required:</p> <p><b>Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</b></p> <p><b>Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources</b></p> <p>Proper implementation will reduce the potential impact to the resource to a level of less-than-significant. No resources will be adversely affected with mitigation.</p>
P-55-003749 & P-55-000120	CA-2763/H	Union Church	Potentially eligible of local interest (5)	Recommended ineligible individually per Boghosian 1991, but may become eligible	Outside APE	<p><b>Less than Significant Impact with Mitigation.</b> The APE bisects the town site boundaries, the features of the town itself are not considered to be in the APE. The parking lot behind the church which will be used as a staging area has been capped with gravel, parking does not constitute adverse effects.</p>

Primary #	Trinomial	Name/ Description	CRHR Eligibility	NRHP Eligibility	Relationship to APE	Assessment and Recommendations
				as part of a district (4X)		<p>No dumping, drainage, or any other construction related activity other than parking shall occur. To ensure that this potentially eligible resource is preserved, the following mitigation is required:</p> <p><b>Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources.</b> In addition, <b>Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</b> will occur to ensure that all construction contractors are aware of this restriction.</p> <p>Proper implementation will reduce the potential impact to the resource to a level of less-than-significant. No resources will be adversely affected with mitigation.</p>
P-55-006678	None	Borrow pit and refuse	Recommended ineligible for the CRHR and Tuolumne County Register by Francis 2002	Not evaluated	Outside APE	<b>No Impact.</b> The established site boundaries are outside of the APE. Therefore, no impacts are anticipated. No historic properties will be adversely affected. No resources adversely affected.

/a/ California Register of Historic Resources

/b/ National Register of Historic Resources

/c/ Area of Potential Effect (APE)

## 2.5.2 Analysis

- a) *Cause a substantial adverse change in the significance of a historical resource as defined in the Government Code, State CEQA Guidelines Section 15064.5?*
- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*
- c) *Disturb any human remains, including those interred outside of formal cemeteries?*

### **Less Than Significant with Mitigation Incorporated.**

Detailed analysis of each resource is included in **Table 4** and in the Project's Cultural Resources study.

As noted, site boundaries for P-55-001390 have been recorded up to the road right-of-way. The site is recommended as eligible for listing on the CRHR and portions are recommended for listing on the NR. Other portions of the site have not been evaluated.

Although no associated prehistoric resources were encountered during the surface survey, the likelihood for encountering buried archaeological deposits combined with the overall sensitivity of the project setting exists. Project construction includes earth disturbing construction activity. Based on the sensitivity assessment and proximity to previously recorded prehistoric resources, the potential exists to disturb subsurface prehistoric resources—a potentially significant adverse impact. To address the potential impact to the potentially eligible (CRHR and NR) Resource P-55-001390, the following measures are proposed:

#### **Mitigation Measure CULT-1: Extended Phase 1 for Resource P-55-001390**

Prior to any site disturbances, an Extended Phase I (XP1) program shall be conducted to test for the presence/absence of buried archaeological deposits for the subject site and confirm site boundaries relative to the proposed work area/area of potential disturbance. The XP1 shall be conducted as part of ongoing consultation with tribal representatives with consideration for the site's potential cultural significance to descendent communities.

If, based on the preceding, the resource is determined surface in nature or lacks integrity, the XP1 program may be considered to have reduced the level of potential impact to less than significant. If the resource is determined ineligible, no further work is required and the potential for impact may be determined to be less than significant.

If XPI results in positive findings for intact subsurface archaeological deposits and the site can be fully avoided, the site shall be fully avoided through the installation of exclusionary fencing to be retained during Project construction. No further work will be required and the potential for impact may be determined to be less-than-significant.

If XPI results in positive findings for intact subsurface archaeological deposits and the site will be impacted, a qualified archaeologist shall implement a testing program to determine the areal extent of the site, integrity, and data potential. The area shall be avoided as feasible.

If the resource is determined eligible or potentially eligible and cannot be avoided as necessary to achieve of level of less-than-significant impact on the resource, Mitigation Measures CULT-2 through CULT-4 shall be implemented.

**Mitigation Monitoring CULT-1**

Prior to commencing site disturbances, the Lead Agency shall hire a qualified archaeologist to conduct the necessary testing. In addition, if released prior to completion of the preceding study, the project bid package and contract shall include provisions for ongoing monitoring by a qualified archaeologist throughout site disturbances occurring within the vicinity of this resource. The measure is the responsibility of the Lead Agency.

**Mitigation Measure CULT-2: Conduct Data Recovery for P-55-001390**

If Mitigation Measure CULT-1 results in a determination that the site is eligible or potentially eligible and cannot be avoided as necessary to achieve a level of less-than-significant impact on the resource; then:

Prior to commencing Project construction, a Research Design and Data Recovery Plan will be prepared and implemented for the project as part of ongoing consultation with tribal representatives. The Plan shall include curation or re-patriation measure as determined in consultation with tribal representatives. Data Recovery activities shall be completed in accordance with Plan to the extent necessary to exhaust the data potential within the APE. Within seven days of the completion of fieldwork, a letter documenting the field effort and initial findings will be submitted to the Lead Agency. This letter will serve as documentation that data recovery excavations are complete and that construction can commence.

A data recovery report will be prepared and will conform to professional standards and follow the requirements of the Caltrans' Programmatic Agreement; Standard Environmental Reference, Volume 2, Chapter 2. The report shall be completed within six months of commencing Project construction.

**Mitigation Monitoring CULT-2:** The required mitigation measure will commence prior to Project construction. Fieldwork will be completed and, within 7 days, a letter documenting completion will be submitted to the Lead Agency before Project construction can commence. The measure is the responsibility of all Data Recovery Plan parties including the Lead Agency and Native American representatives.

**Mitigation Measure CULT-3: Install Fencing around Environmentally Sensitive Areas associated with P-55-001390**

After completing data recovery and prior to commencing Project Construction, fencing shall be installed around sensitive areas identified by the Project Archaeologists on final construction plans. Temporary fencing also shall be installed to protect Cultural Resource ESA's located outside the Area of Direct Impact (ADI).

**Mitigation Monitoring CULT-3:** The required mitigation measure will be completed after data recovery is completed and prior to commencing Project construction. The measure is the responsibility of the construction contractor and Project archaeologists in consultation, as necessary with the Data Recovery Plan parties.

**Mitigation Measure CULT-4: Archaeological Monitoring P-55-001390**

All ground-disturbing construction activities within 50 feet of the site shall be monitored by an archaeologist as described in **CULT-6**. The integrity of the fence line as installed will be monitored by the archaeologist throughout the duration of the construction activities in the vicinity of the site.

**Mitigation Monitoring CULT-4:** The required mitigation measure will be implemented throughout Project construction with monitoring during activities within 50 feet of sensitive properties. The measure is the responsibility of the construction contractor, Project archaeologist, and Native American monitor.

Proper implementation of the preceding measures is expected to minimize potential impacts to P-55-001390 to a level of less-than-significant.

Previous site boundaries for prehistoric sites have been recorded up to the road right-of-way including Resource P- 55-3749. Although no associated prehistoric resources were encountered during the surface survey, the likelihood for encountering buried archaeological deposits combined with the overall sensitivity of the project setting exists. Project construction includes earth disturbing construction activity. Based on the sensitivity assessment and proximity to previously recorded prehistoric resources, the potential exists to disturb subsurface prehistoric resources in the general vicinity of the Project—a potentially significant adverse impact.

In addition to the preceding mitigation measures relevant to P-55-001390, the following mitigation measures are required:

**Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training**

Construction bid packages and contractual requirements shall include a requirement for tail-gate training by the project's designated qualified cultural resource professional and, as applicable, Native American representative prior to work on site to inform construction personnel of the types of cultural resources they may encounter, the laws protecting those resources, and the standard protocols to be implemented.

**Mitigation Monitoring CULT-5:** The required mitigation measure will be incorporated into the project bid package and contract and implemented throughout project construction. TUD shall have the authority to stop work or remove any construction worker on site that has not completed training. The measure is the responsibility of the construction contractor.

**Mitigation Measure CULT-6: On-Site Monitoring**

Prior to issuance of a grading permit, the Tuolumne Utilities District or their designee shall identify an archaeologist meeting the Secretary of the Interior standards and guidelines for archaeology to monitor all grading, excavation, and other soil disturbances, worker awareness training, and to secure, as needed, Native American monitors as required pursuant to the mitigation measures described herein. The archaeologist will have the authority to stop work, if necessary. The archaeologist will be on site throughout grading and excavation operations as required pursuant to the mitigation measures described herein unless, in the professional opinion of the archaeologist, such monitoring is unnecessary. If the archaeologist determines that monitoring is unnecessary for a particular phase of the grading and excavation activities, the archaeologist will notify TUD in writing. TUD shall be responsible for the costs of all archaeological monitoring.

**Mitigation Monitoring CULT-6:**

Prior to issuance of an encroachment permit from Tuolumne County, the Tuolumne Utilities District will execute an agreement with an archaeologist meeting the Secretary of the Interior's standards and guidelines describing the nature of the monitoring work to be

performed, duration of the work, agreed cost and hours of work, provisions for hiring Native American monitors, as needed (including costs for Native American Monitors and whether the archaeologist or TUD will pay Native American monitors) and related matters.

Proper implementation of the preceding measures is expected to minimize potential impacts to a level of less-than-significant.

**Mitigation Measure CULT-7: Unanticipated Cultural Resource Discoveries**

If a cultural resource is discovered during construction activities, the construction contractor shall comply with the following provisions:

- A. The person discovering the cultural resource shall notify the Tuolumne Utilities District or the project's designated qualified cultural resource professional by telephone within 4 hours of the discovery or the next working day if the department is closed.
- B. When the cultural resource is located outside the area of disturbance, the project's designated qualified cultural resource professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, driveways or utility lines, grading and vegetation removal areas, plus 100 feet.
- C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by site's designated qualified cultural resource professional may continue. The project's designated qualified cultural resource professional shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.
- D. When the cultural resource is determined to be not significant, the project's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project's designated qualified professional.
- E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by the project's designated qualified cultural resource professional or a cultural resource management plan shall be prepared by the project's designated qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The project's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project's designated qualified cultural resource professional. All further activity authorized by this permit shall comply with the cultural resources management plan.

For the purposes of implementing this measure, a "qualified cultural resource professional" is an individual (e.g., historian or archaeologist) meeting the Secretary of the Interior's Qualification Standards.

A “cultural resource” is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on or is eligible for listing on the National Register of Historic Places, the California Register of Cultural Resources, or any local register. Examples of prehistoric resources may include: stone tools and manufacturing debris; milling equipment such as bedrock mortars, portable mortars, and pestles; darkened or stained soils (midden) that may contain dietary remains such as shell and bone; as well as human remains. Historic resources may include: burial plots; structural foundations; mining spoils piles and prospecting pits; cabin pads; and trash scatters consisting of cans with soldered seams or tops, bottles, cut (square) nails, and ceramics.

**Mitigation Monitoring CULT-7:** The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of TUD with input from the project’s designated qualified cultural resource professional, if necessary.

**Mitigation Measure CULT-8: Human Remains**

If human remains, burial, cremation of other mortuary features are uncovered during construction activities; upon discovery, secure the location, do not touch or remove remains and associated artifacts; do not remove associated spoils or go through them; document the location and keep notes of activity and correspondence. All work within 100 feet of the discovery shall stop until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to obtain the Most Likely Descendent (MLD) and follow state law (PRC 5097.9 et seq. and Health and Safety Code 7050.5(c)-7054.1 and 8100 et seq.). No further work or disturbance shall occur within 100 feet until all of the preceding actions, as applicable to the discovery, are implemented and completed. Preserve associated spoils without further disturbance, do not touch or remove remains or associated artifacts, document the location and maintain notes of activity and correspondence. Preservation *in situ* is the preferred treatment of human remains and associated burial artifacts. [Public Resources Code Sections 5097.94, 5097.98 and Health and Safety Code Section 7050.5(c) and Section 15064.5 of the California Code of Regulations implementing the California Public Resources Code, Sections 21000-21177]

**Mitigation Monitoring CULT-8:** The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of TUD and TUD’s construction contractor.

**Mitigation Measure CULT-9: Standard Road Stone Culvert Avoidance**

An archaeological monitor shall be present during excavation on top of the Standard Road Culvert to provide guidance for preservation to the extent possible. If construction encounters a structure under the roadway which contradicts the research herein relative to the date of the structure, a qualified architectural historian will re-evaluate the structure pursuant to CULT-7 (Unanticipated Cultural Resource Discoveries).

**Mitigation Monitoring CULT-9:** The required mitigation measure will be implemented during project construction. The measure is the responsibility of the Project archaeologist and TUD’s construction contractor.

**Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources**

Prior to implementing any staging, construction, or ground disturbing activities:

- i) Standard Church Staging Area (See Figure 4). Install high-visibility orange construction/safety fencing along the edge of vegetation surrounding the drainage (bordering the south and west portions of the parking area) to separate the staging area at the Standard Church from riparian vegetation and the drainage surrounding the site.
- ii) Sonora/Mono Toll Road. Install high-visibility orange construction/safety fencing along the edge of Standard Road to preclude staging along the Sonora/Mono Toll Road. (See Figure 5)

No construction-related materials, equipment, trash or other related debris shall be allowed, stored or staged within the fenced area. Fencing shall remain in place until the project is completed. The exact location of fencing shall be determined by the resident engineer in coordination with a qualified biologist with the goal of protecting water quality in the adjacent drainages. Silt fencing or other materials, as required, will be installed consistent with the applicable water quality requirements specified in the Project's Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP). Fencing or other erosion control materials or devices shall be shown on the final construction documents.

These areas will be avoided throughout Project construction and shall be monitored by the project manager throughout construction.

**Mitigation Monitoring CULT-10:** The required mitigation will be assessed pre-construction during plan reviews and throughout project construction by site visits conducted during cultural resources monitoring. The measure is the responsibility of the Construction Contractor.

**Mitigation Measure CULT-11 Sierra Railroad Preservation**

Project Construction shall avoid alterations to the Sierra Railroad. For the short segment within the APE, the Construction Contractor shall either bore under the railroad for pipe placement or place the pipe in the right-of-way where the line has been dismantled. An archaeological monitor shall be present during work in and adjacent to the Sierra Railroad to monitor construction.

**Mitigation Monitoring CULT-11:** The required mitigation will be monitored during work at and adjacent to the Sierra Railroad Crossing through the APE. The measure is the responsibility of the Construction Contractor.

**Mitigation Measure CULT-12: Project Scope Changes**

If the project develops beyond the scope and project description as described herein, further archaeological study and an addendum to this study may be required.

**Mitigation Monitoring CULT-12:** The required mitigation will be assessed pre-construction during plan reviews and throughout project construction by site visits conducted by cultural resource monitoring. The measure is the responsibility of the TUD.

Proper implementation of these mitigation measures will reduce the potential impact to a level of less-than-significant.

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

**No Impact.** There are no unique geological features known on the site. Paleontological resources have not been previously detected in this area and there is no surface evidence that such resources could exist. Therefore, no impacts are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- d) 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*
- i) 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 ii) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe*

**Less than Significant with Mitigation Incorporated**

A search of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) failed to identify resources in the project area. Letters were sent to individuals on the most recent Tuolumne County Native American Contact List. Phone calls and interviews were attempted with all parties on the list, of these, one Native American representative was contacted and provided input. That input is incorporated herein as project mitigation.

Patrick GIS initiated coordination with the Native American community on November 9, 2017, submitting a formal request to the California Native American Heritage Commission (NAHC) for a Sacred Lands File search, to identify culturally sensitive properties in or near the project area (Appendix B). The NAHC responded on November 27. The search was negative for cultural resources; The NAHC failed to provide a list of local Native American tribal representatives. Ms. Patrick requested the list on November 28 and again on December 4. The NAHC did not respond.

Letters and maps dated December 13, 2017 describing the proposed project were sent to each of the individuals on a current list of representatives (on file with Ms. Patrick) requesting interest or concern regarding the project (Table 1). Follow-up emails were sent on January 2, 2018. Ms. Patrick left a message with the Chicken Rancheria on February 12, 2018 and spoke with Vicki

Stone of the Tuolumne Band of Me- Wuk Indians on the same day. Ms. Stone informed Ms. Patrick that she was aware of sites in the vicinity of the project area and recommended monitoring areas of sensitivity. Ms. Patrick agreed to forward the report to the tribe for review and comments.

As noted previously, site boundaries for prehistoric sites have been recorded up to the road right-of-way: P- 55-1390, -3749, -3169, -6321. Although no associated prehistoric resources were encountered during the surface survey, the likelihood for encountering buried archaeological deposits combined with the overall sensitivity of the project setting is compelling. Project construction includes earth disturbing construction activity. Based on the sensitivity assessment and proximity to previously recorded prehistoric resources, the potential exists to disturb subsurface prehistoric resources —a potentially significant adverse impact.

To address this potential impact, the following measures are proposed:

**Mitigation Measure CULT-1 Extended Phase 1 for Resource P-55-001390**

**Mitigation Measure CULT-2 Conduct Data Recovery for P-55-001390**

**Mitigation Measure CULT-3 Install Fencing around Environmentally Sensitive Areas associated with P-55-001390**

**Mitigation Measure CULT-4 Archaeological Monitoring P-55-001390**

**Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training**

**Mitigation Measure CULT-6: On-Site Monitoring**

**Mitigation Measure CULT-7: Unanticipated Cultural Resource Discoveries**

**Mitigation Measure CULT-8: Human Remains**

**Mitigation Measure CULT-12: Project Scope Changes**

Proper implementation of these mitigation measures will reduce the potential impact to a level of less-than-significant.

## 2.6 GEOLOGY AND SOILS

VI. GEOLOGY AND SOILS. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 <a href="#">Division of Mines and Geology Special Publication 42</a> .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on <a href="#">expansive soil</a> , as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.6.1 Background and Setting

Pursuant to the USDA/California Dpt. of Forestry Cooperative Soil/Vegetation Survey for Tuolumne County (1974), on-site soils are primarily urbanized/industrial (i.e., have been disturbed by development). East of Standard Road are pockets of soil in the Rescue family. The characteristics of these soils include moderately slow permeability, well- drained, and a moderate erosion potential.

### 2.6.2 Analysis

- a) *Expose people or structures to 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?*

#### **No Impact.**

The proposed waterline is not located in a Fault-Rupture Hazard Zone as established by the Alquist-Priolo Earthquake Fault Zoning Act (Hart, 1994)/Division of Mines and Geology Special Publication 42, therefore ground rupture from faulting is not considered a significant hazard.

Pursuant to the Tuolumne County Geotechnical Interpretive maps, no hazardous slopes or fault rupture zones exist in the vicinity.

Because the proposed waterline is a subsurface unoccupied structure, it will not expose persons or structures to substantial risks associated with earthquake faults, ground shaking or liquefaction. The lack of hazardous slopes in the area minimize the potential for seismic related ground failure and landslides. Based on the preceding, the proposed project is expected to have no impact.

- b) *Result in substantial soil erosion or the loss of topsoil?*

**Less Than Significant with Mitigation Incorporated.** As noted, on-site soils have a moderate erosion potential. Temporary construction activities associated with the Project may disturb soils and result in loss of topsoil and soil erosion, a potentially significant adverse impact. The following mitigation measure (detailed in the Biological Resources Section) is proposed.

#### **Mitigation Measure BIO-3: Erosion Control Plan**

The measure requires preparation and implementation of an Erosion Control Plan and submittal of a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit - California's National Pollution Discharge Elimination System (NPDES) general permit for construction related storm water discharges for the disturbance of one acre or more.

Proper implementation of this measure will reduce potential impacts related to soil erosion and loss of topsoil to a level of less-than-significant.

- c) *Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*
- d) *Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

## **No Impact.**

The site is relatively flat and not in an area of unstable slopes (i.e., slopes are less than 15%), therefore impacts associated with slope stability are not anticipated. Compliance with TUD soil testing standards and application of relevant design considerations will ensure that the project will not be located on expansive soils creating a substantial risk to life or property. The following project condition applies:

### **Project Condition GEO-A Soil Testing**

The Project shall comply with TUD soil testing and design standards.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- e) *Would the Project 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?*

**No Impact.** The Project involves installing a waterline, therefore, no septic tanks are proposed. Therefore, no impacts are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.7 GREENHOUSE GAS EMISSIONS

VII. GREENHOUSE GAS EMISSIONS. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 <a href="#">regulation</a> adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.7.1 Background and Setting

Project related changes in emissions of greenhouse gases (GHG) including carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) provide the basis for evaluating potential impacts associated with GHG. These are converted to a common factor known as metric tons per year (MT/yr) of carbon dioxide equivalent (CO<sub>2</sub>e) for the measurement of GHG emissions.

### 2.7.2 Analysis

- a) [Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?](#)

#### Less than Significant.

The TCAPCD does not specify significance thresholds for GHG emissions. In consultation with TCAPCD staff (Sandman pers. comm.), this report applies a GHG significance threshold adopted by an air pollution control district in a similarly-situated foothills location. The Placer County Air Pollution Control District (PCAPCD) Board of Directors adopted a set of significance thresholds on October 13, 2016. These thresholds are presented in the PCAPCD documents *Placer County Air Pollution Control District Policy – Review of Land Use Projects Under CEQA* (Placer County Air Pollution Control District 2016) and *CEQA Air Quality Handbook* (Placer County Air Pollution Control District 2017).

The PCAPCD significance threshold for construction-related GHG emissions is 10,000 metric tons of carbon dioxide equivalent emissions per year (MT CO<sub>2</sub>e/yr). If the proposed project's construction-related GHG emissions exceed this threshold, the project will be considered to have a significant effect on GHG emissions.

The PCAPCD significance thresholds for operational emissions are used in this report in the evaluation of operational GHG emissions impacts. As described in the *CEQA Air Quality Handbook*:

*“The District’s adopted GHG significance thresholds include three components:*

- 1) *Bright-line Thresholds of 10,000 metric tons (MT) of carbon dioxide equivalent per year (CO<sub>2</sub>e/yr),*
- 2) *Efficiency Matrix for residential and non- residential development, and*
- 3) *De Minimis Level for the operational phase of 1,100 MT CO<sub>2</sub>e/yr).*

*The Efficiency Matrix and De Minimis Level are only applied to a land use project's operational phase. For a land use project, it can be considered as less than cumulatively considerable and be excluded from future GHG impact analysis if its operational phase GHG emissions are equal to or less than 1,100 MT CO<sub>2</sub>e/yr. A land use project with GHG operational emissions between 1,100 MT and 10,000 MT CO<sub>2</sub>e/yr can still be found less than cumulatively considerable when the results of the project's related efficiency analysis meets one of conditions in the efficiency matrix for that applicable land use setting and land use type."*

#### Project Construction and Operations

Construction of the proposed project would result in the generation of GHG emissions. During the construction period, construction activity would generate 284.87 MT of CO<sub>2</sub>e emissions. This amount is less than the 1,100 MT/yr significance threshold for GHG emissions. Therefore, this impact is considered less than significant and no mitigation measures are required.

The Curtis Creek Waterline Extension Project would not result in a long-term change in water system capacity. As a result, the project would not result in a change in long-term operational GHG emission. This impact is considered less than significant and no mitigation measures are required.

#### Construction - Potentially Accelerated Planned Growth Projects

Construction of the potentially accelerated planned growth projects would result in the generation of GHG emissions. Construction-related GHG emissions would range from a low of 323.91 MT CO<sub>2</sub>e/yr to a high of 485.23 MT CO<sub>2</sub>e/yr.

GHG emissions associated with each of the potentially accelerated planned growth project construction periods would be less than the 10,000 MT CO<sub>2</sub>e/yr significance threshold. Therefore, this impact is considered less than significant, and no mitigation measures are required.

#### Operational – Potentially Accelerated Planned Growth Projects

Operation of the potentially accelerated planned growth projects would result in the generation of GHG emissions as follows.

- Operational emissions would exceed the 1,100 MT CO<sub>2</sub>e/yr de minimis level;
- Operational emissions would not exceed the 10,000 MT CO<sub>2</sub>e/yr bright-line threshold;

- The non-residential operational emissions would have an efficiency matrix value of 24.37 MT CO<sub>2</sub>e/yr per 1,000 square feet of commercial use, which is less than the 26.5 MT CO<sub>2</sub>e/yr per 1,000 square feet of commercial use threshold; and
- The residential operational emissions would have an efficiency matrix value of 3.63 MT CO<sub>2</sub>e/yr per capita of residential development, which is less than the 4.5 MT CO<sub>2</sub>e/yr per capita of residential use threshold.

Because operations of the potentially accelerated planned growth projects would result in GHG emissions less than the 10,000 MT CO<sub>2</sub>e/yr bright-line threshold, and the efficiency matrix values would be less than the commercial and residential efficiency matrix thresholds, this impact is considered less than significant and no mitigation measures are required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less Than Significant.**

Tuolumne County adopted a Regional Blueprint Greenhouse Gas Study in January 2012 to reduce GHG emissions to 1990 levels by 2020 pursuant to Assembly Bill 32. That study requires new development to meet project-level screening criteria that *either* is equal to or less than the project size screening criteria as follows:

Single Family	4 parcels
Apartment, Condo, Townhouse	8 dwelling units
Commercial/Retail	2,000 square feet
Industrial	5,000 square feet

\*Note: These screening criteria represent the maximum operational size of a project by land use type.

Alternatively, the project may incorporate *all* of the following measures and the lead agency or applicant would not need to perform a detailed GHG emissions assessment.

**P-1:** Project exceeds the California Energy Code requirements by 15 percent, based on the 2008 Energy Efficiency Standards requirements, through the installation of energy efficient design, lighting, equipment, appliances, or solar photovoltaic panels that provide 15 percent or more of the project's energy needs.

**P-2:** Project does not include fuel oil as a heating source.

**P-3:** Project provides dedicated and accessible recycling and green waste bins with instructions/education program explaining how to use the bins, what can go into each bin, and the importance of recycling.

**P-4:** Project (non-residential only) provides designated parking for any combination of low-emitting, fuel-efficient and carpool/vanpools vehicles at 10 percent of the total spaces, consistent with the 2010 California Green Building Standards Code Tier 1 measure (Table A5.106.5.1.1).

\*Note: A project using this screening criteria table must incorporate all project features (P-1 through P-3 for residential, and P-1 through P-4 for non-residential) listed above.

If a project does not meet either set of screening criteria, procedures to assess GHG emissions and mitigation measures are provided.

More importantly, the Blueprint GHG Study states that the screening criteria is best used for typical development projects processed by the County, such as residential subdivisions, multi-family residential apartments, condominiums and townhouses, retail commercial, office buildings, and typical warehousing. Less common types of industrial projects, such as cement or refrigerant manufacturing and electric generating stations cannot use the screening criteria tables because those types of uses were not contemplated in the tables. In addition, if a project includes emissions from stationary source engines (e.g., back-up generators) and industrial sources subject to Air District Rules and Regulations, the screening criteria should not be used. The proposed waterline extension is not a typical development project and, therefore, Tuolumne County's Blueprint GHG Study was not applied to the Project.

As an alternative to all of the preceding, a project may demonstrate consistency with the project-level threshold of 4.6 metric tons of carbon dioxide equivalent per service population per year as identified in the Tuolumne County Regional Blueprint Greenhouse Gas Study. If the project exceeds the 4.6 metric tons of carbon dioxide equivalent per service population per year, a significant adverse impact will be assumed.

For Potentially Accelerated Planned Growth Projects; however, the 4.6 metric tons of CO<sub>2</sub>e/yr criteria may be applied as follows per the Project's Air Quality study:

- The residential operational emissions would have an efficiency matrix value of 3.63 MT CO<sub>2</sub>e/yr per capita of residential development, which is less than the 4.6 MT CO<sub>2</sub>e/yr per capita of residential use threshold in Tuolumne County's Blueprint GHG Study. Therefore, the potential impact is less than significant and no mitigation measures are required.

For the Commercial segments of the potentially accelerated planned growth projects, the Tuolumne County Regional Blueprint Greenhouse Gas Study does not provide guidelines for estimating potential emissions for not-yet-defined projects, therefore, the GHG emission threshold and guidelines of the Placer County Plan are applied herein and, as discussed, find that the potential impacts associated with GHG emissions for the commercial uses will be less-than-significant.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.8 HAZARDS AND HAZARDOUS MATERIALS

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 <a href="#">65962.5</a> 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 for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.8.1 Background and Setting

Hazardous materials include flammable, reactive, corrosive, or toxic substances that, because of these properties, pose potential harm to the public or environment.

Materials associated with the operation of the proposed project are required to be handled, stored, transported, and disposed of according to a framework of federal, state and local regulations.

Regulatory bodies include, but are not limited to, the California Environmental Protection Agency, Department of Toxic Substances Control, Calaveras County Environmental Health, U.S. and California Department of Transportation and the California Division of Occupational Safety and Health.

## 2.8.2 Analysis

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**No Impact.** The project involves installing a new water line. No transport, use or disposal of hazardous materials is anticipated. Therefore, no impacts will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- 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?*

**No Impact.** A review of the California Department of Toxic Substances Control (DTSC) database, EnviroStor, which lists hazardous materials sites compiled pursuant to California Government Code Section 65962.5; GeoTracker, which provides information on Leaking Underground Storage Tanks (LUST) and other cleanup sites; and EPA's Toxic Release Inventory (EPCRA TRI) shows:

1. A leaking underground storage tank (diesel) was reported in 1994 at the Curtis Creek Elementary School. The clean-up case was closed in May 2000.
2. A leaking underground storage tank (gasoline) was reported in 1996 at the Mono Village Card Lock at 19471 Village Drive. The clean-up case was closed in 1996.
3. A leaking underground storage tank (gasoline) was reported in 1986 at the Circle K Gas Station at the NE corner of the intersection of Standard Road and Mono Way. The clean-up case was closed in 2002.
4. The area surrounding the project site is an active lumber mill that formerly performed wood treatment operations. Wood treating facilities at the site included a dip tank for containment and immersion of fungicide, and a green chain which was used to sort lumber prior to stacking. Both structures were dismantled and removed in 1985. Prior to 1985, tetrachlorophenol (TCP) and pentachlorophenol (PCP) were used as fungicides for wood treatment. Contaminated soil and buried drums have been removed. The contaminated soil left in place has been covered with an asphalt cap. The site does not

currently use any hazardous substances. Based on contacts with Region 5 of the Regional Water Quality Control Board, no further information or noted hazards are identified.<sup>7</sup>

1. The Sonora High School East Campus (aka Wildcat Ranch) is located south of the intersection of Tuolumne and Wards Ferry Roads. Currently the site is agricultural/grazing land with potential problems from an underground storage tank on immediately adjacent property (a 500-gallon underground storage tank registered as being located on the Kelley Ranch immediately adjacent to the proposed school site, however the disposition of this tank is not determined) and due to an abandoned campsite on the property (with two pits and other debris). In 2000, DTSC recommended that the site be directed to enter DTSC's Voluntary Cleanup Program (VCP) for completion of a Preliminary Endangerment Assessment (PEA). No follow-up has been documented. The site is in excess of 3,000 feet southwest of the nearest portion of the proposed waterline. Therefore, potential contamination from these hazards are not anticipated within the project boundaries.
2. Just under one-mile northwest of the project site, along Tuolumne Road, a leaking underground storage tank (diesel) clean-up occurred at the Sonora Mini-Mart with clean-up of the site completed in June 2011.
3. Just under one-mile northwest of the project site, along Tuolumne Road, a leaking underground storage tank (gasoline) clean-up occurred at the Benites Distributing Company with clean up completed in January 2005.

Based on the preceding, no impacts associated with known hazardous material sites are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- 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 for people residing or working in the Project area?*

**No Impact.** The Project is not located within the boundaries of an Airport Land Use Plan. Therefore, no impacts are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

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<sup>7</sup> Robert L'Heureux at RWQCB Region 5 by phone , 7/9/18 and subsequent follow-up

- f) *For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?*

**No Impact.** The Project is not located in the vicinity of a private airstrip. Therefore, no impacts are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**No Impact.** Due to the commercial retail nature of the project on a parcel previously developed with commercial uses, the project is not anticipated to interfere with the movement of people or materials along emergency access or evacuation routes; therefore, it will not physically interfere with an adopted emergency response or evacuation plan and no impact is anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

**No Impact.** The Project will not introduce residential uses into the urban/wildland interface. The site is located within a developed, incorporated city bordering a state highway. The majority of on-site vegetation will be removed for construction thereby significantly reducing the fuel load on site. Therefore, due to the size, nature and location of the proposed project, impacts associated with wildland fires are not anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.9 HYDROLOGY AND WATER QUALITY

IX. HYDROLOGY AND WATER QUALITY. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any <a href="#">water quality standards or waste discharge requirements</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete <a href="#">groundwater</a> supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a <a href="#">federal Flood Hazard Boundary</a> or <a href="#">Flood Insurance Rate Map</a> or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.9.1 Background and Setting

Cherokee Creek runs through the southeastern-most tip of the project site. An environmental protection area has been incorporated into the project design extending approximately 100 feet from the centerline of the creek. This protection area will ensure no disturbances to the creek and that no proposed structures on site will be threatened by flooding from the creek.

### 2.9.2 Analysis

- a) Violate any water quality standards or waste discharge requirements?*
- f) Otherwise substantially degrade water quality?*

#### **Less Than Significant with Mitigation Incorporated.**

Temporary construction activities associated with Project construction may temporarily disturb soils and result in loss of topsoil and soil erosion. Runoff could carry eroded soils into the North Fork of Curtis Creek as it crosses Standard Road within the Project boundaries thereby degrading water quality, a potentially significant adverse impact. In addition, the National Pollution Discharge Elimination System (NPDES) stormwater program is administered by the California Regional Water Quality Control Board and regulates such discharges to reduce non-point source pollutants associated with runoff relative to construction activities.

Based on the preceding, the following mitigation measure, as detailed in the Biological Resources Section is proposed:

#### **Mitigation Measure BIO-3: Erosion Control Plan/Notice of Intent**

The measure requires preparation and implementation of an Erosion Control Plan and submittal of a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit - California's National Pollution Discharge Elimination System (NPDES) general permit for construction related storm water discharges for the disturbance of one acre or more.

Proper implementation of this measure is expected to minimize the potential impacts of the project on water quality to a level of less-than-significant.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?*

**No Impact.** The proposed Project will install a water line supplying public water from the Tuolumne Utilities District's existing water supply. No known aquifers occur in association with the site. No use of groundwater is required or proposed. Therefore, based on the nature of the proposed Project, no impact, will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*
- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

**No Impact.** No drainages patterns will be altered by the project. The waterline will be installed over the top of an existing culvert that carries the North Fork of Curtis creek below Standard Road. However, no changes to the drainage patterns of the creek will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- e) *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

**No Impact.** The proposed project will remove and replace some existing pavement during waterline installation. Increases in impermeable surfacing are not anticipated. Therefore, no impacts will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*
- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

**No Impact.** No housing is proposed in conjunction with the proposed Project, therefore no impacts associated with placing housing in a flood hazard area are anticipated.

Pursuant to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Community Panels # 06109C0852C, 4C, 6C, and 8C (effective date April 16, 2009), identifies that the Project boundaries are located within a Flood Zone X, an area determined to be outside the 0.2% annual chance (or 500-year) floodplain. Therefore, the proposed Project will not be placed within a 100-year flood hazard area and no impact is anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

**No Impact.** There are no substantive dams along Curtis Creek upstream of the North Fork of Curtis Creek. The nearest dam is located at Phoenix Lake on Sullivan Creek. Failure of that dam could result in localized flooding; however, such flooding would occur west of Standard Road and would not impact the proposed waterline. Therefore, no impact is anticipated.

**Mitigation Measure:** None required.  
**Mitigation Monitoring:** Not applicable.

*j) Cause inundation by seiche, tsunami, or mudflow?*

**No Impact.** The Project is not located adjacent to steep slopes at risk of failure, large water bodies such as a lake, and is not located near the ocean; therefore, inundation from seiche, tsunami, or mudflow is not anticipated. Based on the nature and location of the proposed Project, no impact is anticipated.

**Mitigation Measure:** None required.  
**Mitigation Monitoring:** Not applicable.

## 2.10 LAND USE AND PLANNING

<b>X. LAND USE AND PLANNING.</b> Would the Project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.10.1 Background and Setting

Existing land uses within and adjacent to the Project are shown in **Figure 7** and include:

**Table 5: Surrounding Land Uses**

<b>Direction</b>	<b>Land Use</b>	<b>General Plan</b>	<b>Zoning</b>
West	Standard Lumber Mill	Heavy Industrial (HI)	Light and Heavy Industrial
Southwest	Peaceful Oaks Estates Subdivision	Low Density Residential (LDR)	Residential Estate, one acre minimum: Mobilehome exclusion combining district and Open Space  Single-family Residential: Planned Development: Mobilehome Exclusion Combining District.
East	Peaceful Oaks Estates Subdivision	Low Density Residential (LDR)	Single-family Residential: Planned Development: Mobilehome Exclusion Combining District; Open Space, Recreation
Central	Central Commercial District  Vacant Commercial	Heavy Commercial (HC)  General Commercial (GC)	Heavy Commercial  Light Commercial/Heavy Commercial (C-1/C-2)
North	Mono Way  Vacant Commercial	Public (P)  General Commercial (GC)	Public (P)  Light Industrial (M-1), Single-Family Residential (R-1)
South	Curtis Creek Elementary	Public (P)	Public (P)
Southeast	Peaceful Oaks Estates Subdivision	Low Density Residential (LDR)	Single-family Residential: Mobilehome Exclusion Combining District; Open Space, Recreation

Figure 7: Surrounding Land Uses



## 2.10.2 Analysis

### a) *Physically divide an established community?*

**No Impact.** The Project involves installation of a waterline below ground and within the right-of-way of an existing roadway through the center of the established community of Standard. Therefore, no impact is anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

### b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

**No Impact.** The project is located within the boundaries of the East Sonora Community Plan, part of the Tuolumne County General Plan. The Plan is currently being revised in conjunction with a comprehensive update of the County's 1996 General Plan. The applicable program from the East Sonora Community Plan, although not adopted to avoid or mitigate an environmental effect, is:

**16.C.3 Limit Crossings of Waterways** – *Limit the number of road crossings of streams, creeks and other tributaries of Sullivan, Sonora and Curtis Creeks to minimize impacts of (sic) riparian habitat as a condition of approval of entitlements for new development.*

The proposed waterline will cross the North Fork of Curtis Creek, but will use an existing road crossing without creating a new crossing for the waterline. Therefore, the proposed project is consistent with this provision of the East Sonora Community Plan.

Other goals, policies and programs of the Tuolumne County General Plan applicable to the project includes:

**7.A.a Assist County Schools** *Provide assistance to the County Superintendent of Schools Office and the school districts within Tuolumne County regarding school facilities planning, land use, growth trends, and potential school sites.*

**7.C.2 Encourage the provision of public schools that are physically and functionally integrated with their surrounding neighborhoods or service areas.**

The Project is consistent with the preceding because it encourages the integration of the Curtis Creek Elementary School into the Tuolumne Utilities District water service district and addresses the school's planning needs relative to adequate infrastructure.

**7.I.1 Advocate the consolidation of water purveyors in the County to facilitate improvements to the infrastructure and consistency of water quality of the systems.**

***7.1.b Support Consolidation of Smaller Systems*** Assist and support actions by larger water purveyors and special districts to incorporate and maintain existing smaller systems and isolated privately or mutually-owned water supply systems.

The Project is consistent with the preceding because it will result in the consolidation of a previously independent and isolated water purveyor (the school) with a larger water system and water purveyor (TUD) allowing for improved and more dependable water service.

Based on the preceding, the proposed project is consistent with the Tuolumne County General Plan and East Sonora Community Plan and no potentially significant adverse impacts associated with the Project will occur as a result of a conflict with regulation of an applicable plan adopted for the purpose of mitigating an environmental impact.

*c) Conflict with any applicable habitat conservation plan or natural community conservation plan?*

**No Impact.** Neither an HCP nor an NCCP exists in the Project boundaries or the vicinity. Therefore, no impacts are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.11 MINERAL RESOURCES

<b>XI. MINERAL RESOURCES.</b> Would the Project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Result in the loss of availability of a known <a href="#">mineral resource</a> that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.11.1 Background and Setting

Pursuant to the Department of Mines and Geology (now California Geological Service) Open File Report 97-09 *Mineral Land Classification of a Portion of Tuolumne County, CA for Precious Metals, Carbonate Rock and Concrete Grade Aggregate* (Department of Conservation Division of Mines and Geology, 1997) the following data related to mineral resources is known for the site:

Carbonate Rock: MRZ-4 – an area of no known mineral occurrence wither geological information does not rule out presence or absence.

Precious Metals: MRZ-3b – an area of inferred resources with undetermined significance.

Aggregate: Unclassified.

### 2.11.2 Analysis

- 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?*

**No Impact.** The project boundaries and surrounding area do not contain known deposits of mineral resources of value to the region, state or that are locally important as delineated in a local plan. Therefore, no impacts associated with mineral resources are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.12 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. NOISE</b> -- Would the Project result in:				
a) Exposure of persons to or generation of noise levels 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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"/>
f) For a Project within the vicinity of a private airstrip, 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"/>

### 2.12.1 Background and Setting

The Project site is within an existing roadway that divides the eastern and western halves of the Standard Community. Operational noise from the below-ground water line is not anticipated. However, equipment temporarily will generate noise during waterline construction. Potential sensitive noise receptors include Curtis Creek Elementary School to the south and various commercial uses in central Standard.

### 2.12.2 Analysis

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
- b) *Result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?*
- c) *Result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?*

**No impact.** The waterline will be underground within an existing road right-of-way. The operation of the waterline is not expected to be detectable given its underground location and

the existing ambient noise generated by traffic along Standard Road. Therefore, no impact is anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- d) *Result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?*

**Less Than Significant with Mitigation Incorporated.** Long-term operation of the proposed Project is not expected to increase above existing ambient noise levels. However, ground-borne vibrations and ground-borne noise will temporarily increase during construction – a temporary and potentially significant adverse impact. Therefore, the following mitigation measure, is proposed.

#### **Mitigation Measure BIO-10: Hours of Construction**

Proper implementation of the preceding measure is expected to minimize the temporary increase in noise levels associated with Project construction to a level of less-than-significant.

- 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 expose people residing or working in the Project area to excessive noise levels?*
- f) *For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?*

**No Impact.** The Project is not located within an airport land use plan or in the vicinity of a private airstrip. Therefore, no impact is anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.13 POPULATION AND HOUSING

XIII. POPULATION AND HOUSING. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.13.1 Background and Setting

The proposed project will introduce a waterline just over one mile in length through an area previously unserved by public water. **Figure 8** identifies development already approved or expected to occur based on the Tuolumne County General Plan that, in addition to the school, will have access to the proposed waterline:

- A retail commercial project southeast of the intersection of Standard Road & Mono Way. This project would involve development of a site 3.22 acres in size. This project is referred to as the “North Retail Commercial Project”
- The Peaceful Oak Subdivision project is on a 438-acres site plus open space for a total of 612.3 acres. The majority of this project is north and east of the Curtis Creek Elementary School on the east side of Standard Road. However, portions of this project are west and south of Curtis Creek Elementary School, including a portion west of Standard Road. The project includes 306 residential lots developed in four phases. Approved in 2008 by the Tuolumne County Board of Supervisors, final expiration of the Tentative Subdivision Map is: March 16, 2023.
- A retail commercial project on the east side of Standard Road approximately one and a half mile south of the intersection of Standard Road & Mono Way. This project would involve development of a site 7.88 acres in size. This project is referred to as the “South Retail Commercial Project.”



### 2.13.2 Analysis

- a) *Induce substantial 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)?*

**Less Than Significant.** The purpose of the proposed water line is to bring the Curtis Creek Elementary school's water system into compliance with state regulations, meet system demands, maintain adequate service pressures, and provide efficient, safe and reliable water service for the school. In tying the school to the Tuolumne Utility District's existing public water supply, the water line also will pass along the frontage of two undeveloped commercial areas and a large approved residential subdivision along Standard Road providing these three areas with a public water supply with adequate fire flow where none previously existed.

The Peaceful Oak Subdivision (residential) project totals 612.3± acres and will provide 306 residential units to be developed in four phases. The majority of this project is north and east of the Curtis Creek Elementary School on the east side of Standard Road. Portions of this project also are west and south of Curtis Creek Elementary School, including a portion west of Standard Road. The project was approved pursuant to an Environmental Impact Report certified by the Tuolumne County Board of Supervisors in 2008. The final expiration of the Tentative Subdivision Map for the Peaceful Oaks Subdivision is March 16, 2023.

To develop, the Peaceful Oak Subdivision must fulfill dozens of required mitigation measures prior to 2023. One condition requires the subdivision to be served by public water with adequate fire flow. If the proposed Curtis Creek water line extension is construction in 2018/2019, a portion of one condition necessary to finalize the project's subdivision map could be partially met. However, even with improved access to public water, acquisition of a final subdivision map enabling development still require construction of a 1.3± million-gallon water storage tank and other agreements with TUD. If access to the water line and the other dozens of mitigation measures required for a final map are met, subdivision construction might commence up to four years earlier than might otherwise be possible. The potential for a planned and already-approved subdivision, expected to commence construction on or about 2008, to commence construction 10-11 years *after* anticipated, is a less-than-significant indirect impact related to growth.

Similarly, construction of the Curtis Creek waterline could encourage the 3.2± acre North Retail Commercial property to develop sooner than might otherwise occur. However, the parcel already is within 500-feet of the existing public water supply line from the vicinity of the nearby McDonald's. Therefore, construction of the Curtis Creek Water Line could reduce the distance required for the water line extension necessary to develop the North Retail Commercial by approximately 380 feet—a potential incentive to develop the commercial property sooner rather than later. However, other factors also affect the development of the North Retail Commercial Property. Specifically, site access. An on-ramp is proposed in the area to allow access to the SR 108 By-Pass. The North Retail Commercial site is in a prime location to benefit from the proposed on-ramp. It is more likely that the commercial site will develop in conjunction with construction of the access ramp, than based on the reduced distance required for a water line

extension to serve the property. Therefore, the potential to induce growth on the parcel as a result of the extension of the Curtis Creek water line is less-than-significant.

Finally, the 7.9± acre South Retail Commercial parcel could benefit from construction of the Curtis Creek water line and potentially develop sooner than might otherwise occur without the water line extension. However, given the overall growth anticipated for the Standard Townsite (600-acre residential subdivision) and the several hundreds of acres of adjacent commercial development west of the Standard Townsite (East Sonora), development of 7.9± acres of commercial land within the Standard townsite constitutes less than 1% of growth in the area and is, therefore, considered less-than-significant growth.

Based on the preceding, indirect growth that may be associated with construction of the Curtis Creek water line is less-than-significant.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

**No Impact.** No residences will be demolished and no people will be relocated in conjunction with the proposed Project. Therefore, no significant adverse impacts are anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.14 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES.</b>				
a) 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.14.1 Background and Setting

Tuolumne County provides fire and law enforcement services to the project area. While homes currently are not located within the Standard Community, Curtis Creek Elementary school serves students throughout the surrounding area and the purpose of this project is to provide a public water source to that school. The Sonora Union High School District serves area high school students. Other agencies providing support services to County agencies serving Standard include CalFire. A regional park (Standard Park) providing baseball and soccer fields is located west of Curtis Creek Elementary School at the intersection of Standard Road and Tuolumne Road.

### 2.14.2 Analysis

- a) Substantial adverse physical impact associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: fire protection, police protection, schools, parks?

**No Impact.** The proposed water line will not increase demand for fire protection, police protection, schools, parks or other public facilities; however, the water line will improve fire protection service and public water service to the area's elementary school.

*No Significant Impact with Mitigation Incorporated.* Should Peaceful Oaks Estates Subdivision develop a few years sooner than might otherwise occur without the water line (See Population and Housing Section), potential indirect impacts to public services associated with that development are addressed in that project's Environmental Impact Report and include: security lighting, paying the County's Community Services Impact Mitigation Fee, implementing building setbacks and fuel reduction, requiring fire sprinklers, paying applicable school impact mitigation fees, and a fee payment to TUD for construction of required infrastructure to serve the project

Per the Peaceful Oaks Estates EIR, identified mitigation measures will reduce potential impacts to services to a level of less-than-significant

## 2.15 RECREATION

<b>XV. RECREATION.</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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"/>

### 2.15.1 Background and Setting

The closest recreational facility (other than soccer fields and playgrounds at Curtis Creek Elementary School) is Standard Park, a regional park facility located at the intersection of Tuolumne and Standard Roads providing baseball and soccer fields.

### 2.15.2 Analysis

- a) *Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
- b) *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?*

#### No Impact

The proposed water line does not require construction of recreational facilities. Therefore, no direct impact is anticipated.

*Less Than Significant.* Should Peaceful Oaks Estates Subdivision develop a few years sooner than might otherwise occur without the water line (See Population and Housing Section), potential indirect impacts to recreational facilities associated with that development are addressed in that project's Environmental Impact Report were determined to be less than significant due to dedicated recreational areas within the proposed subdivision that exceeded county requirements.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

## 2.16 TRANSPORTATION

<b>XVI. TRANSPORTATION/TRAFFIC.</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>Would the Project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.16.1 Background and Setting

### 2.16.2 Analysis

- a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*
- b) *Conflict with an applicable congestion management program including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*
- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*
- f) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

**No Impact.**

The project involves constructing a water line within the Standard Road right-of-way and will not permanently alter the existing alignment or construction of Standard Road. Therefore, the proposed project will have no impacts on transportation. The project does not occur near an airport and will, therefore, not change air traffic patterns.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

e) *Result in inadequate emergency access?*

The project itself will not alter emergency access; however, during construction, traffic flow through Standard and access into and out of Curtis Creek Elementary School could be disrupted – a potentially significant adverse impact for emergency responders. The following mitigation measure is proposed:

**Mitigation Measure TRAN-1 (Traffic Access Management Plan)**

Prior to commencing work within public roadways, the Contractor will prepare (to the District's satisfaction), and throughout project construction will implement, a traffic access management plan to maintain emergency ingress, egress, and daily traffic flows throughout the Project boundaries. The access management plan should address public notification of upcoming construction, anticipated road closures, and detours (e.g., publication in local newspaper, electronic message boards, coordination with Curtis Creek Elementary School and downtown businesses). The District will coordinate road closures with the Tuolumne County Fire Department and Curtis Creek Elementary School to ensure that emergency ingress and egress is addressed prior to and during land closures.

**Mitigation Monitoring TRAN-1:** The traffic access management plan will be prepared prior to initiating project construction and implemented throughout project construction. The measure is the responsibility of the construction contractor in consultation with the Tuolumne County Fire Department and Curtis Creek Elementary School.

Proper implementation of the preceding measure will reduce the potential impacts on emergency access to a level of less than significant.

## 2.17 UTILITIES AND SERVICE SYSTEMS

<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the Project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Exceed wastewater treatment requirements of the applicable <a href="#">Regional Water Quality Control Board</a> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with <a href="#">federal</a> , <a href="#">state</a> , and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.17.1 Background and Setting

No public water is currently provided to the Standard Community. Public Sewer is provided by the Tuolumne Utilities District.

### 2.17.2 Analysis

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*
- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

- d) *Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?*
- e) *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 provide existing commitments?*
- f) *Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?*
- g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

**No Impact.** Due to the size, nature and location of the water line project, it will not require water treatment, will not generate wastewater, will not generate storm water runoff and will not generate solid waste. Therefore, no impacts are anticipated.

*No Significant Impact with Mitigation Incorporated.* Should Peaceful Oaks Estates Subdivision develop a few years sooner than might otherwise occur without the water line (See Population and Housing Section), potential indirect impacts to wastewater infrastructure and capacity, solid waste disposal and storm drainage associated with that development are addressed in that project's Environmental Impact Report and include: verifying with TUD adequate reclaimed wastewater storage and irrigable lands, establishing a recycling program, preparing a hydrologic and hydraulic analysis to design detention basins, inlets, storm drains and culverts and ensure that storm drain facilities are designed to carry 100 year peak flows.

Per the Peaceful Oaks Estates EIR, these identified mitigation measures will reduce potential impacts to services to a level of less-than-significant

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable

## 2.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 2.18.1 Analysis

- a) *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?*

**Less Than Significant with Mitigation Incorporated.** As detailed in this study, the proposed Project will not have a significant effect on the environment and will not result in any of the impacts requiring a mandatory finding of significance provided the mitigation measures identified herein are properly implemented and maintained as described in the Biological and Cultural Resources sections of this study. The mitigation monitoring and reporting plan and its identified mitigation measures as identified herein applicable to Biological and Cultural Resources, if properly implemented and maintained, will reduce the identified potential impacts to biological and cultural resources to a level of less-than-significant.

- b) *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)?*

**No Impact.** As identified in the preceding study, no cumulatively adverse impacts have been identified for the project.

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Less Than Significant with Mitigation Incorporated.** As described herein, the proposed Project will not result in any substantial adverse effects on human beings either directly or indirectly except for temporary noise increases during project construction. **Mitigation Measure BIO-10**, limiting the hours of construction, will reduce that potential impact associated with temporary noise increases to a level of less-than-significant.

**Mitigation Measures:**

A list of Mitigation Measures anticipated for any future site development is included in **Attachment A** of this report and will be employed to minimize any impacts which might result from future development of the project site.

**Determination**

Based on the information contained in the Initial Study, including incorporation of mitigation measures identified herein, there is no substantial evidence that the project will have a significant adverse effect on the environment. Therefore, approval of the proposed project will not result in significant adverse impacts on either the natural or cultural environment provided the mitigation measures discussed herein are properly implemented and maintained.

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General Manager, Tuolumne Utilities District

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Date

## 2.19 ALTERNATIVES ANALYSIS

The analyzed alternatives are:

Alternative 1: Proposed Project (aka Consolidation Option 1, Phase 1). (See Project Description, **Section 1.3**).

Alternative 2: No Build Alternative. In addition to the Project, a No-Build Alternative is evaluated herein. Under the No-Build Alternative, no changes would be made to the existing water system.

Alternative 3: Construction of a New Water Source and On-Site Fire Storage

This option includes constructing a new well source and fire storage tank to increase storage capacity. The option necessitates acquiring property from an adjacent parcel owner to accommodate a new well, site improvements, storage tank and necessary fire pump to provide required pressures for fire-fighting.

Alternative 4: Consolidation Option 1 Phase II/Interconnect Sunshine Storage: This option would be in addition to the Project and includes an interconnect with TUD's Sunshine storage tank located northeast of the Mono Way connection point. The alternative would require construction of 8,625± linear feet of water line from the Sunshine Tank cross country and down Peaceful Oak Road to Standard Road and the Mono Way connection point.

Alternative 5: Consolidation Option #2 SPI Tank: Construct 1,250 linear feet of new water main from the TUD Sierra Pacific Industries tank to the school.

**Table 6: Comparison of Alternatives**

Alternative	Beneficial Impacts	Adverse Impacts (Direct/Indirect) Potentially foreseeable	Sensitive Environmental Issues	Cumulative Impacts	Potential foreseeable Impacts	Mitigation Measures for Adverse Impacts
Project (1)	Meets irrigation and domestic water demands to avoid school closures  Meets CA Fire Code requirements (safety)	As per the attached analysis herein	Biological Cultural	None	Biological Cultural	See <b>Attachment A</b> – Mitigation Monitoring and Reporting Plan
No Build (2)	No potential impacts to biological or cultural resources and no need for mitigation to protect those resources	Water supply failure result in school shut-downs  Failure to meet CA Fire Code requirements resulting in unsafe conditions for students and faculty Threat from fire may lead to increased increase impacts on fire services  Ongoing need to shut down school could result in need to re-locate or close school	If school closure and relocation to a new site is required – nature and extent of environmental impacts at a new site cannot be predicted.	If school closure and relocation to a new site is required – nature and extent of cumulative environmental impacts at a new site cannot be predicted.	Lack of adequate educational facilities due to closures resulting in necessity to construct a new facility elsewhere with unknown potential impacts	The proposed Project
New Water Source & On-Site Fire Storage (3)	Possibility of reduced potential impacts to biological or cultural resources dependent upon the location of a new well and storage tank	Adverse impact on local hydrology from increased use of groundwater  Potential hydrological impacts on nearby creek with potential associated biological impacts could occur  Well failure during drought	Hydrological and potentially related biological impacts  Nature of Cultural resource impacts is uncertain – This alternative would require acquiring adjacent land which could not be evaluated under this scope.	Hydrological and potentially related biological impacts  Nature of Cultural resource impacts is uncertain – This alternative would require acquiring adjacent land which could not be evaluated under this scope.	See preceding	For potential biological or cultural resource impacts, <b>Attachment A</b> would apply—possibly at a reduced scope than necessary for the project for cultural resources given reduced project site. However, potential impacts to biological resources due to hydrological impacts could be greater than for the proposed project.  Mitigation to avoid potential hydrological impacts could require restrictions to the volume of water available leading to the same issues of safety and school closure currently facing the school.
Interconnect Sunshine Storage (4)	An interconnect would benefit not only the Project site (School), but also water users within the basin by potentially increasing water supply and fire flow to improve development potential along the line.	Increased project site is expected to increase the scope of potential impacts to biological and cultural resources.  Potential for growth-inducing impacts.	Biological Cultural Growth inducement	Growth inducement	See preceding	For potential biological or cultural resource impacts, <b>Attachment A</b> would apply—likely at an increased scope given the significantly increased project size.  Mitigation to address potential growth inducement could involve sizing lines to minimize growth inducement; however, this could make the project economically infeasible. It is more likely that an environmental impact report may be necessary with adoption of overriding considerations related to growth inducement.
SPI Tank (5)	Similar to Alternative 3 with the addition of most impacts associated with the Proposed Project (1). This alternative would continue reliance on groundwater with the addition of 1,250 linear feet of ground disturbance for a new water main. It could provide a temporary fix. Impacts related to growth inducement would be less than those identified in Alternative 4.	Adverse impact on local hydrology from increased use of groundwater  Potential hydrological impacts on nearby creek with potential associated biological impacts could occur  Well failure during drought	Hydrological and potentially related biological impacts  Nature of Cultural resource impacts is uncertain – This alternative would require assessing adjacent land which could not be evaluated under this scope.	Hydrological and potentially related biological impacts  Nature of Cultural resource impacts is uncertain – This alternative would require assessing adjacent land which could not be evaluated under this scope.	See preceding	For potential biological or cultural resource impacts, <b>Attachment A</b> would apply—probably at approximately the same level of impact as the Proposed Project. However, potential impacts to biological resources due to hydrological impacts related to the use of groundwater could be greater than for the proposed project.  Mitigation to avoid potential hydrological impacts could require restrictions to the volume of water available leading to the same issues of safety and school closure currently facing the school.

As illustrated in the preceding table, all of the alternatives provide a similar array of biological and cultural impacts given the region’s historic and prehistoric resources. Alternative #4 adds a high likelihood of growth-inducing impacts, increased biological and cultural impacts and brings the likelihood of an environmental-impact-report-level environmental analysis and potential to require overriding considerations to address what could be an impact that cannot be mitigated. Options 3 and 5 provide a viable short-term remedy, but reliance on groundwater in the County is highly unpredictable and carries both the risk of associated impacts to biological resources and, perhaps most importantly, the loss of adequate water supply and fire flow resulting from drought or over-drafting. Based on the preceding, only the Proposed Project provides the environmentally superior alternative for meeting the long-term needs of the school with a manageable level of environmental impacts.

**ATTACHMENT A**  
**Mitigation Monitoring and Reporting Plan**

<p style="text-align: center;"><b>ATTACHMENT A:</b></p> <p style="text-align: center;"><b>Mitigation Monitoring and Reporting Plan Curtis Creek Water Line</b></p>				
Mitigation Measure Reference	Mitigation Measure	Timing/Frequency	Responsible Entity	Initial/Date
<b>Air Quality</b>				
AQ-1	<p><b><u>Mitigation Measure AQ-1: Dust Control</u></b> Throughout project construction, including demolition, site clearing, grading and associated activities, the Construction Contractor shall be responsible for dust abatement including:</p> <p>A. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut &amp; fill, and demolition activities shall be effectively controlled of fugitive dust emissions using application of water. A water truck shall be present on site throughout construction activities.</p> <p>B. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.</p> <p>C. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.</p> <p>D. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance and visible dust plumes.</p> <p>E. Vehicular traffic speeds on unpaved surfaces shall not exceed 10 miles per hour.</p>	Throughout project construction	Construction contractor	
AQ-2	<p><b><u>Mitigation Measure AQ-2: Equipment Emissions</u></b> Throughout Project construction:</p> <p>A. Properly tune and maintain construction equipment and vehicles. Use low-sulfur fuel in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114 (Compliance with Caltrans' Standard Specifications, Section 14-9).</p> <p>B. The extended idling of heavy-duty diesel-powered construction equipment is prohibited during periods when the equipment is not in use.</p> <p>C. Grid (electrical) power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.</p>	Throughout project construction	Construction contractor	
AQ-3	<p><b><u>Mitigation Measure AQ-3 Open Burning</u></b> During vegetation clearing and grubbing activities; alternatives to open burning of vegetative material will be used unless otherwise deemed infeasible by the TCAPCD. Suitable alternatives include chipping, mulching, or conversion to biomass fuel.</p>	During clearing and grubbing	Construction contractor	
<b>Biological Resources</b>				
BIO-1	<p><b><u>Avoidance and Minimization Measure BIO-1: Environmental Awareness Training</u></b> All contractors involved in site development, affected TUD personnel, applicable County department and school staff, and</p>	Incorporated into the project bid package and	Construction contractor;	

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	<p>environmental specialists (e.g., biologist, archaeologist) will attend a mandatory Environmental Awareness Training prior to any site disturbances. The program will address proper implementation of minimization and avoidance measures contained herein.</p>	<p>contract and implemented throughout project construction. TUD shall have the authority to stop work or remove any construction worker on site that has not completed training.</p>	<p>Project biologist; Project archaeologist</p>	
BIO-2	<p><b>Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources</b></p> <p>Prior to implementing any staging, construction, or ground disturbing activities:</p> <ul style="list-style-type: none"> <li>i) <u>Unnamed drainage/ditch north of North Fork Curtis Creek (see below) and south of Mono Way (See Figure 2, Drainage #1).</u> At the top of bank on both sides of Standard Road, install high-visibility orange construction/safety fencing and silt fencing, fiber rolls, or equivalent erosion and sediment control devices adjacent to the safety fencing to prevent disturbances and erosion into the adjacent drainage.</li> <li>ii) <u>North Fork Curtis Creek (MP 1.25 on Standard Road - See Figure 2, Drainage #2).</u> At the top of bank on both sides of Standard Road adjacent to the north fork Curtis Creek, install high-visibility orange construction/safety fencing and silt fencing, fiber rolls, or equivalent erosion and sediment control devices adjacent to the safety fencing.</li> <li>iii) <u>Unnamed Ephemeral Drainage (MP 0.99 on Standard Road - See Figure 2, Drainage #3).</u> At the top of the east bank only (opposite the Church) adjacent to the unnamed drainage (and extending along the sides), install silt fencing, fiber rolls, or equivalent erosion and sediment control devices (note: An existing concrete headwall and metal bars provides sufficient barriers to encroachment within the drainage itself).</li> <li>iv) <u>Standard Church Staging Area (See Figure 5).</u> Install high-visibility orange construction/safety fencing along the edge of vegetation surrounding the drainage (bordering the south and west portions of the parking area) to separate the staging area at the Standard Church from riparian vegetation and the drainage surrounding the site.</li> <li>v) <u>Sonora/Mono Toll Road.</u> Install high-visibility orange construction/safety fencing along the edge of Standard Road to preclude staging along the Sonora/Mono Toll Road. (See Figure 4)</li> </ul> <p>No construction-related materials, equipment, trash or other related debris shall be allowed, stored or staged within the fenced area. Fencing shall remain in place until the project is completed. The exact location of fencing shall be determined by the resident engineer in coordination with a qualified biologist with the goal of protecting water quality in the adjacent drainages. Silt fencing or other materials, as required, will be installed consistent with the applicable water quality requirements specified in the Project's Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP). Fencing or other erosion control materials or devices shall be shown on the final construction documents.</p> <p>These areas will be avoided throughout Project construction and shall be monitored by the project manager throughout construction.</p>	<p>Measure to be identified in project construction/bid package. Initiated prior to ground disturbance. Implemented and maintained throughout project construction.</p>	<p>Construction contractor</p>	

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BIO-3	<p><b>Avoidance and Minimization Measure BIO-3: Best Management Practices (BMPs) to Protect Water Quality (Including NOI/NPDES/SWPPP)</b></p> <ul style="list-style-type: none"> <li>The Contractor shall prepare an Erosion Control Plan for implementation for any construction to take place between October 15 and May 15 of any year. In the absence of such an approved plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures. If necessary, the plan shall be submitted to Tuolumne Utilities District or the Public Works Department of the CRA (as applicable) for review and approval.</li> <li>Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit - California's National Pollution Discharge Elimination System (NPDES) general permit for construction related storm water discharges for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction-related storm water discharge and the State Water Resources Control Board Permitting Unit shall be contacted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre is to be disturbed. Obtain coverage or an exemption from these requirements. [Federal Water Pollution Control Act, Section 401, California Clean Water Act]. The permit may include preparation of a Stormwater Pollution Prevention Plan (SWPPP).</li> </ul>	<p>Measure to be identified in project construction/bid package.</p> <p>Erosion control plan to be completed prior to October 15<sup>th</sup>.</p> <p>NOI/NPDES to be secured prior to ground disturbance.</p> <p>Implemented and maintained throughout project construction.</p>	Construction contractor	
BIO-4	<p><b>Avoidance and Minimization Measure BIO-4: Native Oak Tree Protection</b></p> <p>Throughout project construction, for native oak trees greater than 5" diameter at breast height (DBH), to the maximum extent feasible:</p> <ul style="list-style-type: none"> <li>Limit ground-disturbing activities to outside the dripline of native oaks and preferably outside 1-1/2 times the dripline;</li> <li>No storage equipment, supplies, vehicles, debris, construction wastewater, paint, stucco, concrete or any other clean-up waste, and temporary or permanent structures shall be placed within the driplines;</li> <li>Avoid cutting oak roots;</li> <li>Use boring, rather than trenching, within driplines;</li> <li>Avoid equipment damage to limbs, trunks, and roots of oaks trees;</li> <li>Do not attach signs, ropes, cables or other items to trees</li> </ul>	Throughout project construction.	Construction contractor	
BIO-5	<p><b>Avoidance and Minimization Measure BIO-5: Preconstruction Surveys Suitable Bat Roosting (or Nursery) Areas &amp; Provisions for Protection, if Identified</b></p> <ul style="list-style-type: none"> <li>15 days or less before commencing ground-disturbing activities between April and September of the construction year, a qualified biologist will survey snags, trees, rock crevices and other suitable cavities and structures in the BSA for roosting bats or bat nurseries.</li> <li>If bats are not found and there is no evidence of bat use, construction may proceed. If bats are found or evidence of use by bats is present, CDFW shall be consulted for guidance on measures to avoid or</li> </ul>	<p>Measure to be identified in project construction/bid package.</p> <p>Surveys will occur within 15 days of commencing construction that occurs</p>	Construction contractor and project biologist	

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	minimize disturbance to the colony or nursery. Subject to CDFW approval, measures may include excluding bats from roosts before construction begins.	between April and September		
BIO-6	<b>Avoidance and Minimization Measure BIO-6: Preconstruction Survey/Relocation for Western Pond Turtles</b> Within 48 hours of commencing site disturbances, the Tuolumne Utilities District, or its representative, shall have a qualified biologist survey for and, if present, relocate any non-nesting western pond turtles from the project site. The biologist shall secure permission from the California Department of Fish and Wildlife to relocate up to 3 western pond turtles prior to commencing the survey. If found on site in locations where harm to the turtle may occur from project activities, the turtle first will be given the opportunity to leave the site on its own if the turtle actively is in the process of attempting to leave the site and is likely to successfully do so within the hour in the opinion of the qualified biologist. Otherwise, the qualified biologist will relocate the turtle downstream of the work area along the creek where permanent or nearly permanent water is pooled or present. At the discretion of the qualified biologist, turtles may be located upstream if higher quality pools with permanent or nearly permanent pools are identified. [California Code of Regulations, Title 14, Division 1, Chapter 5, Subsection 40(b)] <sup>8</sup> .	Mitigation measure will be incorporated into the project bid package and contract and implemented prior to ground disturbances (including staging).	Construction contractor and project biologist	
BIO-7	<b>Avoidance and Minimization Measure BIO-7: Preconstruction Surveys Birds</b> Prior to construction occurring between February 1 <sup>st</sup> and August 30 <sup>th</sup> (e.g., excavation, ground disturbance, or vegetation removal) a preconstruction survey for nesting birds will be conducted in accordance with the CDFW guidelines and a no-disturbance buffer will be established, if necessary.  If equipment staging, site preparation, vegetation removal, grading, excavation or other project-related construction activities are scheduled during the avian nesting season (generally February 1 through August 30), a focused survey for active nests would be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities.  Surveys shall be conducted in all suitable habitat in the BSA.  If an active nest is found, the bird shall be identified to species and the approximate distance from the closest work site to the nest estimated. No additional measures need be implemented if active nests are more than the following distances from the nearest work site: (a) 300± feet for raptors; or (b) 75± feet for other non-special-status bird species. Disturbance of active nests shall be avoided to the extent possible until it is determined that nesting is complete and the young have fledged. For species protected under the California Fish and Game Code (CFGC), if active nests are closer than those distances to the nearest work site and there is the potential for bird disturbance, CDFW will be contacted for approval to work within 300± feet of raptors, or 75± feet of other non-special-status bird species.	Measure to be identified in project construction/bid package.  Surveys will occur within 15 days of commencing construction that occurs between February 1 <sup>st</sup> and August 30 <sup>th</sup> .	Construction contractor and project biologist	
BIO-8	<b>Avoidance and Minimization Measure BIO-8: Avoid Inadvertent Animal Trapping During Construction</b> To avoid inadvertently trapping special status or common animal species during construction, all excavated steep-walled holes or trenches more than two feet deep shall be covered at the end of each working day with plywood or similar material, or provided with one or more escape ramps constructed of earth fill or wooden planks, or equivalent, at each end of the trench. Before such holes or	Throughout project construction	Construction contractor	

<sup>8</sup> Pursuant to California Fish and Game Code Title 14, Subsection 40(b) the capture, temporary collection, or temporary possession of native amphibians done to avoid mortality or injury in connection with lawful activities is permitted and such live capture and release of native amphibians done to avoid death or injury may occur with the permission of the CDFW. Because WPTs are not listed species pursuant to the state or federal endangered species act, neither an incidental take permit nor consultation beyond securing permission from CDFW to capture and release the individuals, is required.

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	trenches are filled, they will be thoroughly inspected for trapped animals. If at any time a trapped animal is discovered, the contractor shall place an escape ramp or other appropriate structure to allow the animal to escape. Alternatively, the contractor shall contact the project biologist or California Department of Fish and Wildlife for assistance. Similarly, stored pipes or other materials providing potential cover for animals will be inspected prior to installation or use to ensure that they are unoccupied.			
BIO-9	<b>Avoidance and Minimization Measure BIO-9: Minimize the Spread of Invasive Plant Species</b> Throughout project construction: <ul style="list-style-type: none"><li>All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control on the project site shall be free of noxious weed<sup>9</sup> seeds and propagules (Food and Agriculture Code Sections 6305, 6341 and 6461).</li><li>All equipment brought to the project site shall be thoroughly cleaned of all dirt and vegetation prior to entering the site to prevent importing noxious weeds and shall be cleaned of all dirt and vegetation prior to exiting the site to prevent exporting noxious weeds. (Food and Agriculture Code Section 5401).</li></ul> All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weeds <sup>10</sup> and propagules. (Food and Agriculture Code Sections 6305, 6341 and 6461).	Measure to be identified in project construction/bid package and implemented throughout project construction	Construction contractor	
BIO-10	<b>Avoidance and Minimization Measure BIO-10: Hours of Construction.</b> Project construction shall be limited to 7:00 a.m. to 7:00 p.m. unless an emergency situation exists.	Measure to be identified in project construction/bid package and implemented throughout project construction except in emergency situations	Construction contractor	
<b>Cultural Resources; Tribal Cultural Resources</b>				
CULT-1	<b>Mitigation Measure CULT-1: Extended Phase 1 for Resource P-55-001390</b> Prior to any site disturbances, an Extended Phase I (XP1) program shall be conducted to test for the presence/absence of buried archaeological deposits for the subject site and confirm site boundaries relative to the proposed work area/area of potential disturbance. The XP1 shall be conducted as part of ongoing consultation with tribal representatives with consideration for the site's potential cultural significance to descendent communities.  If, based on the preceding, the resource is determined surface in nature or lacks integrity, the XP1 program may be considered to have reduced the level of potential impact to less than significant. If the resource is determined ineligible, no further work is required and the potential for impact may be determined to be less than significant.  If XPI results in positive findings for intact subsurface archaeological deposits and the site can be fully avoided, the site shall be fully	Prior to commencing site disturbances, the Lead Agency shall hire a qualified archaeologist to conduct the necessary testing. In addition, if released prior to completion of the preceding study, the project bid package and	Lead Agency (TUD)	

9 Noxious weeds are as defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds (Food and Agriculture Code, Sections 6305, 6341, and 6461).

10 Ibid.

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	<p>avoided through the installation of exclusionary fencing to be retained during Project construction. No further work will be required and the potential for impact may be determined to be less-than-significant.</p> <p>If XPI results in positive findings for intact subsurface archaeological deposits and the site will be impacted, a qualified archaeologist shall implement a testing program to determine the areal extent of the site, integrity, and data potential. The area shall be avoided as feasible.</p> <p>If the resource is determined eligible or potentially eligible and cannot be avoided as necessary to achieve of level of less-than-significant impact on the resource, Mitigation Measures CULT-2 through CULT-4 shall be implemented.</p>	contract shall include provisions for ongoing monitoring by a qualified archaeologist throughout site disturbances occurring within the vicinity of this resource.		
CULT-2	<p><b>Mitigation Measure CULT-2: Conduct Data Recovery for P-55-001390</b></p> <p>If Mitigation Measure CULT-1 results in a determination that the site is eligible or potentially eligible and cannot be avoided as necessary to achieve a level of less-than-significant impact on the resource; then:</p> <p>Prior to commencing Project construction, a Research Design and Data Recovery Plan will be prepared and implemented for the project as part of ongoing consultation with tribal representatives. The Plan shall include curation or re-patriation measure as determined in consultation with tribal representatives. Data Recovery activities shall be completed in accordance with Plan to the extent necessary to exhaust the data potential within the APE. Within seven days of the completion of fieldwork, a letter documenting the field effort and initial findings will be submitted to the Lead Agency. This letter will serve as documentation that data recovery excavations are complete and that construction can commence.</p> <p>A data recovery report will be prepared and will conform to professional standards and follow the requirements of the Caltrans' Programmatic Agreement; Standard Environmental Reference, Volume 2, Chapter 2. The report shall be completed within six months of commencing Project construction.</p>	Commence prior to Project construction. Fieldwork will be completed and, within 7 days, a letter documenting completion will be submitted to the Lead Agency before Project construction can commence	All Data Recovery Plan parties including the Lead Agency and Native American representatives.	
CULT-3	<p><b>Mitigation Measure CULT-3: Install Fencing around Environmentally Sensitive Areas associated with P-55-001390</b></p> <p>After completing data recovery and prior to commencing Project Construction, fencing shall be installed around sensitive areas identified by the Project Archaeologists on final construction plans. Temporary fencing also shall be installed to protect Cultural Resource ESA's located outside the Area of Direct Impact (ADI).</p>	After data recovery is completed and prior to commencing Project construction.	Construction contractor and Project archaeologists in consultation, as necessary with the Data Recover Plan parties.	
CULT-4	<p><b>Mitigation Measure CULT-4: Archaeological Monitoring P-55-001390</b></p> <p>All ground-disturbing construction activities within 50 feet of the site shall be monitored by an archaeologist as described in <b>CULT-6</b>. The integrity of the fence line as installed will be monitored by the archaeologist throughout the duration of the construction activities in the vicinity of the site.</p>	Implemented throughout Project construction with monitoring during activities within 50 feet of sensitive properties	Construction contractor, Project archaeologist, and Native American monitor	
CULT-5	<p><b>Mitigation Measure CULT-5 Bid Package/Tail-Gate/Environmental Awareness Training</b></p> <p>Construction bid packages and contractual requirements shall include a requirement for tail-gate training by the project's designated qualified cultural resource professional and, as applicable, Native American representative prior to work on site to inform construction personnel of the types of cultural resources they may encounter, the laws protecting those resources, and the standard protocols to be implemented.</p>	Incorporated into the project bid package and contract and implemented throughout project construction.	<p>Construction contractor</p> <p>TUD has authority to stop work or remove any construction worker on site that</p>	

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<b>Mitigation Measure Reference</b>	<b>Mitigation Measure</b>	<b>Timing/Frequency</b>	<b>Responsible Entity</b>	<b>Initial/Date</b>
			has not completed training	
CULT-6	<b>Mitigation Measure CULT-6: On-Site Monitoring</b> Prior to issuance of a grading permit, the Tuolumne Utilities District or their designee shall identify an archaeologist meeting the Secretary of the Interior standards and guidelines for archaeology to monitor all grading, excavation, and other soil disturbances, worker awareness training, and to secure, as needed, Native American monitors as required pursuant to the mitigation measures described herein. The archaeologist will have the authority to stop work, if necessary. The archaeologist will be on site throughout grading and excavation operations as required pursuant to the mitigation measures described herein unless, in the professional opinion of the archaeologist, such monitoring is unnecessary. If the archaeologist determines that monitoring is unnecessary for a particular phase of the grading and excavation activities, the archaeologist will notify TUD in writing. TUD shall be responsible for the costs of all archaeological monitoring.	Prior to issuance of an encroachment permit from Tuolumne County, the Tuolumne Utilities District will execute an agreement with an archaeologist meeting the Secretary of the Interior's standards and guidelines describing the nature of the monitoring work to be performed, duration of the work, agreed cost and hours of work, provisions for hiring Native American monitors, as needed (including costs for Native American Monitors and whether the archaeologist or TUD will pay Native American monitors) and related matters.	TUD	
CULT-7	<b>Mitigation Measure CULT-7: Unanticipated Cultural Resource Discoveries</b> If a cultural resource is discovered during construction activities, the construction contractor shall comply with the following provisions:  A. The person discovering the cultural resource shall notify the Tuolumne Utilities District or the project's designated qualified cultural resource professional by telephone within 4 hours of the discovery or the next working day if the department is closed.  B. When the cultural resource is located outside the area of disturbance, the project's designated qualified cultural resource professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, driveways or utility lines, grading and vegetation removal areas, plus 100 feet.  C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by site's designated qualified cultural resource professional may continue. The project's designated qualified cultural resource professional shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.	Throughout project construction	TUD with input from the project's designated qualified cultural resource professional, if necessary.	

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	<p>D. When the cultural resource is determined to be not significant, the project's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project's designated qualified professional.</p> <p>E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by the project's designated qualified cultural resource professional or a cultural resource management plan shall be prepared by the project's designated qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The project's designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project's designated qualified cultural resource professional. All further activity authorized by this permit shall comply with the cultural resources management plan.</p> <p>For the purposes of implementing this measure, a "qualified cultural resource professional" is an individual (e.g., historian or archaeologist) meeting the Secretary of the Interior's Qualification Standards.</p> <p>A "cultural resource" is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on or is eligible for listing on the National Register of Historic Places, the California Register of Cultural Resources, or any local register. Examples of prehistoric resources may include: stone tools and manufacturing debris; milling equipment such as bedrock mortars, portable mortars, and pestles; darkened or stained soils (midden) that may contain dietary remains such as shell and bone; as well as human remains. Historic resources may include: burial plots; structural foundations; mining spoils piles and prospecting pits; cabin pads; and trash scatters consisting of cans with soldered seams or tops, bottles, cut (square) nails, and ceramics.</p>			
CULT-8	<p><b>Mitigation Measure CULT-8: Human Remains</b> If human remains, burial, cremation of other mortuary features are uncovered during construction activities; upon discovery, secure the location, do not touch or remove remains and associated artifacts; do not remove associated spoils or go through them; document the location and keep notes of activity and correspondence. All work within 100 feet of the discovery shall stop until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to obtain the Most Likely Descendent (MLD) and follow state law (PRC 5097.9 et seq. and Health and Safety Code 7050.5(c)-7054.1 and 8100 et seq.). No further work or disturbance shall occur within 100 feet until all of the preceding actions, as applicable to the discovery, are implemented and completed. Preserve associated spoils without further disturbance, do not touch or remove remains or associated artifacts, document the location and maintain notes of activity and correspondence. Preservation <i>in situ</i> is the preferred treatment of human remains and associated burial artifacts. [Public Resources Code Sections 5097.94, 5097.98 and Health and Safety Code Section 7050.5(c) and Section 15064.5 of the California Code of Regulations implementing the California Public Resources Code, Sections 21000-21177]</p>	Throughout project construction	TUD and TUD's construction contractor	
CULT-9	<p><b>Mitigation Measure CULT-9: Standard Road Stone Culvert Avoidance</b> An archaeological monitor shall be present during excavation on top of the Standard Road Culvert to provide guidance for preservation to the extent possible. If construction encounters a structure under the roadway which contradicts the research herein relative to the date of the structure, a qualified architectural historian will re-evaluate the structure pursuant to CULT-7 (Unanticipated Cultural Resource Discoveries).</p>	Throughout project construction	Project archaeologist, construction contractor	

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CULT-10	<b>Mitigation Measure BIO-2/CULT-10: Install Barrier /Silt Fencing to Protect Sensitive Resources Including Drainages, Wetlands, and Cultural Resources</b> See Mitigation Measure BIO-2	Assessed pre-construction during plan reviews and throughout project construction by site visits conducted during cultural resources monitoring	Construction contractor	
CULT-11	<b>Mitigation Measure CULT-11 Sierra Railroad Preservation</b> Project Construction shall avoid alterations to the Sierra Railroad. For the short segment within the APE, the Construction Contractor shall either bore under the railroad for pipe placement or place the pipe in the right-of-way where the line has been dismantled. An archaeological monitor shall be present during work in and adjacent to the Sierra Railroad to monitor construction.	Monitored during work at and adjacent to the Sierra Railroad Crossing through the APE	Construction contractor	
CULT-12	<b>Mitigation Measure CULT-12: Project Scope Changes</b> If the project develops beyond the scope and project description as described herein, further archaeological study and an addendum to this study may be required.	Assessed pre-construction during plan reviews and throughout project construction by site visits conducted by cultural resource monitoring	TUD (or TUD's designee)	
<b>Geology &amp; Soils</b>				
BIO-3	<b>Mitigation Measure BIO-3: Erosion Control Plan</b>	See Mitigation Measure BIO-3	See Mitigation Measure BIO-3	
Project Condition	<b>Project Condition GEO-A Soil Testing</b> The Project shall comply with TUD soil testing and design standards.	N/A	N/A	
<b>Hydrology and Water Quality</b>				
BIO-3	<b>Mitigation Measure BIO-3: Erosion Control Plan/Notice of Intent</b>	See Mitigation Measure BIO-3	See Mitigation Measure BIO-3	
<b>Noise</b>				
BIO-10	<b>Mitigation Measure BIO-10: Hours of Construction</b>	See Mitigation Measure BIO-10	See Mitigation Measure BIO-10	
<b>Transportation</b>				
TRAN-1	<b>Mitigation Measure TRAN-1 (Traffic Access Management Plan)</b> Prior to commencing work within public roadways, the Contractor will prepare (to the District's satisfaction), and throughout project construction will implement, a traffic access management plan to maintain emergency ingress, egress, and daily traffic flows throughout the Project boundaries. The access management plan should address public notification of upcoming construction,	The traffic access management plan will be prepared prior to initiating project	Construction contractor in consultation with the Tuolumne County	

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	anticipated road closures, and detours (e.g., publication in local newspaper, electronic message boards, coordination with Curtis Creek Elementary School and downtown businesses). The District will coordinate road closures with the Tuolumne County Fire Department and Curtis Creek Elementary School to ensure that emergency ingress and egress is addressed prior to and during land closures.	construction and implemented throughout project construction.	Fire Department and Curtis Creek Elementary School	

## 2.20 REFERENCES

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- Black Water Consulting Engineers, Inc. July 2018. Construction Plans Curtis Creek Elementary School Water System Consolidation Project.
- California Department of Conservation. 2000. *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos*
- California Department of Conservation Division of Mines and Geology Special Publication 42, Alquist-Priolo Earthquake Fault Zoning Act (Hart, 1994)
- California Department of Toxic Substances Control (DTSC) database, EnviroStor & Geotracker
- California Department of Transportation, *The California Scenic Highway System List of Eligible and Officially Designated Routes*.
- California Environmental Quality Act (CEQA) - Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.).
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<sup>11</sup> Cultural Resources reports contain confidential cultural resource location information; report distribution is being restricted. Cultural resources are nonrenewable, and their scientific, cultural, and aesthetic value can be significantly impaired by disturbance. To prevent vandalism, artifact hunting, and other activities which can damage cultural resources, and to protect the landowner from trespass, the locations of cultural resources are being kept confidential. California Government Code 6254.1 exempts archaeological site information from the California Public Records Act. Redacted copies of these studies may be requested from the Tuolumne Utilities District.

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