



County of Calaveras

Department of Planning

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Initial Study / Negative Declaration

Review Period: January 7, 2019 – February 7, 2019

Initial Study

ENVIRONMENTAL

CHECKLIST

For: Richard Ducharme

ZA 2019-077

Assessor's Parcel Nos. 021-004-078

1. Project Title: 2019-077 Zoning Amendment for Richard Ducharme
2. Lead Agency Name and Address: Calaveras County Planning Department
891 Mountain Ranch Road
San Andreas, CA 95249
3. Contact Person and Phone Number: Madeleine Flandreau (209)754-6394
4. Project Location: APN 021-004-078 is located at 6640 Railroad Flat Road in Mountain Ranch, in the northwest ¼ of Section 27, Township 05 North, Range 13 East, MDM.
5. Project Sponsor's Name and Address: Richard Ducharme
515 Capitola Avenue, Apt. A
Capitola, CA 95010
6. General Plan Designation: Working Lands
7. Zoning: RR-20 (Rural Residential- 20 acre minimum parcel size)
8. Project Description: The applicant is requesting approval of a Zoning Amendment to change the zoning of a parcel from RR-20 (Rural Residential- minimum 20 acres parcel size) to RA-20 (Residential Agriculture- minimum 20 acres parcel size). The subject property is located at 6640 Railroad Flat Road in Mountain Ranch, and is 34.23 acres in size. APN 021-004-078 is a portion of Section 27, T5N, R13E, MDM.

9. Surrounding land uses and setting:

Location	General Plan Designation	Zoning	Land Use
North	Rural Transition B	Unclassified	Vacant
South	Rural Transition B	Rural Residential, Unclassified	Single Family Residence
East	Rural Transition B	Unclassified	Single Family Residence, Vacant
West	Working Lands	Rural Residential	Single Family Residence

10. Other public agencies whose approval is required: NONE

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

YES or ☒ NO

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by Lead Agency):

On the basis of this initial evaluation:

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

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

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

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

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



Madeleine Flandreau
Project Planner

1/3/2020
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

Environmental Impact Analysis:

The applicant is requesting approval of a Zoning Amendment to change the zoning of APN 021-004-078 from RR (Rural Residential) to RA (Residential Agriculture). The project parcel is 34.23 acres in size and is located at 6640 Railroad Flat Road in Mountain Ranch. The parcel is developed with a single family residence and contains a former regulated commercial medical cannabis cultivation site which was issued a registration under the Calaveras County Urgency Ordinance adopted in 2016. The applicant is requesting the zoning amendment in order to re-establish their cannabis cultivation activity under Calaveras County Code Chapter 17.95 Regulation of Commercial and Non-Commercial Cannabis Cultivation, which was adopted by the Board of Supervisors on October 22, 2019. The new regulatory ordinance addresses regulations concerning the cultivation, manufacture, testing, distribution, transportation, and storage of medical marijuana within Calaveras County. No new development is being proposed with this application. Impacts related to commercial cannabis cultivation have been addressed in the County's Medical Cannabis Cultivation and Commerce Ordinance Project Environmental Impact Report, which was certified in 2018 by the Board concurrently with the adoption of the previous ordinance banning cultivation. An addendum to the EIR was prepared for the new regulatory ordinance.

The General Plan land use designation for the subject parcel is Working Lands. Land uses surrounding the subject parcels includes a mix of residential and personal ranches on parcels ranging in size from 5-40 acres, with many being vacant or containing former cannabis cultivation sites. The majority of the parcel was burned in the 2015 Butte Fire during which the quality of plant and wildlife habitat was significantly impacted.

The project site is not located within any known earthquake fault. FEMA flood zones do not exist on the site. Liquefaction and erosion of the site is less than significant due to the scale of potential development and application of existing local and state codes. The proposed use does not include the use of any hazardous materials, nor would it create any hazardous materials associated with future use of the land for uses allowed pursuant to Title 17. The site has not been utilized for mining purposes, nor are there any known important minerals located within the project site. The proposed zoning amendment would not adversely impact a scenic vista, resource, degrade the visual character of the surrounding neighborhood or introduce a source of substantial light or glare. The site does not contain any ponds, streams or rivers that could potentially be suitable habitat for special status species. The site does not have any listing of emergent wetlands, forested wetlands or other water sources that are listed on the National Wetland Inventory.

Figure 1- Location Map

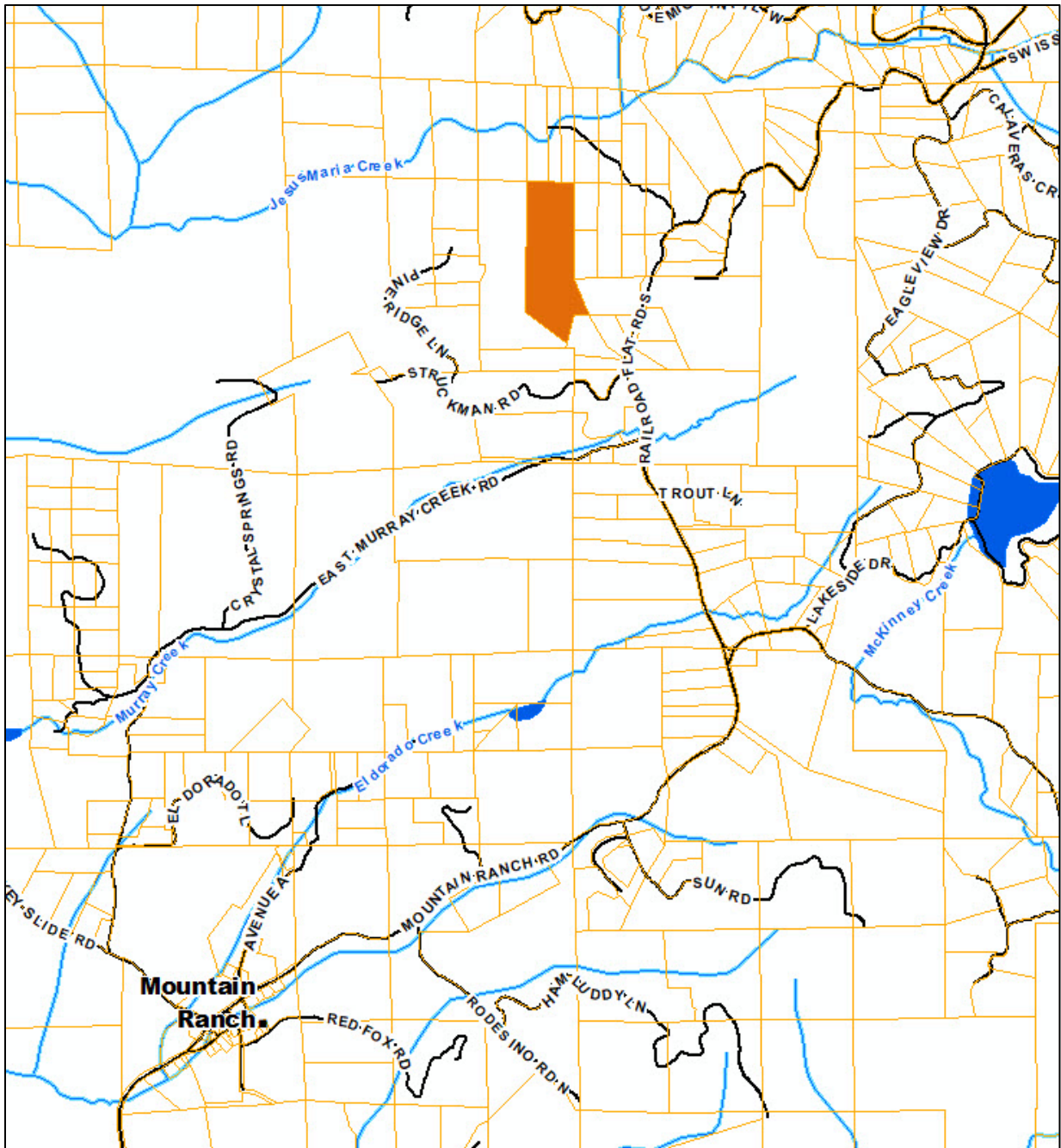
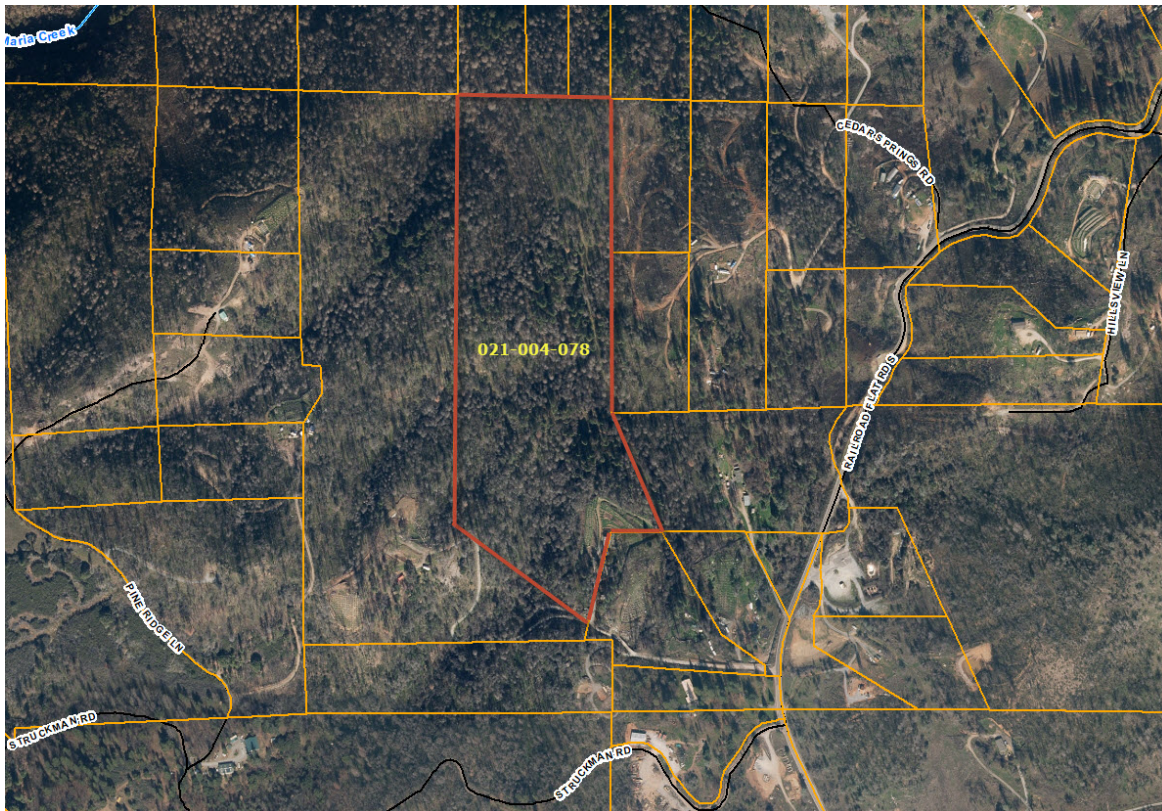


Figure 2- County Aerial Image (February 2018 capture date)



I. AESTHETICS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Except as provided in Public Resources Code §21099, would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage points). If the project is in an urbanized area, would the project conflict	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

with applicable zoning and other regulations governing scenic quality?

☐
☐
☐
☒

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

DISCUSSION

- a-d) **No Impact** – The Calaveras County General Plan¹ considers scenic vistas to include reservoirs, rivers, streams, rolling hills with oak habitat, ridgelines and forests. No scenic vistas or resources are present on the subject parcel, and there are no historical structures on the property and no State-designated highways adjacent to the project site. The subject parcel is 34.23 acres in area and has been developed with a single family residence and a former regulated commercial medical cannabis cultivation site. The majority of the subject parcel was severely burned during the 2015 Butte Fire. The existing visual character of the subject parcel and surrounding area is annual grassland with mixed oak/pine forest which was present before the wildfire. As the site is developed and devoid of these scenic vista features, the proposed project will not impede any views of any scenic features, and will therefore have no impact on aesthetics. Lighting for cannabis cultivation is strictly regulated under Chapter 17.95 of the County Code. The project site is located in an area with scattered residences and vacant parcels ranging in size from 5-40 acres, with many containing former cannabis cultivation sites.

II. AGRICULTURE AND FORESTRY RESOURCES

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

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

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland

☐
☐
☐
☒

Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <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 Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact** – The project consists of re-zoning one 34-acre parcel from Rural Residential (RR) to RA (Residential Agriculture). The RA zone is intended to be a district in which an equal emphasis is assigned to residential and agricultural uses. The RA zone is to provide lands for small-scale and personal-scale farming and ranching, as well as larger residential parcels. According to the County General Plan, the subject parcel is not located on land classified as high capability Agriculture. The project area is not on any Prime Farmland, Unique Farmland, or Farmland of Statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping Monitoring Program of the California Resources Agency. No prime farmland will be converted as a result of this project.
- b) **No Impact** – The project area is not on lands zoned for agricultural use or under a Williamson Act contract. The nearest parcels zoned Agricultural Preserve (AP) are approximately ½ mile to the west. The AP parcels are not adjacent to the subject parcel, nor do they share an access road. Therefore, the rezoning of the parcel will not conflict with lands in the Williamson Act.
- c-e) **No Impact** – The subject parcel is classified as high capability Timberland in the General Plan; however, the parcel has not been utilized for the production of timber in the past. The parcel burned in the 2015 Butte Fire during which the majority of the trees were destroyed. Subsequent to the fire, the cultivation site was established during which approximately 1.5 acres of burned timber was removed; this was considered to be a conversion by Cal Fire. Cal Fire subsequently served Mr. Ducharme with a Notice of Violation of Forest Practice Laws for failure to submit a conversion permit prior to

converting timberland to a use other than growing timber. A Settlement Agreement was entered into by Cal Fire and Mr. Ducharme. The applicant will adhere to all state fire laws and regulations.

III. AIR QUALITY

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

Would the project:

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

DISCUSSION

Calaveras County is part of the Mountain Counties Air Basin (MCAB). The MCAB lies along the northern Sierra Nevada, close to or contiguous with the Nevada border, and covers an area of roughly 11,000 square miles. Air quality within the County is under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD). Calaveras County consists of hilly and mountainous terrain that affects airflow patterns throughout the county, directing surface air flows, cause shallow vertical mixing, and create areas of high pollutant concentrations by hindering dispersion. While there are minimal sources that impact air quality within the District, Calaveras County is prone to receiving pollutant transport from the more populated and traffic-heavy areas because of its proximity to the Central Valley.

The County has been classified as a non-attainment area for the State and Federal ozone standards (1-hour and 8-hour) and suspended particulate matter standards (PM10) and unclassified for fine particulate matter standards (PM2.5). To become designated as a non-attainment area for the State and Federal standards, there must be at least one monitored violation of the ambient pollutant standards within the area's boundaries. An area is designated in attainment of the State standard if concentrations for the specified pollutant are not exceeded. An area is designated in attainment for the Federal standards if concentration for the specified pollutant is not exceeded on average more than once per year.

a-d) **Less Than Significant Impact** – Table 1, below, represents the County-established thresholds for any proposed project. Table 2 represents a project that proposed 150 vehicle

trips per day in addition to the project's construction and operational emissions. Proposed emissions were calculated using URBEMIS 2007 Version 9.2.4.

Table 1 – County Established Thresholds

Thresholds of Significance (lbs/day)			
	ROG	NOx	PM10
Construction Emissions	150	150	150
Operational Emissions	150	150	150

Table 2 – Proposed Project Emissions

Proposed Project Emissions (lbs/day)			
	ROG	NOx	PM10
Construction Emissions	2.4	17.6	10.8
Operational Emissions	5	5	6

As depicted above in Table 2, the project did not exceed the thresholds of significance identified for these air pollutants. The proposal to amend the zoning of the parcel from RR (Rural Residential) to RA (Residential Agriculture) does not include a plan for development. The RA zone will permit a range of agricultural uses on the land; however, the small-scale agricultural uses permitted in the RA zone do not generate a significant amount of traffic. Considering the analyzed project at 150 vehicle trips per day fell so far below the thresholds, it is estimated that the uses in the RA zone will likewise not exceed the established thresholds. Without a specified project outlining the operation, the County does not have the data necessary to enter into the model to receive actual construction and operational emissions; thus the comparison with another approved project.

The proposed project will not typically expose sensitive receptors (i.e. schools, residential neighborhoods, etc.) to substantial pollutant concentrations. The parcel is large (34 acres) in a rural area with large parcels and no schools are nearby. The proposed project would not create any objectionable odors near a substantial amount of people. Odors that could be created by the proposed project, but on a temporary and intermittent basis, could include farming activities, and activities associated with diesel or gasoline exhaust fumes. The parcel is located in a rural portion of County with residential development on large parcels. Therefore, the proposed project will have a less than significant impact on the environment.

IV. BIOLOGICAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a-f) **Less Than Significant Impact** –A Biological Site Assessment was completed on July 9, 2016 by Natural Investigations Co. for the commercial cannabis cultivation site on the subject parcel as part of the requirements under the Central Valley Regional Water Quality Control Board's Water Quality Order R5-2015-0113 (Waste Discharge Requirements for Medicinal Cannabis Cultivation Activities). The focus of the assessment was to search for suitable habitat and presence of any special-status species within the project site which covers APN 021-004-078, and to conduct an informal assessment to determine the presence or absence of waters of the U.S. and wetlands. A field survey was conducted on June 22, 2016 and a search of the California Department of Fish and Wildlife's California Natural Diversity Database and U.S. Fish and Wildlife IPaC Trust Resources were also conducted.

Land in the project area is primarily undeveloped, and includes mixed conifer forest which was burned during the 2015 Butte Fire and during which the quality of plant and wildlife habitat was significantly impacted. Based on the review of the CNDDDB, USFWS and CNPS databases, 6 (six) special-status species occurrences were reported within a 5-mile buffer of the project parcel, none of which occur within the parcel boundaries. During the field survey, 1 special-status species was observed in the riparian corridor ephemeral drainage which runs along the length of the parcel into Jesus Maria Creek to the north. *Navarretia eriocephala*, Hoary pincushionplant, listed by the CDFW as a species of concern. The former cultivation site is at least 200 feet from this riparian habitat with extensive vegetated buffers in between. No impacts to special-status species were

identified from implementation of the cultivation site during the assessment. The Assessment also determined that there are no other sensitive, candidate, or special status species identified on the subject parcels, nor is there any critical habitat or other sensitive natural community identified by the CDFW or USFWS.

The former regulated commercial medical cannabis cultivation site was inspected by the Central Valley Regional Water Quality Control Board and received a Notice of Applicability under Water Quality Order R5-2015-0113. Compliance with this Order ensured that cultivation operations would not significantly impact water resources by using a combination of Best Management Practices, buffer zones, sediment and erosion controls, site management plans, inspections and reporting, and regulatory oversight.

Due to the lack of suitable habitat, the project will not have an effect on federal or state listed species, and no effect to federally designated critical habitat. There is no development proposed for this project. The subject property does not contain any protected wetlands, as defined by §404 of the Clean Water Act. Utilizing the land for agricultural purposes will preserve the open space. Calaveras County has not adopted a Habitat Conservation Plan or a Natural Community Conservation Plan, and this area of the County is not regulated by any regional or state habitat conservation plans.

V. CULTURAL RESOURCES

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

DISCUSSION

- a-c) **No Impact** – The project site is located within an area of low sensitivity for archaeological sensitivity as identified by the Calaveras County General Plan. A Cultural Resource Inventory was conducted on APN 021-004-078 by Natural Investigations Co. in 2016 as part of the requirements under the Central Valley Regional Water Quality Control Board's Water Quality Order R5-2015-0113. The study included a records search to determine the presence or absence of cultural resources, a review of any previous studies within a ¼ mile radius of the parcel, an archival research, consultation with Native American tribes, and a field survey. The Study determined that there are no known historical or archeological, or paleontological resources on the subject parcels. Although some sites may exist in areas of low sensitivity, the discovery of significant sites is unlikely. The proposed project will be subject to State laws and regulations should any cultural

resources or human remains be encountered during future excavation activities on the property, which will serve to assure that impacts associated with human remains and other cultural resources are insignificant.

VI. ENERGY

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

DISCUSSION

- a-b) **No Impact** – The proposed project is to rezone a parcel from RR to RA, and no development is proposed; therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, or conflict or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<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"/>
	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

- a) **No Impact** – Calaveras County lies within the Sierra Block, an area of historically low seismicity. Although the County has felt ground shaking from earthquakes with epicenters located elsewhere, no major earthquakes have been recorded within the County. The closest known source of large earthquakes is the Sierra Frontal Fault System along the eastern margin of the Sierra Nevada, which includes the Carson Valley Fault. This fault is located east of the County, and has been evaluated as capable of generating earthquakes of up to the magnitude 7.0. However, the risk of surface rupture is not considered sufficient to restrict the development found in the County. Sites in Calaveras County with liquefaction potential would be those on alluvial deposits having groundwater and sand or silt layers of uniform grain sizes within about 30 feet of the surface. The subject parcels are located above Jesus Maria Creek canyon on top of the Calaveras Formation, and therefore, such conditions are not found on the subject parcels and are generally not present in the County.
- b-c) **No Impact** – The areas of particular landslide concern are those that include high elevations with steep ravines and gulches associated with river and stream channels. Located between 2300 and 2600 feet in elevation, the parcel slopes down to the north towards the Jesus Maria Creek, but does not contain slopes greater than 20%. Soils groups on the property do have a moderate erosion potential, but the property in general is not characteristic of lands with a high hazard for erosion. If erosion of soils were to occur, the risk of loss, injury or death is low because the development potential is limited.
- d-e) **No Impact** – The subject parcels contains soil series 815m (Josephine), as defined in the Calaveras County Soil-Vegetation Handbook⁶, which are typified by acid, medium textured soils, which are rocky or stony over schist rock. This soil type is not considered expansive as it has adequate drainage and low-clay composition. There is no development proposed with this application; however, during the plan check process, building plans are examined

for compliance with the uniform building code. This process requires a soils report be submitted with all construction plans to ensure the proposed structure will not be compromised do to unstable soil conditions. The standards vary depending on the location and type of structure proposed. Given the size of the subject parcels, it is unlikely that a suitable site cannot be found for the future construction of residential, agricultural structures or septic systems.

- f) **No Impact** – The Cultural Resources Study conducted by Natural Investigations Co. in 2016 determined that there are no known geological or paleontological resources on the subject parcel.

VIII. GREENHOUSE GAS EMISSIONS

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

DISCUSSION

- a-b. **Less Than Significant Impact** – The County has not adopted a plan or program to reduce GHGs, therefore, the proposed project would not conflict with any such plan. The State of California has adopted legislation to reduce GHGs and charge local jurisdictions to develop plans for such reductions. While the County has not yet developed such a plan, potential future construction of agriculture accessory structures would have an insignificant impact by itself. Section 17.95.060.B(11) of the County Code (Cannabis Cultivation and Commerce Ordinance) includes requirements for Greenhouse Gas Emissions Offsets as part of the application. Impacts to the environment due to GHG emissions would be less than significant with implementation of the offsets.

IX. HAZARDS AND HAZARDOUS MATERIALS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a-b. **Less than Significant Impact** – The proposed Residential Agriculture zoning will permit various agricultural operations to be conducted on the property. Hazardous materials associated with the agricultural operations may include (but are not limited to) diesel fuel, gasoline and engine oils for equipment. Materials such as pesticides and fertilizers may be routinely used in general farming activities. Pesticide use is regulated by permit through the County Agriculture Commissioner's office to ensure safe handling of the materials. In addition, any future commercial cannabis operations will require a Waste Discharge Permit from the Central Valley Regional Water Quality Control Board.
- c. **No Impact** – There are no existing or proposed schools within one quarter mile of the subject parcels.
- d. **No Impact** – There are no hazardous materials sites located on or near any of the subject parcels.
- e-f. **No Impact** – The subject parcels are not within an airport land use plan or within 2 miles of a public airport, public use airport, or private airstrip.

- g. **No Impact** – The proposal to re-zone the subject parcel to Residential Agriculture will not physically interfere with an adopted emergency response plan or an approved evacuation plan.
- h. **Less Than Significant Impact** – The project is located in an area of the County designated as a “very high fire hazard severity zone” as identified by Cal Fire. The majority of the parcel was burned in 2015 during the Butte Fire. The rezone to RA would allow more agricultural activities to occur on the parcel, which would reduce fire potential. The residential development potential will not increase by amending the zoning to Residential Agriculture. Therefore, amending the zoning of the subject parcels will not increase the risk to loss, injury or death from wildfire.

X. HYDROLOGY AND WATER QUALITY

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

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

DISCUSSION

- a. **Less Than Significant Impact** – There is an existing unnamed ephemeral drainage which runs along the length of the parcel into Jesus Maria Creek to the north. Any future commercial cannabis operations or other agricultural activities will require a Waste Discharge Permit from the Central Valley Regional Water Quality Control Board. Therefore, the project will not violate any water quality standards or waste discharge requirements.
- b. **Less Than Significant Impact** – The parcel is located in an area of the County known for having moderate to high groundwater potential. Groundwater in this area is drawn from fractured rock, faults and changes in stratigraphy. Yield from hard rock wells therefore varies greatly from one site to another as water availability is largely based on geologic formations. Land uses in the general area are residential and agricultural. Residential development in the general vicinity consists of single family dwellings on large parcels (5-40 acres in size). Therefore, impacts to residential development will be minimal.
- c. **Less Than Significant Impact** – There is no development proposed with the application to re-zone the property. The applicant has expressed the desire to continue to use the land for commercial medical cannabis cultivation under the regulatory ordinance adopted by the Board of Supervisors on October 22, 2019. The formerly established cultivation site did not alter drainage patterns and/or change the course of a stream or river, and is at least 200 feet from the ephemeral drainage on the parcel. In addition, re-establishment of cultivation will not alter any drainage patterns; thus, off-site flooding is not likely to occur. Although agricultural operations do not require a grading permit, County ordinances will ensure that proper erosion control measures are in place as needed to control run off and/or erosion. The subject parcel is located in a rural part of the County where storm water drainage systems currently do not exist. Re-zoning the parcel to Residential Agriculture will not increase the permitted residential density of the property. Any potential runoff created by agricultural operations will be subject to applicable waste discharge permits, preventing the impacts from being significant.
- d. **Less Than Significant Impact** – The subject parcel does not contain any flood zones, is not located in a dam inundation area, and there are no levees in the vicinity of the property. There are no enclosed or partially enclosed large bodies of water or oceans near the subject property; therefore, there is no danger of a seiche or tsunami occurring. There is no visual evidence of mudflows occurring on the subject property.
- e. **Less Than Significant Impact** – The proposed project would not substantially degrade water quality by introducing pollutants that may be released by inundation or altered drainage patterns. In addition, measure implemented to control potential erosion would minimize risk of effects to surface water quality in local waterways.

XI. LAND USE AND PLANNING

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

DISCUSSION

- a. **No Impact** – The parcel is located in the rural outskirts of the Mountain Ranch Community. Re-zoning the land to Residential Agriculture will not divide the established community.
- b. **No Impact** – The proposed zoning amendment is consistent with the Calaveras County General Plan. The land is designated as Working Lands. The Residential Agriculture zone district is a resource zone, and is consistent in the Working Lands designations.

XII. MINERAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a-b. **Less Than Significant Impact** – The southern portion of the project parcel previously had a land use designation which includes Mineral Resource Area 3 and is defined as “Lands that might contain minable deposits, but that up to now have not yet been sufficiently developed to demonstrate this”. However, the project parcels is currently zoned RR and does not include the mineral extraction (ME) zoning combining district, nor is it proposed to be added with this zoning amendment; therefore, surface and subsurface mining operations is not permitted, and would not be permitted in the proposed RA zone. A historic-era mining feature, a prospect pit, was identified during the Cultural Resource Survey, and was evaluated, recorded, and found to be not eligible for listing in the National Register or California Register. No mining operations have occurred on the site or

surrounding area and the project would not preclude future extraction of available mineral resources. Mineral resource extraction is not proposed with this project.

XII. NOISE

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

DISCUSSION

- a-c. **No Impact** – Sound from any agricultural operations subject to Chapter 14.02 of County Code is exempt from the County's noise ordinance. Potentially, groundborne vibrations and/or noise could occur during preparation of land for agricultural use. Preparation of the land is temporary. Noise generated from agricultural operations is minor and when located in a rural portion of the County such as the subject parcels, will cause no impact. The subject property is not located in the airport land use plan, nor is there a public or private airstrip within 2 miles.

XIV. POPULATION AND HOUSING

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

construction of replacement housing elsewhere?

DISCUSSION

a-b. **No Impact** – The re-zoning of the land to Residential Agriculture will not increase the allowable density of the property, displace existing housing or displace people in any way.

XV. PUBLIC SERVICES

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

DISCUSSION

a. **No Impact** – The re-zoning of the land to Residential Agriculture will have no effect on public services.

XVI. RECREATION

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

DISCUSSION

- a-b. **No Impact** – Agricultural operations in a rural portion of the County will have no effect on parks or other recreational facilities.

XVII. TRANSPORTATION

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

DISCUSSION

- a-d. **No Impact** – Agricultural operations will not conflict with the circulation system in Calaveras County. Located off Railroad Flat Road, the subject parcel is in a rural portion of Calaveras County. Railroad Flat Road is a county maintained road of hilly terrain with no pedestrian or bicycle paths and no mass transit. Agricultural operations may generate a slight increase in traffic due to seasonal employees; future cannabis cultivation activities would be subject to payment of the County's Road Impact Mitigation fee. Depending on the operations, traffic may be generated by truck and trailer traffic shipping livestock to market and/or temporary farm workers during pruning and harvest seasons, both increases being temporary in nature. Re-zoning the subject parcels to Residential Agriculture will not result in a change in traffic patterns, air traffic patterns, road re-alignments or re-construction of any off site road. There are no policies, plans or programs regarding public transit, bicycle or pedestrian facilities in the area of Railroad Flat Road adopted in Calaveras County.

XVIII. TRIBAL CULTURAL RESOURCES

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the				

landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a-b. **No Impact** – As part of the processing of the project application, County staff initiated consultation with tribes that have requested formal notification of proposed projects within their geographic area of traditional and cultural affiliation per AB 52 Notification Request, Public Resources Code Section 21080.3(b). Both the Calaveras Band of Miwuk Indians and the California Valley Miwok Tribe were notified of this project. No responses were received from either tribe.

XIX. UTILITIES AND SERVICE SYSTEMS

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a. **No Impact** – The subject parcel is located in a rural part of Calaveras County where district water and wastewater services are not available and storm water drainage facilities do not exist.
- b. **Less Than Significant Impact** – The subject parcel is located in an area of Calaveras County known for having moderate to high groundwater potential. There is a well located on the subject parcel that is currently sufficient to provide for the parcel's needs.
- c-e. **No Impact** – The subject parcel is located in a rural part of Calaveras County which is not served by a sanitary district or utility district. The re-zoning of the subject parcel will have no effect on wastewater treatment facilities. Wastewater needs are currently served by an on-site sewage disposal system. Re-zoning the subject parcel will not increase the density of said parcel. Solid waste generated by future agricultural operations will be adequately handled on site and will have no impact upon any landfill.

XX. WILDFIRE

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

DISCUSSION

- a-d) **No Impact** – The proposed zoning amendment does not impair any countywide emergency plans. This area of the County is designated as a very high fire hazard, however, the majority of the flammable vegetation was destroyed on the subject parcel was burned in the 2015 Butte Fire. The use of the parcel for agricultural operations will further decrease the flammable vegetation on site, thus decreasing the probability of a wildfire. There are no proposed infrastructure plans, and all existing and/or future improvements shall adhere to all Federal, State and local agency requirements. There are no residences or structures downslope or downstream from the subject parcel. Any flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes occurring on the subject parcel would not expose people or structures to any risk.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
a) Does the project have the potential to Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a. **Less Than Significant Impact** – Through the use of best management practices and compliance with established County code and state requirements, the project does not have the potential to significantly degrade the quality of the environment, significantly reduce habitat, or threaten or eliminate plant and/or animal communities. Amending the zoning of the parcel from RR to RA increases the emphasis on additional agricultural uses and preserves open space necessary for plants and animals to thrive.
- b. **Less Than Significant Impact** – The subject parcel is designated as Working Lands located in a rural portion of the County. Amending the zoning to RA would not create a cumulative impact to any of the items discussed in this checklist. The project is consistent with the General Plan and Zoning Code. The impacts associated with this project are minor in nature or in compliance with County standards, and do not trip established thresholds or create significant and unavoidable impacts.
- c. **Less Than Significant Impact** – The analysis of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial adverse effects on human beings, either directly or indirectly. Best management practices and compliance with standard regulations will reduce any impacts to a level of less than significant.

REFERENCES

1. Calaveras County General Plan, adopted November 12, 2019.
2. Calaveras County Municipal Code.
3. Zoning Amendment Application 2019-077 for Richard Ducharme.
4. *Biological Site Assessment for the Medicinal Cannabis Cultivation Operation at 6640 Rail Road Flat Road, Mountain Ranch, California*, Natural Investigations Company, Inc., July 9, 2016.
5. *Cultural Resources Inventory for the 6640 Railroad Flat Road Project, Calaveras County, California*, Natural Investigations Company, Inc., July 7, 2016.
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