



CALAVERAS COUNTY PLANNING DEPARTMENT
 891 Mountain Ranch Road,
 San Andreas, California 95249
 (209) 754-6394

AMENDED Planning Commission Staff Report

Hearing Date	December 8, 2022
Project Number/Name	2022-047 MEP for LGI Homes
Supervisory District Number	District 5, Gary Tofanelli
Assessor's Parcel Number(s)	073-056-001, 002, 003, 009
Planner	Gina Kathan, Planner IV

Date: November 9, 2022

PROJECT DESCRIPTION: LGI Homes filed a request to modify Condition of Approval II-9 of Board of Supervisors (BOS) Resolution 08-023 approving Vesting Tentative Subdivision Tract Map 2005-190 and Road Modification for North Vista Plaza.

ArcGIS Web Map

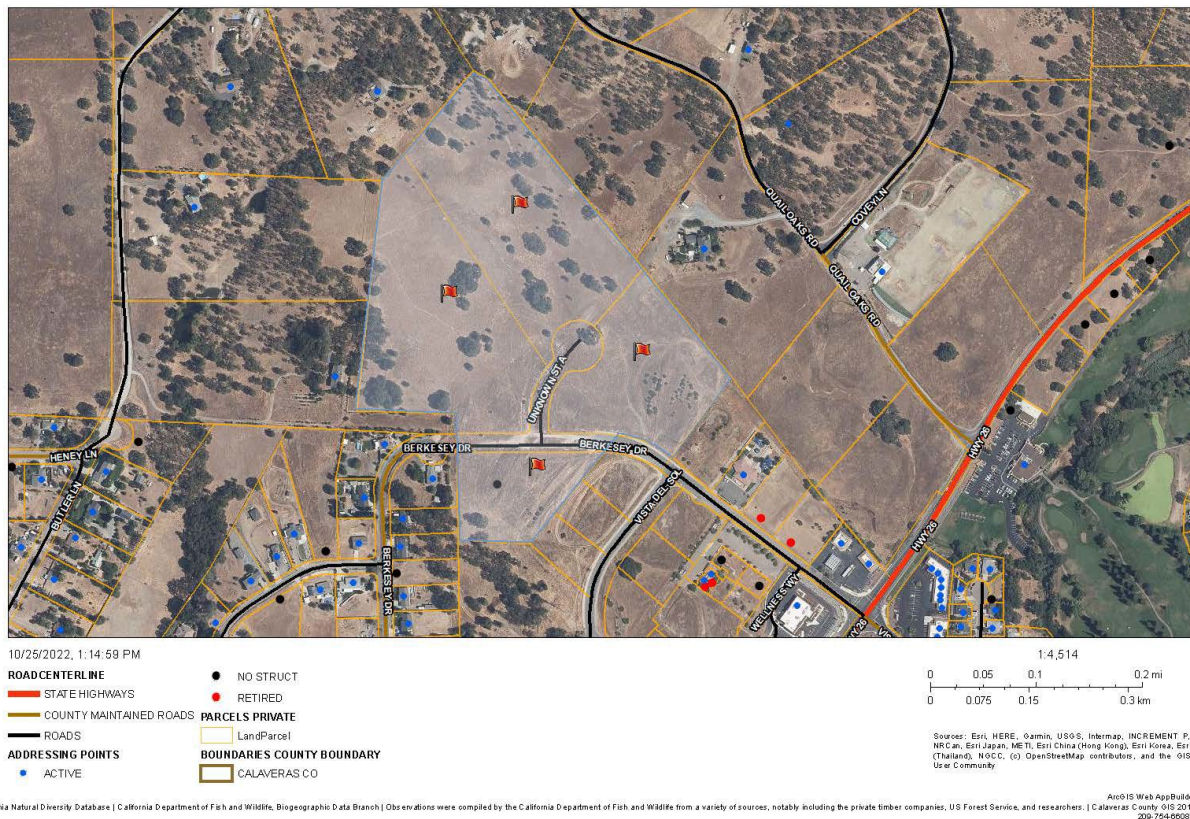


Figure 1 - Boundary of Preserve

APPLICANT:

LGI Homes
Evan Licht
2251 Douglas Blvd Suite 110
Roseville CA 95661

LANDOWNER:

VSP Lots LLC
Manor Development, Camron Pringle
1420 Kettner Blvd Suite 100
San Diego CA 92101

AGENT:

Rick Engineering Company
Scott Lillibridge
2525 E Bidwell St
Folsom CA 95630

PROJECT LOCATION:

The subject property, 31.94 acres, is located 2 miles southwest of Valley Springs, 1,000 feet north of Highway 26 approximately 1.75 miles south of the Highway 12/Highway 26 intersection. The project site, APN's 073-056-001, 002, 003, and 009, is a portion of Section 26, Township 4N, Range 10E, MDM.

ArcGIS Web Map



10/25/2022, 1:29:18 PM

BOUNDARIES COUNTY BOUNDARY
CALAVERAS CO

1:144,448
0 1.75 3.5 7 mi
0 2.75 5.5 11 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, NCCO, OpenStreetMap contributors, and the GIS User Community

ANALYSIS:

On January 22, 2008, the County BOS conditionally approved Vesting Tentative Subdivision Tract Map 2005-190 to create 167 lots consisting of 156 residential lots, 2 on-site detention basins, 7 landscaped areas, 2 recreational areas and private streets. The map was initially approved for three years then was eligible for six years of State granted extensions. Subsequently, the map received two discretionary extensions of time, granting an additional six years to the life of the map setting the final expiration to January 22, 2023.

LGI Homes is in the process of purchasing the project. They intend to record the final map and build out the subdivision, offering finished homes for sale. BOS Resolution 08-023 sets forth conditions of the approved (COA) vesting tentative map from County Planning, Public Works, Environmental Management Agency and the Building Department as well as Pacific Gas & Electric Company. Furthermore, the resolution refers to seven measures to mitigate project related environmental impacts. LGI Homes with their Engineer have been diligently working with the County to ensure all COA are being met. Specifically, Condition II-9 must be met prior to the BOS approving the final map for recordation. Condition II-9 reads as follows:

- *Prior to approval of a Final Subdivision Map, the applicant will enter into a recordable agreement with the County to commit 5 housing units to be sold at an average sales price of \$200,000. These units would be sold to buyers meeting bona fide low-income limits as set by the California Department of Housing & Community Development (HCD). Deed restrictions will be placed on the units so that resale prices to future buyers would be indexed over 30 years to low-income limits as set by HCD.*

In August of this year, LGI Homes submitted a request to modify this condition to remove the “average sale price of \$200,000” portion of the condition stating that “income limits set by HCD have increased over the last 16 years. In 2022, the low-income for a family of 4 was \$55,750. Therefore, the amount of home a low-income family can qualify for has gone up.”

The intent of condition II-9 is to provide affordable housing opportunities for lower income households. Lower income is identified by the State Department of Housing and Community Development (HCD) as household incomes at 80% of the average median income (AMI) of the county and below. However, Condition II-9 sets a specific sale price of \$200,000 which doesn't allow for consideration of fluctuating income levels and inflation. The information provided in the chart below is from HCD on how “affordable” is determined. Affordability is determined first by total household income to number of persons in the family and this is compared to the average median for the county. The average median income for a family of four (4) in Calaveras County is currently \$90,000. What is affordable for rent or purchase is dependent on a downward or upward scale relative to the AMI. For example, 30% affordability is 70% below the AMI, and 120% affordability is 20% above the AMI (Table 1).

The average cost of a home in Calaveras County is listed on the State Dashboard at \$370,000. Condition II-9 is targeting lower income affordability which is 80% AMI or less. Based on the chart below, affordability varies on household size and unit size. For example, an affordable 3-bedroom home for a family of four (4) with an AMI of 80%, is \$300,000.

Table 1

Calaveras County Income Limits, 2022

	Household Size					
	1	2	3	4	5	6
30% AMI	\$ 18,900	\$ 21,600	\$ 24,300	\$ 27,750	\$ 32,470	\$ 37,190
50% AMI	\$ 31,500	\$ 36,000	\$ 40,500	\$ 45,000	\$ 48,600	\$ 52,200
60% AMI	\$ 37,800	\$ 43,200	\$ 48,600	\$ 54,000	\$ 58,320	\$ 62,640
80% AMI	\$ 50,400	\$ 57,600	\$ 64,800	\$ 72,000	\$ 77,800	\$ 83,550
100% AMI	\$ 63,000	\$ 72,000	\$ 81,000	\$ 90,000	\$ 97,200	\$ 104,400
110% AMI*	\$ 69,300	\$ 79,200	\$ 89,100	\$ 99,000	\$ 106,920	\$ 114,840
120% AMI*	\$ 75,600	\$ 86,400	\$ 97,200	\$ 108,000	\$ 116,640	\$ 125,280

* Incomes are imputed based on median income.

Sources: HCD, 2022.

Table 2

Affordable Home Sales Prices, Calaveras County, 2022

Unit Size	Household Income (AMI)					
	30%	50%	60%	80%	100%	120%
Studio (1-person HH)	N/A	N/A	\$126,566	\$190,501	\$254,436	\$318,371
1-Bedroom (2-person HH)	N/A	N/A	\$153,966	\$227,035	\$300,104	\$373,173
2-Bedroom (3-person HH)	N/A	N/A	\$181,367	\$263,570	\$345,772	\$427,974
3-Bedroom (4-person HH)	N/A	N/A	\$208,768	\$300,104	\$391,440	\$482,776
4-Bedroom (5-person HH)	N/A	N/A	\$230,689	\$329,535	\$427,974	\$526,617

The developer estimates that the project will be complete, and homes will be ready for sale by 2025. HCD updates the AMI and affordability information for Calaveras County annually. As it is impossible to predict what the average income and therefore affordability rates will be in 2025 (when the project is projected to be ready for sales), the county can only commit to replace the original affordable sales price of \$200,000 with whatever price is deemed affordable for a household at 80% of AMI by the HCD when the homes are offered for sale.

Table 3 below illustrates the County's annual housing progress report, showing that we continue to fall well below the State's Regional Housing Needs Allocation (RHNA) goals for low and very low-income levels in the unincorporated portion of Calaveras County. Eliminating the specific selling price of a home and allowing the HCD to determine the

selling price will ensure that all persons falling into the low-income range including both low and very low-income levels, will be eligible to purchase a home.

Table 3

Income Level	RHNA	2019	2020	2021	Total Units to Date All years	Total Remaining RHNA
Very Low	268	-	-	-	-	268
Low	178	-	18	-	18	160
Moderate	168	-	28	-	28	140
Above Moderate	482	46	25	89	160	322
Combined	1,096	46	71	89	206	890

Three years into the eight-year Housing Element cycle, the county has achieved 18.8% of its RHNA goal. To be on track, we should be at 37.5%.

The proposed revision to Condition II-9 is:

- Prior to approval of a Final Subdivision Map, the applicant will enter into a recordable agreement with the County to commit five (5) housing units to be sold to buyers meeting bona fide low-income limits as set by the California Department of Housing & Community Development (HCD). Deed restrictions will be placed on the units so that resale prices to future buyers would be indexed over 30 years to low-income limits as set by HCD.*

Through this change, the number of required affordable housing units will remain the same, and they will still need to fit the definition of “low-income” set by HCD, but—instead of setting a fixed maximum sale price based on a 2006 definition of this term—the maximum sale price will now be based on whatever HCD’s “low income” threshold happens to be at the time of sale.

CONCLUSION:

Modifying condition of approval II-9 to remove the specific selling price of \$200,000 and allowing HCD to determine the affordable home sales price based on household income levels at the time of purchase will increase the eligibility of all low-income buyers and help to decrease the total remaining RHNA. The proposed modification is consistent with the goals and policies of the County Housing Element of the General Plan. Goal H-2

encourages development, construction, and maintenance of safe, decent, and well-built affordable housing in the County. The parcels are located within the Rancho Calaveras / Jenny Lind Community Plan Area. Being that this is a residential project and modifying condition II-9 does not change the project, there are no applicable community plan policies specific to the modification. The zoning code does not regulate household income levels and affordable home prices.

ENVIRONMENTAL REVIEW:

The Mitigated Negative Declaration prepared and adopted for the project (MND), which is attached to this staff report, adequately addressed potentially significant environmental impacts associated with the project. While the construction of affordable housing was mentioned as one of the project goals in the MND, the maximum price of the resulting affordable units was not and is not related to any environmental impact category requiring CEQA review. A change to a tentative map condition by which the current HCD-approved definition of “low income” will govern the maximum sale price of the five affordable units instead of an outdated fixed price deriving from an HCD formula applicable only at the time the map was approved is not a “change” to the project within the meaning of CEQA, does not trigger any of the conditions requiring subsequent CEQA review under Guideline § 15162, and does not require the preparation of an addendum. No further development is requested through this modification, and no changes are proposed to the resulting units or the property containing them. There are no further changes proposed to the tentative map; therefore, the previously approved MND 2005-190 continues to apply to the approval of this discretionary map modification.

RECOMMENDATION:

Staff recommends the Planning Commission adopt resolution 2022-015 approving the Modification to Condition II-9 of BOS RES 08-023 for the North Vista Plaza Subdivision based the findings included therein.

ATTACHMENTS

1. Draft Resolution
2. BOS RES 08-023
3. Notice of Public Hearing
4. Request for Modification
5. MND 2005-190

Attachment 1

Draft Resolution 2022-015

COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION

RESOLUTION NO. 2022-015

>>A RESOLUTION APPROVING THE MODIFICATION TO CONDITION II-9 OF BOS RES 08-023, CONDITIONALLY APPROVING TENTATIVE SUBDIVISION TRACT MAP (TSTM) 2005-190 FOR NORTH VISTA PLAZA

WHEREAS, the Planning Department of the County of Calaveras received a request from Evan Licht on behalf of LGI Homes to modify condition II-9 of Board of Supervisors (BOS) Resolution 08-023, approving TSTM 2005-190 for North Vista Plaza, by removing the “average sale price of \$200,000” portion of the condition; and

WHEREAS, on January 22, 2008, the County BOS conditionally approved TSTM 2005-190 for North Vista Plaza to create 167 lots consisting of 156 residential lots, 2 on-site detention basins, 7 landscaped areas, 2 recreational areas and private streets; and

WHEREAS, condition II-9 limits the sales price of five (5) homes to \$200,000, which is currently below 60% of the county’s AMI; and

WHEREAS, the proposed project is located on real property in the unincorporated portions of the County of Calaveras more particularly described as APN’s: 073-056-001, 002,003, and 009; and

WHEREAS, pursuant to California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and adopted by the BOS with approved TSTM 2005-190 for North Vista Plaza which adequately addressed potentially significant environmental impacts associated with the project; and

WHEREAS, the modification to condition II-9 is not growth inducing and will not have a new potentially significant effect on the environment; thus, pursuant to California Environmental Quality Act (CEQA), the modification is supported by the original Mitigated Negative Declaration approved for the project; and

WHEREAS, during a duly noticed public hearing on December 8, 2022, the Planning Commission considered all the information presented to it, including its staff report, information presented by the project proponent, and public testimony presented in writing and at the meeting; therefore,

BE IT RESOLVED, that the Planning Commission approves the modification to condition II-9 of TSTM 2005-190 based upon the following findings:

1. A Mitigated Negative Declaration (MND) was prepared for TSTM 2005-190 in accordance with the California Environmental Quality Act (CEQA), including seven (7) mitigation measures.

Evidence: *The Mitigated Negative Declaration prepared and adopted for the project (MND) adequately addressed potentially significant environmental impacts associated with the project. While the construction of affordable housing was mentioned as one of the project goals in the MND, the maximum price of the resulting affordable units was not and is not related to any environmental impact category requiring CEQA review. A change to a tentative map condition by which the current HCD-approved definition of “low income” will govern the maximum sale price of the five affordable units instead of an outdated fixed price deriving from an HCD formula applicable only at the time the map was approved is not a “change” to the project within the meaning of CEQA, does not trigger any of the conditions requiring subsequent CEQA review under Guideline § 15162, and does not require the preparation of an addendum. No further development is requested through this modification, and no changes are proposed to the resulting units or the property containing them. There are no further changes proposed to the tentative map; therefore, the previously approved MND 2005-190 continues to apply to the approval of this discretionary map modification.*

2. The proposed modification is consistent with the County General Plan and applicable community or special plan, and the provisions of Title 17.

Evidence: The modification is consistent with the goals and policies of the County Housing Element. Goal H-2 encourages development, construction, and maintenance of safe, decent, and well-built affordable housing in the County. LGI Homes intends to build out the subdivision providing quality homes for sale. Condition II-9 requires the dedication of 5 homes to be sold at a cost affordable to low-income home buyers (80% AMI or lower). Relying on a specific selling price does not account for inflation; thus, limiting the eligibility of low-income buyers to only those falling below 60% AMI. The parcels are located within the Rancho Calaveras / Jenny Lind Community Plan Area. Being that this is a residential project and modifying condition II-9 does not change the project, there are no applicable community plan policies specific to the modification. The zoning code does not regulate household income levels and affordable home prices.

3. Conditions of project approval are necessary for protection of the public health, safety, and welfare, and to reduce or eliminate potential environmental effects.

Evidence: This project is conditioned to adequately meet the housing needs of all economic segments of the community. Modifying Condition II-9 is beneficial to the welfare of the public as it will provide opportunities to all income levels without exclusion.

BE IT FURTHER RESOLVED, that the Planning Commission approves the modification to condition II-9 to read as follows:

- II-9 Prior to approval of a Final Subdivision Map, the applicant will enter into a recordable agreement with the County to commit five (5) housing units to be sold to buyers

meeting bona fide low-income limits as set by the California Department of Housing & Community Development (HCD). Deed restrictions will be placed on the units so that resale prices to future buyers would be indexed over 30 years to low-income limits as set by HCD.

PASSED AND ADOPTED by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on December 8, 2022, on a motion by Commissioner _____ and seconded by Commissioner _____

AYES:

NOES

ABSTAIN:

ABSENT:

Chair, Planning Commission

ATTEST:

Gina Kathan, Planner IV

The project files are available for public review in the Planning Department, County of Calaveras, Government Center, 891 Mountain Ranch Road, San Andreas, CA. 95249, between the hours of 8:00 a.m. and 4:00 p.m.

Attachment 2

BOS RES 08-023

1 BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
2 STATE OF CALIFORNIA
3 January 22, 2008

4 RESOLUTION No. 08-023

5 A RESOLUTION APPROVING VESTING TENTATIVE SUBDIVISION TRACT MAP 2005-
6 190, and ROAD ORDINANCE MODIFICATION REQUEST.

7 WHEREAS, the Board of Supervisors of the County of Calaveras is permitted to
8 approve a Tentative Subdivision Tract Map and Road Ordinance Modification request on
9 recommendation from the Planning Commission; and

10 WHEREAS, the Planning Commission of the County of Calaveras did conduct a
11 public hearing and made a recommendation to Board of Supervisors concerning the proposed
12 Vesting Tentative Subdivision Tract Map and Road Modification request; and

13 WHEREAS, the Board of Supervisors duly advertised and considered the
14 Planning Commission recommendation and all of the testimony presented to it, including its
15 staff report, Initial Study and Mitigated Negative Declaration, at a public hearing.

16 NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the
17 County of Calaveras does hereby approve Vesting Tentative Subdivision Tract Map 2005-190
18 for FLOYD AND MARILYN NORRIED AND THE MARK PRINGLE COMPANY, LLC based on the following
19 findings and conditions as amended by the Planning Commission:

20 FINDINGS FOR 2005-190:

- 21 1. A Mitigated Negative Declaration was prepared in accordance with the California
22 Environmental Quality Act, including seven (7) mitigation measures. With
23 implementation of the mitigation measures, the project will have a less than significant
24 impact.

25 Road Ordinance Modification Findings:

- 26 2. There are physical characteristics unique to the property, including size, shape,
27 topography, that are so unusual that complying with the requirements would create
28 exceptional hardship to the subject parcel.

Evidence: The project includes 28 units of dense, clustered housing. Clustering this
housing will further the goals of the General Plan by preserving greater open space and
trees than would otherwise occur, provide for more affordable housing, and provide a
mix of housing types within this project. The streets for this section of the project have

1 been designed to accommodate future anticipated parking demands while maintaining
2 open space.

- 3 3. The requested Road Ordinance Modifications would not be detrimental to the health,
4 safety, and welfare of the adjacent or surrounding residences.

5 Evidence: Public Works filed a letter stating that Rick engineering company had
6 submitted a written modification request to allow for the terminus of certain roadways to
7 be constructed in a shortened version of a hammerhead as shown on the tentative map.
Based upon the engineer's representation that modification to the County standards did
not compromise traffic safety, public works concurred with granting the modification
request.

8 Tract Map Findings:

- 9 4. The proposed subdivision is physically suitable for the requested parcel sizes, and the
10 design of the proposed land division or its improvements will not cause serious health
problems.

11 Evidence: The subject property is located within the Calaveras County Water District
12 service area and the proposed lots will be provided potable water and wastewater
services accordingly.

- 13 5. The proposed land division is consistent with the requirements of the County Subdivision
14 Ordinance.

15 Evidence: The proposed land division as conditioned will comply with Title 16 of the
16 Calaveras county Subdivision code.

- 17 6. The proposed land division is consistent with the General Plan and the County Zoning
Code.

18 Evidence: The proposed land division shall comply with Site Development Standards
19 of the R-1 PD and REC-X-EP-PD base zones.

- 20 7. Conditions of project approval are those necessary to protect the interests of prospective
21 property owners or those necessary to protect the broader interests of the general public
health, safety and welfare.

22 Evidence: The proposed land division shall comply with the Open Space Element of
23 the General Plan The project site will not impact any plant or animal species identified as
24 federally listed, or State listed, or Species of Special Concern. The proposed land
division is physically suitable for the requested parcels sizes, and the design of the
proposed land division or its improvements will not cause serious health problems.

25 I. GENERAL CONDITIONS:

- 26
27 1-1. The Applicant shall defend, indemnify, and hold harmless the County or its agents, officers
28 and employees from any claim, action, or proceeding against the County or its agents,
officers and employees to attack, set aside, void, or annul the County's approval of
Applicant's project, if any. The County agrees to promptly notify the Applicant of said any
claim, action, or proceeding against the County or its agents, officers and employees. If the

County fails to promptly notify the Applicant, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. Nothing shall prohibit the County from participating in the defense of any claim, action, or proceeding, if the County bears its own attorney's fees and costs and the County defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

I-2. The final map shall substantially conform to Tentative Subdivision Tract Map 2005-190 as submitted, amended by the applicant on October 31, 2007, and be approved by the Board of Supervisors.

I-3. The final map shall meet the requirements of the Calaveras County Subdivision Ordinance Title 16 and be approved by the Public Works Director and the County Surveyor.

I-4. The maximum number of lots created by the Final map shall not exceed one hundred sixty seven (167) lots consisting of no more than 156 residential lots, 2 on-site detention basins, 7 landscaped areas, 2 recreation areas, and private streets.

I-5. The Final map shall not be filed with the Recorder until the fifteen (15) day appeal period has expired on February 6, 2008 at 5:00 PM. In the event of an appeal, this map shall be withheld until the conclusion of the appeal process.

I-6. The Final map shall be filed with the Calaveras County Surveyor within thirty-six (36) months. If the map is not filed by January 22, 2011 the tentative map shall expire.

I-7. Any application to extend the filing period for this map shall be received by the Calaveras County Planning Department no less than 30 days prior to the original expiration date.

I-8. Prior to recordation of the Final map, the subdivider shall provide proof to the County Surveyor, that there are no liens against the property, or any part thereof, for taxes or special assessments currently due.

II PLANNING DEPARTMENT CONDITIONS:

II-1. Prior to recordation of the Final Subdivision Map the applicant shall provide proof to the Planning Department that the administration fee for the California Department of Fish and Game Mitigated Negative Declaration review has been paid.

II-2. The applicant shall stop work and notify the Planning Department if any one of the following occurs:

- If, during project related construction, any structural remains such as large rock, brick or concrete are found, construction in the immediate vicinity of the find(s) shall cease and a qualified archaeologist shall be retained to evaluate the find(s) and make recommendations as necessary.
- If, during project related construction, artifacts such as glass or ceramic pieces, metal, obsidian, chert (flint), or grinding rocks are found, construction in the immediate vicinity of the find(s) shall cease and a qualified archaeologist shall be retained to evaluate the find(s) and make recommendations as necessary.
- It is unlikely that human remains will be found within the study area. If human remains are found, however, Appendix K of the CEQA Guidelines sets forth the process by which these remains must be addressed. In addition, the project proponent shall retain

the services of a qualified archaeologist to evaluate the scientific aspects of the discoveries and make recommendations as appropriate.

II-3. Seven (7) Mitigation Measures are required, to protect Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hydrology & Water Quality, and Transportation/Traffic.

MM# 1. Aesthetics 1-1 Prior to approval of the Final Map, the developer shall submit a detailed lighting plan to ensure that all on-site lighting is directed within the project site and does not illuminate adjacent properties. The lighting plan will show the locations and design of the shielded light fixtures for the review and approval of the Planning Department and the Public Works Department.

MM# 2. Biology 1 Prior to recording the first phase of the Final Map, the developer shall obtain and comply with a California Dept. of Fish and Game Streambed Alteration Agreement in accordance with Sections 1600-1616 of the California Fish and Game Code. As a performance standard, the agreement shall (1) contain BMPs and detention facilities such that there is no net increase in the volume or velocity of off-site flows of stormwater, (2) contain BMPs such that there is no net increase in the load of pollutants in off-site stormwater flows, and (3) require revegetation of the swale such that the swale supports riparian vegetation of equal or greater value as compared to the existing swale (baseline riparian vegetation is documented in the wetland delineation report).

MM# 3. Biology 2 Prior to recording the first phase of the Final Map, the project developer shall obtain and comply with the NPDES general permit including the submittal of a Notice of Intent (NOI) and associated fee to the State Water Resources Control Board (SWRCB) and the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes construction Best Management Practices (BMPs) to be submitted to the Public Works Director for review and approval and maintained on-site at all times during construction. Drainage from all paved surfaces, including streets, parking lots, driveways, and roofs shall be routed through an appropriate treatment system to mitigate surface runoff and water quality impacts during project construction and operations. As described in Section VIII Hydrology and Water Quality, the applicant intends to detain stormwater on the site via a site stormwater system that will include culverts, drainage pipes, bioswales, and detention basins with the ability to treat stormwater before discharge

MM# 4. Cultural 1 If previously undocumented cultural resources are encountered during ground-disturbing activities, work within 100 feet of that location shall stop or be diverted until a qualified archeologist has evaluated the find and determined the appropriate course of action. Work shall not resume in the area of the find until proper disposition is complete.

If any human remains are discovered, work shall cease immediately in the area of the find and the County Coroner shall be contacted in accordance with §7050.5 of the California Health and Safety Code. If the coroner determines the remains represent Native American interment, the Native American Heritage Commission in Sacramento shall be consulted to identify the most likely descendants and appropriate disposition of the remains.

1
2 If it is determined the find indicates a sacred or religious site, the site shall be
3 avoided to the maximum extent practicable. Formal consultation with the State
4 Historic Preservation Office and review by the Native American Heritage
5 Commission shall also occur.

6
7 MM# 5. Geo-1 Prior to any on-site grading, the project developer shall submit for the
8 review and approval of the Public Works Department, an erosion control plan
9 that will utilize standard construction practices to limit the erosion effects during
10 construction of the proposed project. Measures could include but are not
11 limited to:

- 12 • Hydro-seeding;
- 13 • Placement of erosion control measures with drainageways and ahead of
14 drop inlets;
- 15 • The temporary lining (during construction activities) of drop inlets with
16 "filter fabric" (a specific type of geotextile fabric);
- 17 • The placement of straw wattles along slope contours;
- 18 • Directing subcontractors to a single destination "wash-out" location (as
19 opposed to allowing them to wash-out in any location they desire);
- 20 • The use of siltation fences; and
- 21 • The use of sediment basins and dust palliatives.

22
23 MM# 6. Traffic 1 Prior to issuance of an Occupancy Permit the traffic signal at the
24 intersection of Vista Del Lago Drive and SR 26 shall be installed. In the traffic
25 analysis completed for the project the amount of traffic added to the
26 intersection of SR 26/Vista Del Lago Drive for each of the cumulative projects
27 was added together for both the AM and PM peak hours to determine the
28 amount of additional traffic projected in the future at the intersection location.
The North Vista Plaza project is anticipated to contribute 22.39% of the
additional traffic during the AM peak hour and 12.12% of the additional traffic in
the PM peak hour. With the addition of the traffic signal the intersection of
Vista Del Lago/SR 26 would operate at LOS A for the AM peak hour and at
LOS B for the PM peak hour, taking into account existing + cumulative +
project operations. The applicant and the County will enter into an
reimbursement agreement based on the fair share amount as determined by
the County.

29
30 MM#7. Air Quality 1 The developer and all contractors shall provide effective dust
31 suppression for land clearing, grubbing, scraping, excavation, land leveling,
32 grading, cut and fill and demolition activities to the approval of the air pollution
33 control officer.

34
35 The developer and all contractors shall provide effective stabilization of all
36 disturbed areas of a construction site, including storage piles, not used for
37 seven or more days to the approval of the air pollution control officer and public
38 works director.

39
40 The developer and all contractors shall provide effective control of fugitive dust
41 from onsite unpaved roads and offsite unpaved access roads to the approval of

the air pollution control officer.

The developer and all contractors shall provide for the removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site to the approval of the public works director.

II-4 Lot 99 (previously Lot 105) will have landscape limitations that prohibit planting within the drip line of the large heritage oak tree. Lots 31, 32, 35, and 42 (previously 16, 17, 20, and 27) that have existing oak trees will also have the same landscape limitation. Some limited native landscaping may be allowed if no irrigated or watering is required. This condition shall also be included in the CC&Rs. Each tree condition shall be reviewed by a certified arborist and they shall recommend if landscaping can occur under a dripline and if so, where and to what extent. Grading, trenching and other site construction work shall be allowed within the dripline of any tree if permitted by a licensed arborist..

II-5 Trenching grading and other site construction work is permitted within the drip lines of oak trees if permitted by a licensed arborist.. This condition shall also be included in the CC&Rs.

II-6 The developer shall record building envelopes on all lots in accordance with the Setback Plan by Rick Engineering (see Exhibit 7). This condition shall be met as part of the Improvement Plans to be submitted before approval of the Final Map.

II-7 Developer shall adjust the building envelopes on lots where individual oak trees are being preserved (at minimum Lots 31, 32, 35, 42, and 99). Adjustment may take the form of moving the building pads or modifying the design of structures in order to make more room for the oak trees. Each tree condition shall be reviewed and approved by a certified arborist.

II-8 All fill and embankments shall be accommodated on site (see Grading Plan exhibit). No soil shall be deposited on neighboring properties. A detail of the grading of Lots 110-115 shall be provided by the Developer with the Improvement Plan submittal. This condition shall be met prior to grading permit.

II-9 Prior to approval of a Final Subdivision Map, the applicant will enter into a recordable agreement with the County to commit 5 housing units to be sold at an average sales price of \$200,000. These units would be sold to buyers meeting bona fide low income limits as set by the California Department of Housing & Community Development (HCD). Deed restrictions will be placed on the units so that resale prices to future buyers would be indexed over 30 years to low income limits as set by HCD.

III. COUNTY ROAD ORDINANCE (CHAPTER 12.02) AND PUBLIC WORKS DEPARTMENT CONDITIONS:

The Public Works Department has submitted a letter indicating their approval of the road modification request. Prior to recording the first phase of the Final Map, the subdivider shall submit a letter to the Planning Department from the Public Works Department stating the following conditions have been satisfied:

III-1. The roadways are to be based on the following design criteria:

1. The onsite roads named Street "A" through Street "K" are to be constructed to road section B as shown on the tentative map and Exhibit 1 of modification request dated October 26, 2006. The proposed turnarounds at the end of Street "A", Street "F", Street "G", Street "J", and Street "K" are to be constructed with an 80-foot minimum surface diameter.
 - a. Structural section for the residential road is to be based on a Traffic Index of 4.5 and the R-value of the soil with a minimum of 2" A.C. over 4" Class 2 A.B.
 - b. Residential road intersections are to be based on a Local Approach.
 - c. Other design requirements including horizontal curve radii shall conform to Template "N" standards as shown on table IV of the Road Ordinance.
 - A. The maximum road curve radius for rolling terrain per the Road Ordinance is 250-feet. The proposed knuckles as shown on the tentative map are acceptable.
2. West Vista Del Lago roadway is to be extended by constructing the roadway to the template (TSTM 98-07) as shown on the Tentative Map.
 - a. The limits of the improvements from existing West Vista Del Lago Drive, westerly to and through the Applicant's property to Berkesey Drive turn around.
 - b. Structural section for the residential road is to be based on a Traffic Index of 5.0 and the R-value of the soil with a minimum of 2" A.C. over 6" Class 2 A.B.
 - A. Construct tie in of existing West Vista del Lago Drive to west Vista del Lago Drive. Improve as needed for a smooth transition.
 - B. Construct tie in of West Vista Del Lago Drive to Berkesey Drive turn around. Improve as needed for a smooth transition.
3. Provide a signalized stop light at the intersection of Vista Del Lago and State Highway 26 in accordance with Caltrans design manual. The applicant may enter into a reimbursement agreement with the County for reimbursement from other projects in the area that will have traffic impacts associated with the intersection.
4. Improve roadways serving cluster lots (Roads AA to KK) to Residential Road Standards. The template shall consist of two 12-foot travel lanes without sidewalks (as shown in the detail for 6-pack typical cluster plan on the tentative map dated 10/31/07).
 - a. No parking shall be allowed on the roadways except at end of Road KK. Parked vehicles shall not extend beyond the parking stall.
 - b. Emergency vehicle access on Road JJ (between Lots 129 and 131) to West Vista Del Lago shall be gated with a gate or other barrier that will prohibit traffic circulation but allows only emergency access. Encroachment onto West Vista Del Lago shall be in conformance with ADA requirements (depressed sidewalk).
 - c. Roads HH and II shall have pedestrian access to West Vista Del Lago.
 - d. Structural Section for the roadways shall be based on a Traffic Index of 4.5 and the R-Value of the soil with a minimum of 2" A.C. over 4", Class 2 A.B.
 - e. Pavement backing shall consist of vertical curbs with landscaping behind the curbs. Curbs may be flush when inverted crown is used to control drainage.
 - f. Alignment for the roadways shall follow the proposed alignment shown on the Tentative Map.
 - g. An inverted crown may be used for drainage.
 - h. Hammerhead turnaround configuration at the end of the roadways shall be as shown in Exhibit 3 of the Modification Request dated October 23, 2007, with a minimum width between garage faces of 40 feet and driveway width of 16 feet. Note that parking shall not be allowed in front of garages and doors shall be roll-up.
 - i. Road intersections are to be based on a Local Approach.

III-2. The improvement plans are to include but not be limited to the following:

1. Signature and stamp of the Registered Civil Engineer in responsible charge.

2. Road improvements details including plan, profile, and cross sections.
3. A site development plan showing existing and proposed contours.
4. An erosion control plan in full compliance with the state Water resources Control Board.
5. Utilities.
6. Signage as needed including road name signs, traffic control signs, no parking signs and a "Not a County Maintained road" signs.
7. Drainage plan including hydrology/hydraulics analysis in support of design and analysis of pre and post project condition to verify that downstream drainage appurtenances can handle the flows. Include proposed detention pond.
8. The removal/re-location of any fences from within the County road right of way.
9. Wetland areas and areas of inundation by the 100-year storm event, if any.
10. Improvement plans must be approved by Public Works prior to construction or filing of a final subdivision Map, whichever occurs first.
11. Soils/geotechnical report in support of design.
12. The developer is required to apply for all necessary approvals or permits including permits from Fish and Game, Regional Water Quality Control Board, and Army Corp of Engineers. The Waste Discharge ID Number shall be placed on the plans as evidence that the developer has complied with the State Storm Water Regulations for construction activity. Permits from other agencies including Fish and Game and Army Corp of Engineers shall be submitted to the County along with the improvements plans.
13. Any incremental increase in flows (based on 100-year storm) from the development to Cosgrove Creek or any other off-site drainage shall be detained.
14. Provide a grading plan consistent with Implementation Measure V-6A-1 of the General Plan. Note that Implementation Measure V-6A-1 states that new development shall be encouraged to avoid extreme topographic modification and may be required to restore natural contours and vegetation of the land after grading or other land disturbances. In addition, compliance with grading and stormwater ordinances shall be required.

III-3. The following items are to be shown on the Final Map:

1. Delineate and cite all existing road and public utility easements.
2. Any proposed road and public utility easements are to be offered for dedication.
3. A 46-foot road and public utility easement per private road section B shown in modification request dated October 26, 2006 is to be dedicated for the on site roads named street "A" through street "I."
4. Dedicate at least a 25-foot road and public utility easement as access to the cluster lots (back of curbs). Total improved area fronting the garages including access way and driveway aprons shall extend 40 feet (from face of garage to face of garage).
5. Dedicate access control rights to the County for the entire frontage of Vista Del Lago West.
6. Dedicate 100-foot diameter road and public utility easement for turnarounds at the ends of roadways.
7. All areas subject to inundation due to a 100-year storm event are to be shown on the Final Map. If there are no such areas, a statement certified by a Registered Civil Engineer is to be placed on the map stating so.
8. Dedicate a 72-foot road and public utility easement for Vista Del Lago (as shown on the tentative map dated 10/31/07).

III-4. The following items are to be submitted to the Public Works Department prior to recording the Final Map:

1. A declaration is to be signed by the applicant creating a road maintenance agreement for the proposed roads. The road maintenance agreement shall include:
 - a. The scope of maintenance.
 - b. Outline minimum standards for maintenance.
 - c. Contain a cost estimate of said maintenance.
 - d. Establish the entity responsible for administering the road maintenance agreement.

- e. Create the funding mechanism.
2. A complete set of improvement plans approved by the Public Works Department.
3. An engineer's estimate of probable cost which includes prevailing wage rates, 10% contingencies and 3% administrative costs.
4. If the Applicant wishes to record the Final Map prior to construction of any improvements, a Project Improvement Agreement together with appropriate securities will be required consistent with Road Ordinance section 12.02.34. Securities may be in the form of a performance bond and, labor and materials bond, each in the amount of 100% of the engineer's estimate of probable cost.
5. Hydrology/hydraulics analysis in support of determination of areas of inundation.
6. The applicant is to obtain slope easements from adjacent owner(s) along lots 148 and 149 and any other areas that fill or cut slopes encroach onto property not owned by the applicant. In the event it is not possible to obtain slope easements, the grading shall be designed to be located entirely on-site.

IV. OTHER DEPARTMENT/AGENCY CONDITIONS:

Environmental Management Agency

IV-1. Prior to recordation of the Final map, the subdivider shall provide the following to the Environmental Management Agency:

- A. A written statement from a sanitation district indicating public sewer service will be provided to each parcel and the terms for the same.
- B. A written statement from a public water purveyor indicating water will be provided to each parcel and the terms for the same.

Building Department

IV-2. The following shall be required at the time of building permit issuance:

- A. All parcels one acre and larger shall be provided with a minimum 30' setback for defensible space for buildings and accessory buildings from all property lines and/or center of a road. (Cal.Co.Ord.8.10).
- B. All emergency vehicle access roads serving more than one parcel shall be a minimum of two nine-foot traffic lanes, a total of 18' unobstructed width. (Cal.Co.Ord.8.10).
- C. Driveways exceeding 150' in length, but less than 800' in length shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800' in length, turnouts shall be provided no more than 400' apart. (Cal.Co.Ord.8.10).
- D. A turnaround shall be provided at all building sites on driveways over 300' in length, and shall be within 50' of the building. A turnaround may be omitted if the driveway provides a continuous means of ingress served by a minimum of two legal encroachments. (Cal.Co.Ord.8.10).
- E. The roadway surface shall be provided with all-weather surface material that will withstand a 40,000 lb. load for emergency vehicles. (2001 CFC, Cal.Co.Ord.8.10.)
- F. The roadway grade shall not exceed a 16% grade. (Cal.Co.Ord.8.10).
- G. Turnarounds are required on all dead-end roads. The minimum turning radius for a turnaround shall be 40' from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60' in length. (Cal.Co.Ord.8.10).
- H. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. All water systems shall meet or exceed "PUC General Order 103" standards, or NFPA 1142, "Standard on water supplies for Suburban and rural Firefighting". A full scaled set of plans for the fire protection water system shall be submitted to the Building Department for fire prevention review and approval prior to

1 installation. (2001 CFC, Art. 10, Cal. Co. Ord. 8.10).

- 2 I. A full scaled set of plans indicating roads/driveways shall be submitted to the Building
3 Department for fire prevention review and approval prior to construction. (2001 CFC,
4 Art. 10).
- 5 J. The proposed subdivision is subject to further requirements relating to access, water
6 supply for fire protection, premises identification, as well as other requirements specific
7 to the project when building permits are requested.

8 Pacific Gas and Electric Company

9 IV-3. The applicant shall provide unrestricted utility access and prevent easement
10 encroachments that might impair the safe and reliable maintenance and operation of Pacific
11 Gas and Electric Company facilities within, and proximate to, the project site.

12 ON A MOTION by Supervisor Claudino seconded by Supervisor Thomas the foregoing
13 Resolution was duly passed and adopted by the Board of Supervisors of the County of Calaveras,
14 State of California on the 22nd day of January, 2008 by the following votes:

15 AYES: Supervisors Wilensky, Thomas, Tryon, Callaway & Claudino

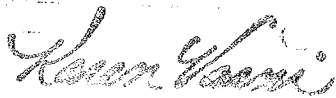
16 NOES: None

17 ABSENT: None

18 ABSTAIN: None

19 
Chair, Board of Supervisors

20 ATTEST:

21 

22 County Clerk and Ex-Officio Clerk to
23 the Board of Supervisors, of the County
24 of Calaveras, California

Attachment 3

Notice of Public Hearing



PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

LEAD AGENCY: Calaveras County Planning Department
891 Mountain Ranch Rd.
San Andreas, CA 95249

2022-047 Modification to Existing Permit for 2005-190 TSTM North Vista Plaza: The County Planning Department received a request from LGI Homes to modify condition II-9 of Board of Supervisors Resolution 08-023 approving Vesting Tentative Subdivision Tract Map 2005-190 and road ordinance modification request for North Vista Plaza on January 22, 2008. The TSTM was approved to create a 156-lot residential subdivision and is located 2 miles southwest of Valley Springs, 1,000 feet north of Highway 26 approximately 1.75 miles south of the Highway 12/Highway 26 intersection. The project site, APN's 073-056-001, 002, 003, and 009, is a portion of Section 26, Township 4N, Range 10E, MDM. Pursuant to CEQA guidelines, a Mitigated Negative Declaration was adopted with project approval in 2008. The request for modification will rely on the original Mitigated Negative Declaration as the request is not growth inducing and will not have a significant effect on the environment.

NOTICE IS HEREBY GIVEN that the Calaveras County Planning Commission will conduct a public hearing on **November 10, 2022**, at **9:00 a. m.** or soon thereafter to consider the above referenced project. The public hearing will be held in the Calaveras County Board of Supervisors Chambers, Government Center, 891 Mountain Ranch Road, San Andreas, California.

Pursuant to Government Code 65009, if anyone challenges the above listed issues in a court of law, the challenge may be limited to raising only those issues you or someone else raise at the public hearing described in this notice, or in written correspondence delivered to the Commission, at or prior to, the public hearing. You are welcome to review the application at the Calaveras County Planning Department during normal working hours, 8:00 a. m. to 4:00 p. m., Monday through Friday except county holidays. Gina Kathan is the project planner and can be reached at (209) 754-6394. Planning Commission staff reports are made available for public viewing online at <https://calaverasgov.us/Meeting-Calendar> on the Friday prior to the scheduled meeting. The project file and staff report can be viewed or purchased at the Planning Department for the cost of making the copies.

Date of Notice – **October 28, 2022**

Attachment 4

Request for Modification



Gina Kathan
Calaveras County Planning Department

Dear Ms. Kathan,

August 29, 2022

I am writing you to formally request a modification to the conditions of approval (resolution 08-023) for North Vista Plaza, a 156-lot subdivision in Valley Springs, CA. Condition II-9 reads "Prior to approval of a Final Subdivision Map, the applicant will enter into a recordable agreement with the County to commit 5 housing units to be sold at an average sales price of \$200,000. These units would be sold to buyers meeting bona fide low-income limits as set by the California Department of Housing & Community Development (HCD). Deed restrictions will be placed on the units so that resale prices to future buyers would be indexed over 30 years to low-income limits as set by HCD."

My request is to remove the "average sales price of \$200,000" portion of the condition so that it reads, "...the applicant will enter into a recordable agreement with the County to commit 5 housing units to be sold to buyers meeting bona fide low-income limits as set by the California Department of Housing & Community Development (HCD)..."

Income limits as set by HCD have increased dramatically over the last 16 years. In 2022, the low-income limit for a family of 4 is \$72,000 and will certainly go up in 2023 due to the inflationary environment. In 2012 (earliest year of income limits posted on the HCD website), the low-income limit for a family of 4 was \$55,750. Therefore, the amount of home a low-income family can qualify for has gone up dramatically. The intent of this condition is to provide opportunity for low-income families, and we intend to fulfill that intent.

Additionally, such a small change should be seen as substantial conformance to the original conditions of approval and be able to be approved administratively by County staff. Thank you.

Sincerely,

Evan Licht
LGI Homes

**INITIAL STUDY
AND
MITIGATED NEGATIVE DECLARATION
FOR**

**2005-190 Zoning Amendment, Tentative Subdivision Tract Map, and Planned
Development Permit for Floyd and Marilyn Norried and The Mark Pringle
Company, LLC (North Vista Plaza).**

LEAD AGENCY:
CALAVERAS COUNTY
PLANNING DEPT.
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

PREPARED BY:
PROJECT CONSULTANTS
Planning Dept.
March 12, 2007

Independently reviewed for Calaveras County by:
Quad Knopf Inc.
One Sierragate Plaza Ste. 270C
Roseville, CA 95678

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Project Description

INTRODUCTION

This Initial Study/Draft Mitigated Negative Declaration (IS/Draft MND) has been prepared by the Calaveras County Planning Department to evaluate the potential environmental effects of the proposed 2005-190 Tentative Subdivision Tract Map, Zoning Amendment, and Planned Development for the North Vista Plaza Project, Valley Springs, Calaveras County, California. This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq.*, and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 *et seq.* The lead agency for the proposed project is the Calaveras County Planning Department.

BACKGROUND AND NEED FOR THE PROJECT

The project site as described in the Project Description below is part of a larger development approved in 1999. As part of this larger earlier proposed development, the project site was planned and zoned for Multi-Family Residential Planned Development (R3-PD) and R3-PD Mobile Home Park (MHP). A Mitigated Negative Declaration was prepared for the larger project on April 19, 1999. The current project would require a zoning amendment for the proposed R1 Single-Family residential development and the proposed recreation area (Rec ExPD). The project will consist of two different neighborhood types, standard homes on lots ranging from 6,000 square feet to 21,220 square feet, and cluster homes on lots ranging from 2,802 square feet to 7,791 square feet. The average lot size of the overall project is 7,082 square feet. There will be 114 standard homes and 48 cluster homes.

NEED FOR THE PROJECT - While the market demand for housing is currently being fueled for the most part by in-migration of home buyers from outside Calaveras County, there is demand for housing within the County especially in the very low, lower and moderate income categories (Calaveras County Housing Element). The North Vista Plaza Project, with its cluster homes on lots as small as 2,090 square feet to 7,790 square feet, has units that are more affordable than typical residential units on Calaveras County R-1 lots averaging 5625 square feet.

PROJECT OBJECTIVES

- Support County housing goals
- Design project to preserve natural features of the site to maximum extent
- Provide appropriate mitigations for project traffic, drainage, and oak habitat
- Installation of stormwater management system

DETAILED PROJECT DESCRIPTION

The applicants are requesting a Zoning Amendment from Multiple Family Residential - Planned Development (R3-PD) and R3-MHP-PD (Mobile Home Combining Zone) to

Single Family Residential - Planned Development (R1-PD) for 33.8± acres and from Multiple Family Residential - Planned Development (R3-PD) to Recreation - Environmental Protection Combining Zone - Planned Development, with no further division of the parcel (REC-X-EP-PD) for 0.7± acres (Parcel B as a single lot). Concurrently requested is a Tentative Subdivision Tract Map (TSTM), dividing the same 34.5± total acres into 171 lots, including 162 residential lots, 2 detention basins, 6 landscaped areas, recreation area, and private streets. Also requested is a Planned Development Permit to allow the use of density transfer, common area, or other development flexibility methods to create parcels that are smaller than the minimum parcel size permitted by the General Plan and/or Valley Springs Community Plan.

Location:

The site is located 2 miles southwest of Valley Springs, 1,000 feet north of Highway 26, approximately 1.75 miles south of the Highway 12/Highway 26 intersection (see Figure 1). (APNs 73-056-001, 002, 003, and 009 are portions of Section 26, Township 4 North, Range 10 East, Mount Diablo Meridian.)

Site Characteristics:

The site is 34.5 acres and the topography is gently sloping. Oak trees are scattered on the northern two-thirds of the property and consist of several blue oaks (*Quercus douglassi*), some interior live oak (*Quercus wislizenii*), and two groves of native oak habitat. Oak canopy as defined by Fish & Game Code Section 1361 (h) covers approximately 1.5 acres or 4% of the site and is located in a swale in Parcel C of the project (see Figure 6, Tentative Map). 96% of the site is open grassland. There are no structures on the property at present, but there is some vestigial evidence of agricultural use indicated by the remnants of a water system and barbed wire. There is evidence of old grading of roads and lots on the southeast third of the site. The site is on a low hill, which slopes off to all sides. Elevation reaches a high of roughly 638 feet in the middle of the site and on a mound of fill on the southeast edge of the site, and then drops down to 585 feet along an ephemeral stream in the north corner of the site, with a gentle draw that leaves the west side of the site at 587 feet. Surrounding uses consist of open grassland, scattered oak trees, and an equipment storage yard to the east, rural residential to the north, rural residential and one acre residential to the west, and vacant commercial lots and a head start school to the south. A public street, Vista Del Lago West bisects the site approximately in the center. High voltage PG&E wires run along the south property line.

Zoning:

Zoning on the site currently is R-3 PD Multi-Family Residential and R-3-MHP-PD (Mobile Home Combining Zone). Zoning will be changed to R-1 PD and Rec X -PD. Under current zoning, a theoretical 241 homes could be built on the site.

Environmental:

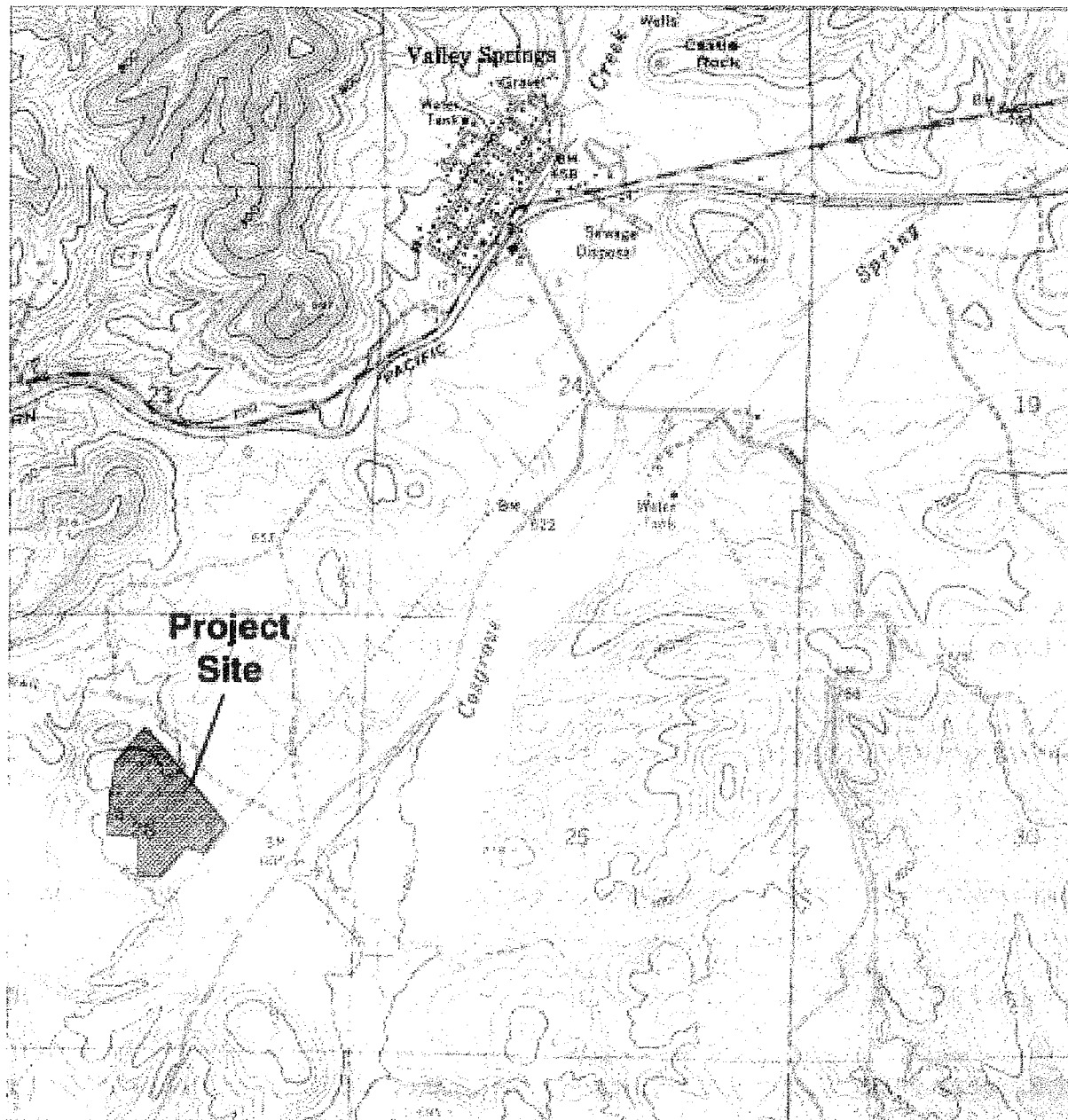
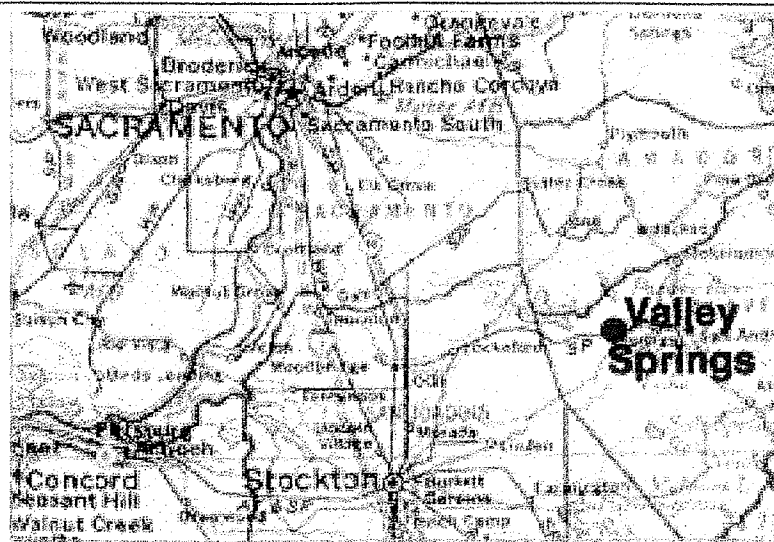
A stand of oak trees atop a knoll near the center of the property will be preserved and left as a community open space area. This area is .74 acres. A second stand of oak trees in the swale running across Parcel C will also be preserved and left in its natural state. This 1.5 acre second stand exhibits the minimum 10 percent per acre of canopy

cover within the stand and is subject to program mitigation requirements of California Fish & Game Code, Section 1361 (see Figure 6, Tentative Map). (See also Section IV, Biology, and Appendix E- "Findings with Respect to Oak Woodland Resources" which describe the project's compliance with the Fish & Game Code program mitigation requirements.)

A second swale runs across the northeast corner of the site. This swale will be relocated along the east property line and will serve as a riparian corridor. The design of the storm water system will be such that no additional water flow above the existing condition will be directed to Cosgrove Creek. A detention basin will be located on the property between Lots 33 and 34 to regulate any increase in storm water flow that will be directed to the north. A traffic signal will be installed at the intersection of Highway 26 and Vista Del Lago West to handle the traffic caused by this project and others in the area.

Utilities:

The site will be served by water and sewer provided by Calaveras County Water District. The site has been analyzed by CCWD and capacity has been allocated to the site through a written agreement with the current property owner. Electricity will be provided by PG&E. Natural gas will be provided by Alpine Gas. Cable TV will be provided by Comcast. Telephone will be provided by AT&T.



Project Name: Valley Springs
 Project Number: 1826 MPC
 Source: USGS 7.5 min
 Quad: Valley Springs, CA
 Date: 2/14/06
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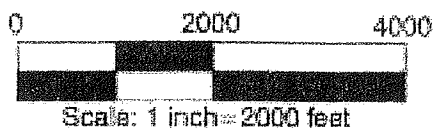


FIGURE 1
 Location Map
 Valley Springs, CA

25 Linden Street, Suite B
 Oakland
 California
 94612
 510.622.6110

Home Description:

The site is proposed to be subdivided into 162 individual lots for single-family construction. The project will consist of two different neighborhood types, standard homes on lots ranging from 6,000 square feet to 21,220 square feet, and cluster homes on lots ranging from 2,090 square feet to 7,790 square feet. The average lot size of the overall project is 7,082 square feet. The homes on standard lots will range from 1,837 to 3,013 square feet with an average of 2,496 square feet and the cluster homes will range in size from 1,718 to 2,142 square feet with an average of 1,914 square feet. There will be recreation areas near a large stand of native oak trees close to the center of the site as well as several open landscaped areas. The project will involve grading to accommodate new roads, building pads, buried utilities, and drainage requirements. Proposed residences will be one and two-story wood-frame structures with concrete slab-on-grade floor systems. (See Figures 2-5.)

Approvals:

Actions involved in approving the project include a Planned Development Permit, Tentative Subdivision Tract Map approval, and a Zoning Amendment from Calaveras County. Other regulators who would have jurisdiction over the project include: California Water Quality Control Board (401 Certification); California Dept. of Fish & Game (Streambed Alteration Agreement); US Fish & Wildlife Service (Federal Endangered Species Act); US Army Corps of Engineers (Section 404 of Clean Water Act consultation); California Dept. of Forestry (oak habitat preservation review); and the California Dept. of Transportation (intersection analysis). Additionally, the Corps may consult with the US Fish & Wildlife Service under the Federal Endangered Species Act if the Corps determines that an endangered species would be affected by the project.

Once the project is completed, there will be a Homeowners' Association responsible for maintenance and upkeep of all common areas. Construction is scheduled over a period of thirty-six (36) months and CEQA consistent construction period mitigations would be employed in the build-out of the project.

EXISTING (BASELINE) CONDITIONS

(Baseline conditions are presented for each individual issue in the Discussion section of the checklist.)

SERVICES AVAILABLE:

Water:	Calaveras County Water District
Sewer:	Calaveras County Water District
Fire Protection:	Foothill Fire District
Power:	Pacific Gas & Electric
Gas:	Alpine Gas
Telephone:	AT&T
School District:	Calaveras

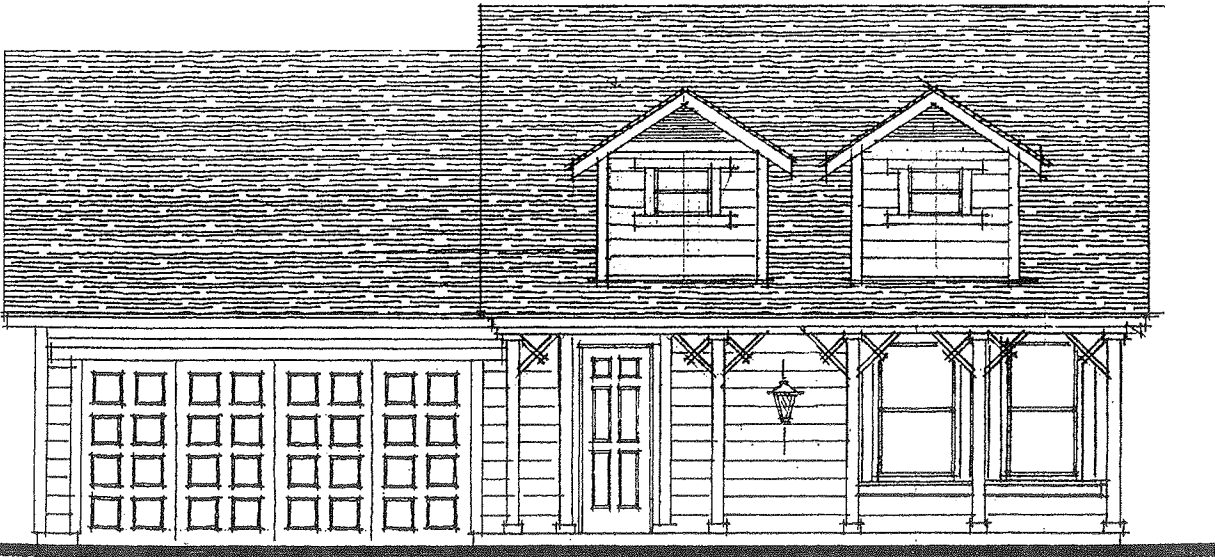


- 1A MATERIAL LEGEND**
- CONCRETE 'S' TILE ROOFING
 - STUCCO
 - STUCCO FINISH TRIM SURROUND AT STUCCO
 - 24" EAVES
 - METAL SECTIONAL GARAGE DOOR

Figure 2
Illustration of Proposed Residences

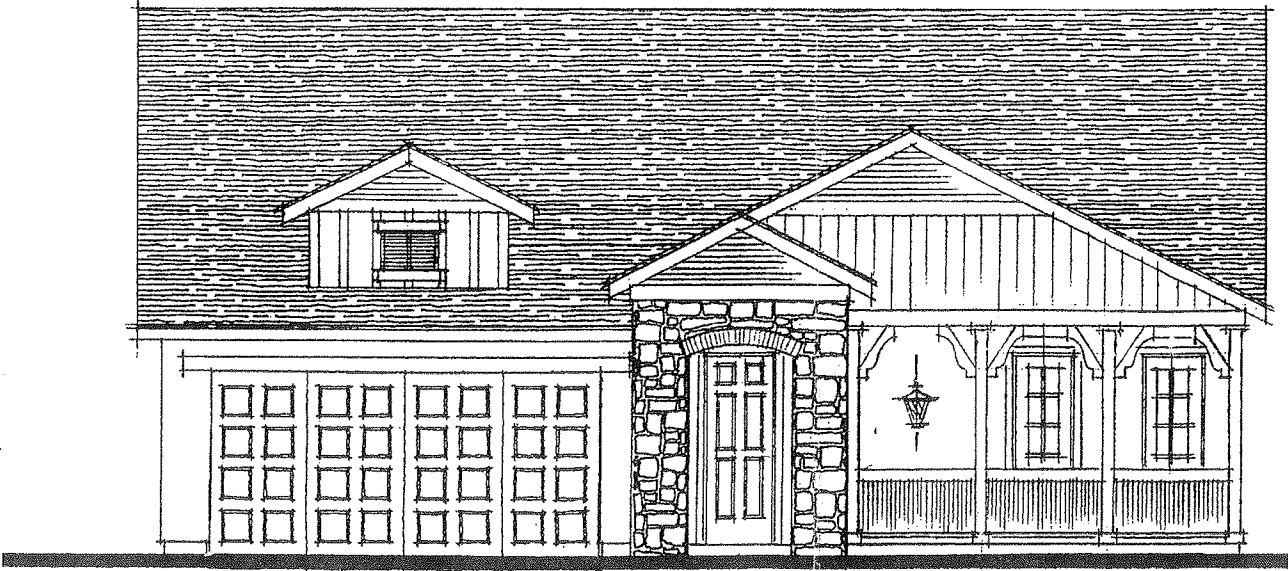
Plan 1A

- MATERIAL LEGEND**
- ARCH. GRADE COMP. SHINGLE ROOFING
 - CEMENT FIBER LAP SIDING
 - WOOD TRIM/CORNER BOARDS ON SIDING
 - WOOD GABLE END DETAIL
 - WOOD PORCH POSTS
 - 12" OVERHANG / 12" RAKE
 - SECTIONAL GARAGE DOOR



Plan 1B

- 1C MATERIAL LEGEND**
- ARCH. GRADE COMP. SHINGLE ROOFING
 - STUCCO
 - STUCCO FINISH TRIM SURROUND AT STUCCO
 - WOOD GABLE END DETAIL
 - STONE VENEER WHERE SHOWN
 - 12" OVERHANG / 12" RAKE
 - METAL SECTIONAL GARAGE DOOR

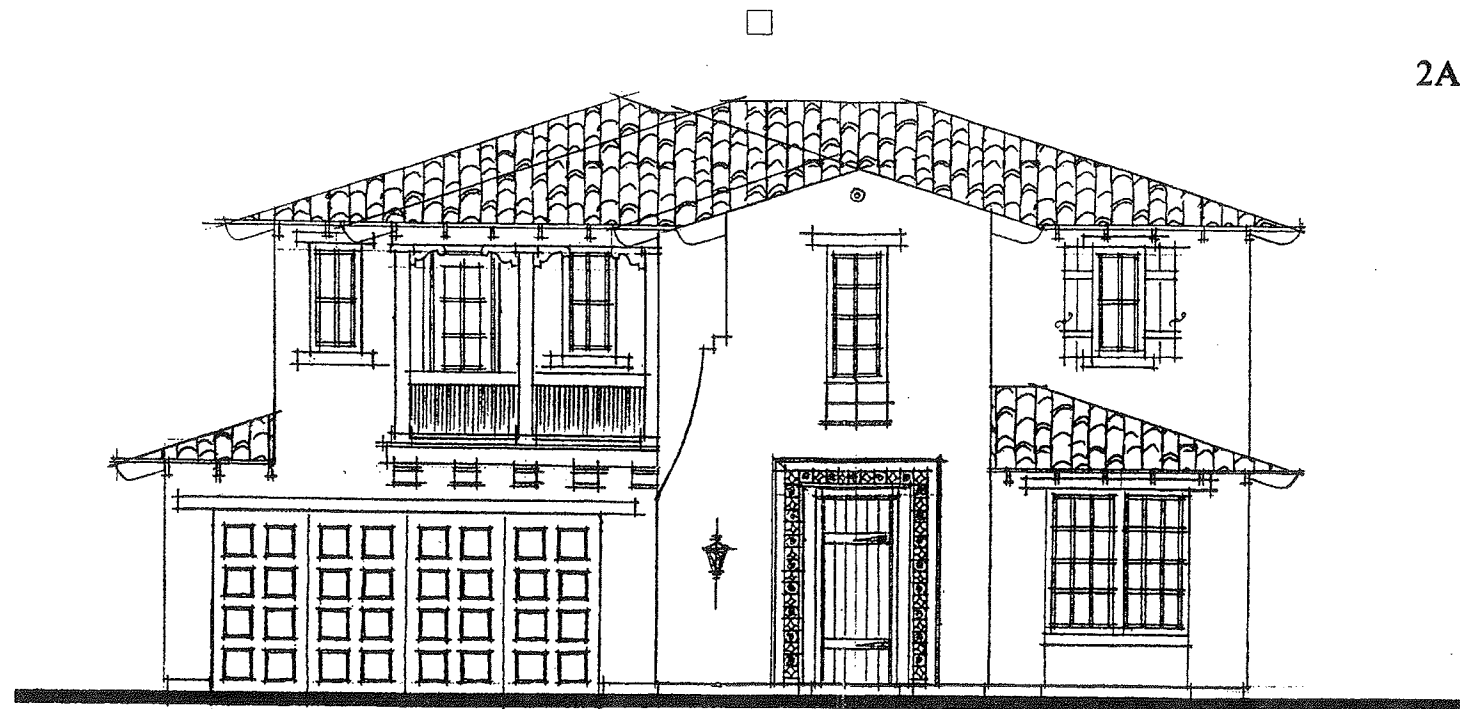


Plan 1C

Plan 1 Front Elevations



Valley Springs



Plan 2A

2A MATERIAL LEGEND

CONCRETE 'S' TILE ROOFING
STUCCO
STUCCO FINISH TRIM SURROUND AT STUCCO
WOOD POST WHERE SHOWN
WOOD RAILING
WOOD CORBELS
WOOD SHUTTERS
24" EAVES
METAL SECTIONAL GARAGE DOOR

Figure 3
Illustration of Proposed Residences

MATERIAL LEGEND

ARCH. GRADE COMP. SHINGLE ROOFING
CEMENT FIBER LAP SIDING
WOOD TRIM/CORNER BOARD ON SIDING
WOOD GABLE END DETAIL
WOOD PORCH POSTS
WOOD SHUTTERS
12" OVERHANG / 12" RAKE
METAL SECTIONAL GARAGE DOOR



Plan 2B

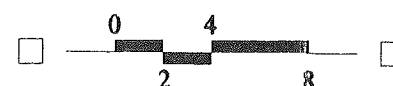
2C MATERIAL LEGEND

ARCH. GRADE COMP. SHINGLE ROOFING
STUCCO
STUCCO FINISH TRIM SURROUND AT ST
WOOD GABLE END DETAIL
WOOD PORCH POSTS
WOOD CORBELS
WOOD SHUTTERS
12" OVERHANG / 12" RAKE
METAL SECTIONAL GARAGE DOOR



Plan 2C

Plan 2 Front Elevations



Valley Springs



Material Legend

- Flat Concrete Tile Roof
- Stucco
- Applied Stucco at Foam Window Trim
- Hardiplank Lap Siding at Gable End
- Decorative Metal Awning

Figure 4
Illustration of Proposed Residences

Plan 1718A

Material Legend

- Flat Concrete Tile Roof
- Stucco
- Applied Stucco at Foam Window Trim
- Hardiplank Lap Siding at Gable End
- Wood Shutters



Plan 1718B

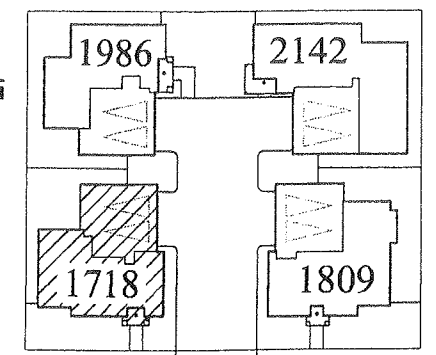
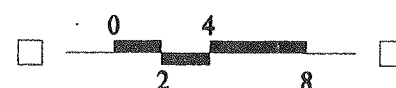


Plan 1718C

Material Legend

- Flat Concrete Tile Roof
- Stucco
- Applied Stucco at Foam Window Trim
- Vertical Siding at Gable Ends
- Wood-wrapped Porch Columns
- Full Brick Base at Porch Columns

Plan 1718 Front Elevations



Typical Cluster



Material Legend

- Flat Concrete Tile Roof
- Stucco
- Applied Stucco at Foam Window Trim
- Vertical Siding at Gable End
- Wood Shutters

Figure 5
Illustration of Proposed Residences

Plan 1809A

Material Legend

- Flat Concrete Tile Roof
- Stucco
- Applied Stucco at Foam Window Trim
- Hardiplank Lap Siding at Gable End
- Wood Shutters



Plan 1809B

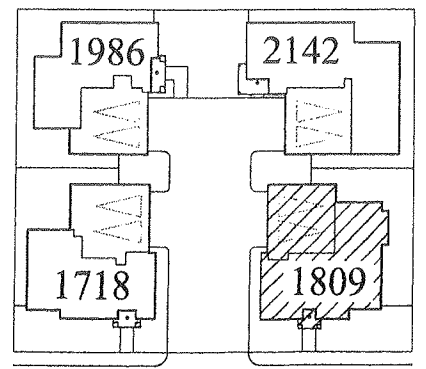
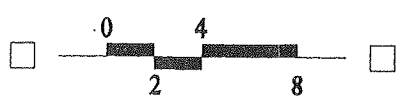


Plan 1809C

Material Legend

- Flat Concrete Tile Roof
- Stucco
- Applied Stucco at Foam Window Trim
- Hardiplank Lap Siding at Gable End
- Wood-wrapped Porch Columns
- Full Brick Base at Porch Columns
- Wood Shutters

Plan 1809 Front Elevations



Typical Cluster

ADJACENT LAND USES AND ZONING:

North: Zoned: Rural Residential
Use: Single-Family Homes

East: Zoned: Rural Residential, Professional Office, and C-1 Local Commercial
Use: Open grassland and commercial use

South: Zoned: C-2 Commercial /R3-PD Multi-family Residential/Rural Residential
Use: Vacant/rural residential homes/commercial establishments

West: Zoned: Rural Residential
Use: Single-Family Homes

Maps illustrating the tentative map, conceptual drainage, preliminary grading, and utilities follow (Figures 6-9).

CONSISTENCY WITH LOCAL PLANS AND POLICIES

With a Zoning Amendment from the current R3 PD Multi-Family Residential and R3-MHP-PD designations to the proposed R1 PD, Planned Development and Rec-X-PD, the proposed project will be consistent with the Calaveras County General Plan. The proposed single-family development is consistent with the existing single-family, multi-family, and commercial uses in the area.

INITIAL STUDY CHECKLIST

This Initial Study checklist was prepared to assess the proposed project's potential impacts on the environment. Potential environmental impacts, identified by checklist topic, are addressed in the discussion section. For each impact identified as "less than significant with mitigation," mitigation measures have been specified to reduce the impact to a less than significant level.

Section 3 of this document contains the Initial Study (Environmental Checklist) that identifies the potential environmental impacts (by environmental issue) and a brief discussion of each impact resulting from implementation of the proposed project. Based on the Initial Study and the supporting environmental analysis provided in this document, the proposed tentative subdivision tract map, subdividing three parcels into 162 single-family lots, respectively, would result, when mitigated, in less-than-significant impacts for the following issues: aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, and transportation/traffic. Less-than-significant impacts are anticipated for the following issues: agricultural resources, air quality, hazardous materials, noise, population and housing, public services, recreation, and utilities and service systems. No impact is anticipated for the following issues: land use and planning, and mineral resources.

In accordance with §15064(f) of the CEQA Guidelines, a MND shall be prepared if the proposed project will not have a significant effect on the environment after the inclusion of mitigation measures in the project. Based on the available project information and

the environmental analysis presented in this document, there is no substantial evidence that, after the incorporation of mitigation measures, the proposed project would have a significant effect on the environment. It is proposed that a Mitigated Negative Declaration be adopted in accordance with the CEQA Guidelines.



RIK
SPOONER/KING COMPANY

2943 PROJECT PARK DRIVE - SUITE 100
RANCHO CORDOVA, CA 95670
916.572.8700
FAX 916.638.4221

A PORTION OF SECTION
TOWNSHIP 4 NORTH,
RANGE 10 EAST,
MOUNT DIABLO MERIDIAN

PRELIMINARY - NOT FOR CONSTRUCTION OR RECORDING

**NORTH VISTA PLAZA
TENTATIVE MAP**

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WESTSIDE BLUEPRINT

JAN 22 2007



- SUGGESTED STREET TREE LIST**
(TO BE 18 GA. SIZE)
- PISTACHIA CHINENSIS (CHINESE PISTACHE)
 - QUERCUS LOBATA (VALLEY OAK)
 - PLATANUS 'COLUMBIA' (LONDON PLANE TREE)
 - CLUSTER UNIT TREES (TO BE 18 GA. SIZE)
 - PRUNUS 'CHANTICLEER' (CHANTICLEER PEAR)
 - LIQUIDAMBAR ROTUNDOLOBA (SWEET GUM)
 - ULMUS PARVIFOLIUM (EVERGREEN ELM)
 - PRUNUS 'KASATER YUSUJULUS' (FLOWERING PLUM)
 - CRATAEGUS PHAENOPYRUM (WASHINGTON THORNE)
 - LACINSTRONERIA TUSCARORA (SCAPE MYRTLE)

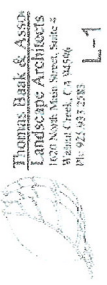


STREET TREE PLAN
SCALE 1"=100'

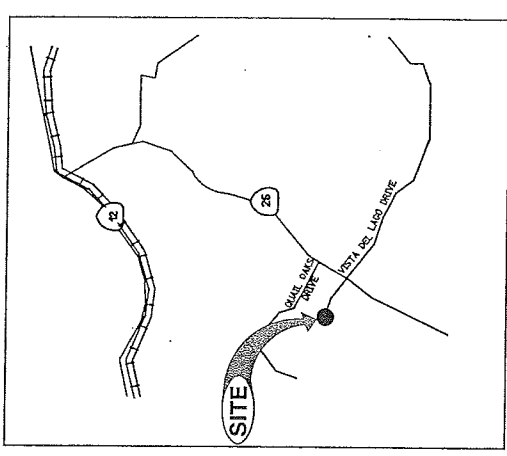
FIGURE 6A
LANDSCAPING PLAN

North Vista Plaza

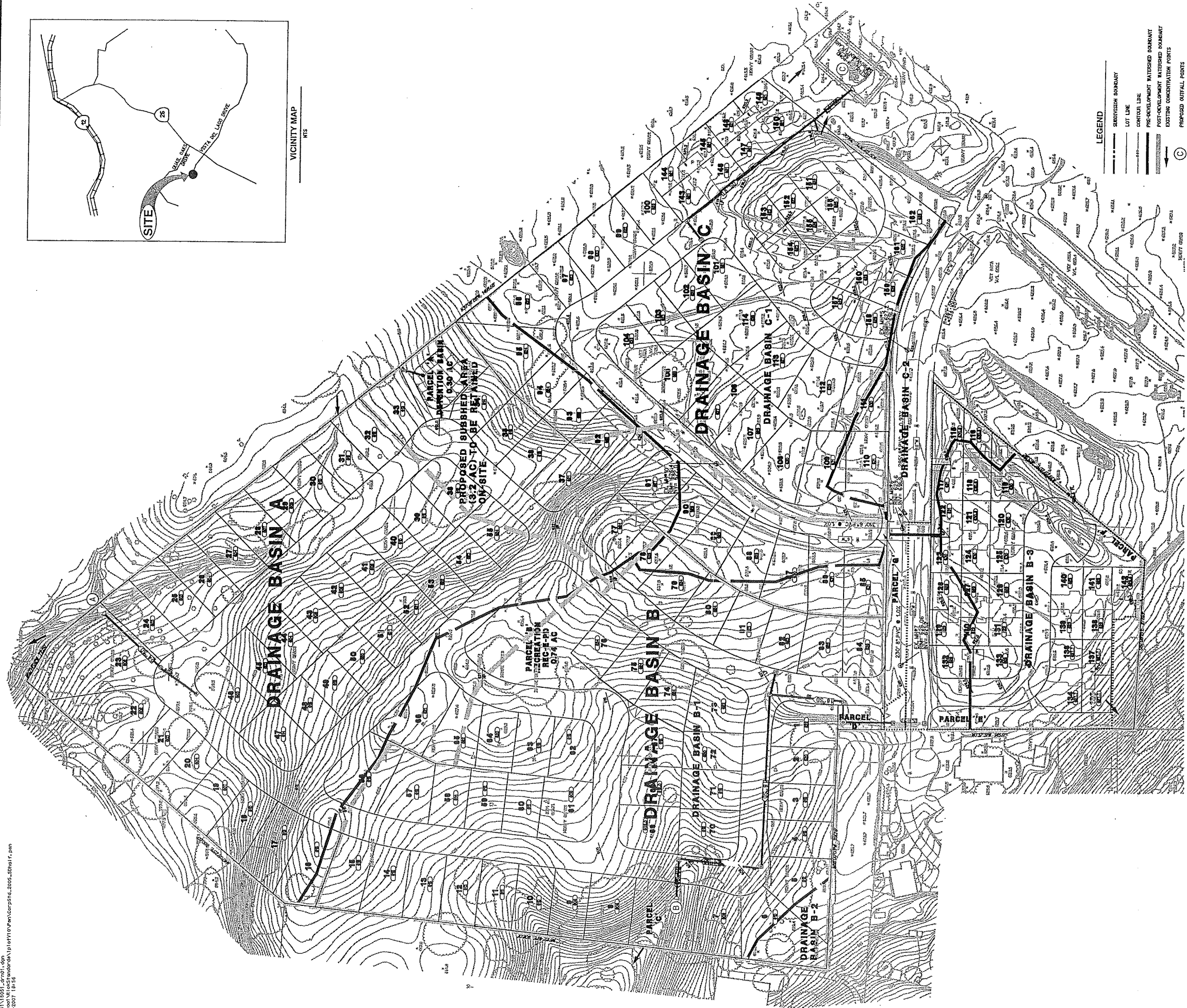
Valley Springs, California



Thomas Bank & Associates
Landscape Architects
1001 North Main Street, Suite 200
Vallejo, CA 94590
PH: 925.931.2283



VICINITY MAP
MS



GENERAL NOTES

1. STORM WATER DRAINAGE WILL BE INSTALLED TO SERVE PARCELS A, B, AND C VIA OVERLAND FLOW FROM INDIVIDUAL LOTS TO SUBSTANCES, THEN VIA DITCHES TO THE OUTFALL.
2. DRAINAGE BASINS A, B, AND C WILL BE INSTALLED TO SERVE PARCELS A, B, AND C VIA OVERLAND FLOW FROM INDIVIDUAL LOTS TO SUBSTANCES, THEN VIA DITCHES TO THE OUTFALL.
3. TO THE FUTURE DEVELOPMENT CONTINGENT ON THE FUTURE DEVELOPMENT OF THE SITE, THE FUTURE DEVELOPMENT WILL BE INSTALLED TO SERVE PARCELS A, B, AND C VIA OVERLAND FLOW FROM INDIVIDUAL LOTS TO SUBSTANCES, THEN VIA DITCHES TO THE OUTFALL.
4. THE MASTER DEVELOPER SHALL BE RESPONSIBLE FOR THE FUTURE DEVELOPMENT OF THE SITE, THE FUTURE DEVELOPMENT WILL BE INSTALLED TO SERVE PARCELS A, B, AND C VIA OVERLAND FLOW FROM INDIVIDUAL LOTS TO SUBSTANCES, THEN VIA DITCHES TO THE OUTFALL.

CALCULATIONS

	PRE-DEVELOPMENT AREA	POST-DEVELOPMENT AREA	DIFFERENCE	ON-SITE RETENTION
DRAINAGE BASIN A	41,000 SF (1.4 AC)	50,000 SF (1.4 AC)	9,000 SF (0.3 AC)	11,000 SF (0.4 AC)
DRAINAGE BASIN B	30,000 SF (0.9 AC)	30,000 SF (0.9 AC)	0	0
DRAINAGE BASIN C	40,000 SF (1.2 AC)	37,000 SF (1.1 AC)	-3,000 SF (0.1 AC)	0
TOTAL	111,000 SF (3.2 AC)	117,000 SF (3.4 AC)	6,000 SF (0.2 AC)	11,000 SF (0.4 AC)

- LEGEND
- SUBDIVISION BOUNDARY
 - LOT LINE
 - PRE-DEVELOPMENT WATERSHED BOUNDARY
 - POST-DEVELOPMENT WATERSHED BOUNDARY
 - EXISTING CONCENTRATION PORTS
 - PROPOSED OUTFALL PORTS
 - PROPOSED STORM DRAIN
 - PROPOSED STORM DRAIN CATCH BASIN
 - STORM DRAIN HEADWALL

GRAPHIC SCALE 1" = 50'
0 25 50 100

2041 PROJECT PARK DRIVE, SUITE 100
FAYETTEVILLE, CA 95742
PHONE: (916) 444-1111
FAX: (916) 444-1112
WWW.RICKENGINEERING.COM

NO. DATE REVISIONS

1.		
2.		
3.		
4.		
5.		
6.		
7.		

A PORTION OF SECTION 26,
TOWNSHIP 4 NORTH,
RANGE 10 EAST,
MOUNT DIABLO MERIDIAN

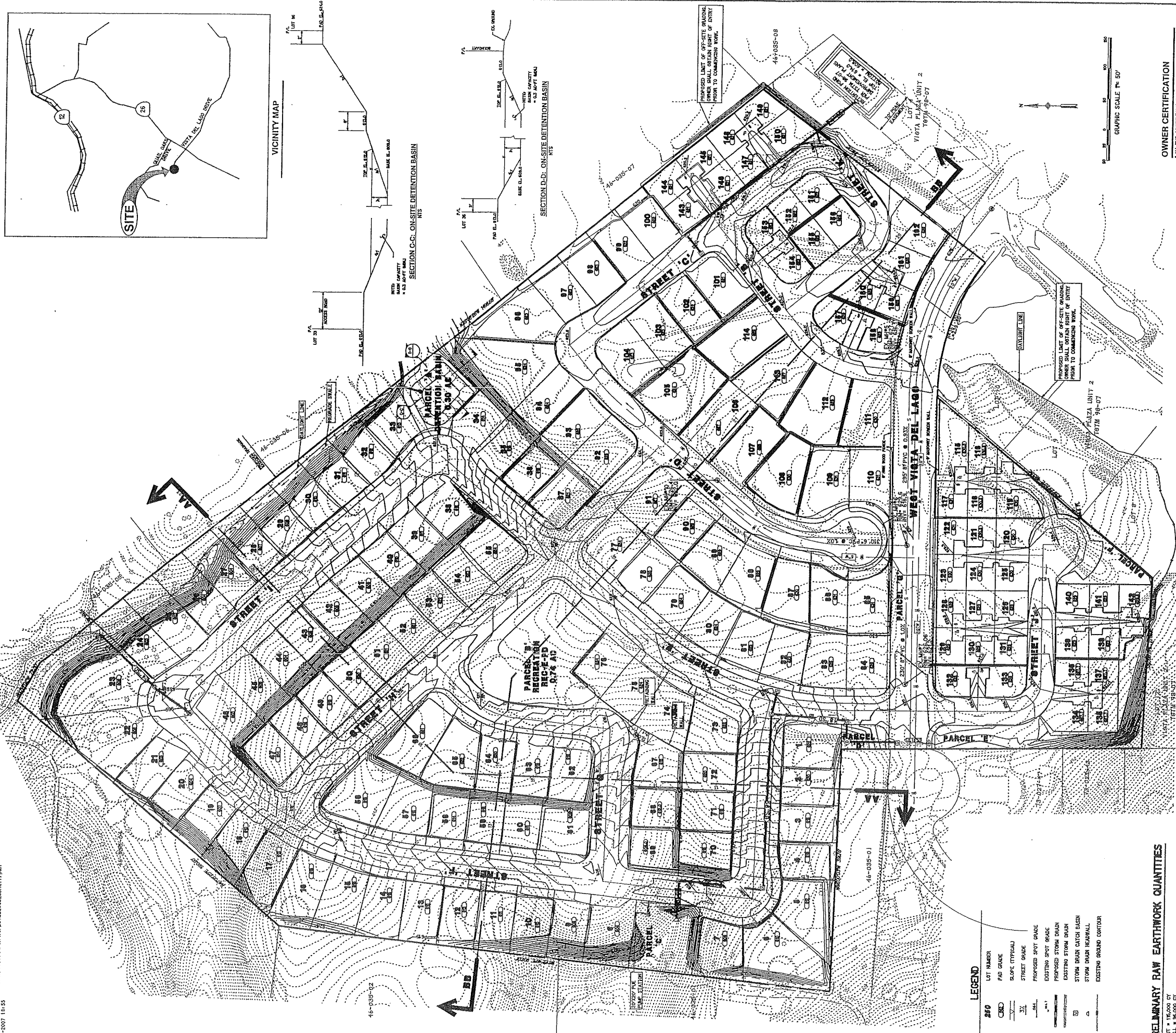
2041 PROJECT PARK DRIVE, SUITE 100
FAYETTEVILLE, CA 95742
PHONE: (916) 444-1111
FAX: (916) 444-1112
WWW.RICKENGINEERING.COM

NORTH VISTA PLAZA
CONCEPTUAL DRAINAGE EXHIBIT

FIGURE 7

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PRELIMINARY RAW EARTHWORK QUANTITIES

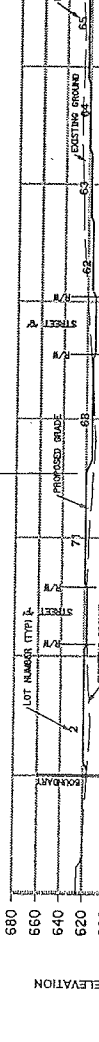
CUT = 115,000 CY
FILL = 95,000 CY
NOTE: THESE ARE PRELIMINARY RAW EARTHWORK QUANTITIES ONLY. NO ADJUSTMENTS HAVE BEEN APPLIED. THE INTENT OF THIS PROJECT IS TO BALANCE THE EARTHWORK ON-SITE.

LEGEND

- LOT NUMBER
- PAV GRAD
- SLOPE (TYPICAL)
- STREET GRADE
- PROPOSED SPOT GRADE
- EXISTING SPOT GRADE
- PROPOSED STORM DRAIN
- EXISTING STORM DRAIN
- STORM DRAIN CATCH BASIN
- STORM DRAIN HEADWALL
- EXISTING GROUND CONTOUR

SECTION-AA

SECTION SOUTH - NORTH
HORIZONTAL SCALE 1" = 50'
VERTICAL SCALE 1" = 10'



SECTION-BB

SECTION WEST - EAST
HORIZONTAL SCALE 1" = 50'
VERTICAL SCALE 1" = 10'



OWNER CERTIFICATION

I, AM THE CONSULTANT FOR THE MARK PRINCE COMPANY, LLC AND I CONSENT TO THE FILING OF THIS PRELIMINARY BLUEPRINT FOR THE PROJECT OF TITLE 10 OF THE CALIFORNIA CIVIL CODE, AND TITLE 7 DIVISION 2 OF THE CALIFORNIA CIVIL CODE, THE SUBDIVISION MAP ACT.

KELLY L. BRIGGS RCE 44644 DATE

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 checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" 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 checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

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 proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project. 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. 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. ☐

Signature

Robert Sellman, Planning Director
Printed Name

Date: 3.12.07

For: Calaveras County

ENVIRONMENTAL ISSUES

I.	AESTHETICS	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
	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 checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is located in a semi-rural area just southwest of the community of Valley Springs, approximately 1.75 miles south of the Highway 12/Highway 26 intersection.

a. Hwy 26 is not designated as state scenic highway and areas within or viewed from the property are not considered to be or contribute to a scenic vista. **No impact.**

b. Two groves of oak trees serve as visual landmarks with one grove near the center of the project and one on the western edge of the project. The applicant proposes to protect both groves of oak habitat with appropriate mitigation (see Biology section of Initial Study and Figure 6A, Landscaping Plan). There are no rock outcroppings or historic buildings within a scenic highway. **Less than significant impact.**

c. Uses permitted under the proposed R-1PD zoning are similar to those on surrounding parcels and are compatible with the rural mixed use nature of the area. **Less than significant impact.**

d. The residences in the immediate vicinity of the project would be considered sensitive receptors and would be adversely affected by additional sources of light and glare. **Less than significant impact with mitigation incorporated.**

Mitigation Measure Aesth-1

Implementation of the following mitigation measure would reduce the potential impacts related to light and glare to a *less than significant* impact.

Prior to approval of the first phase of the Final Map, the developer shall submit a detailed street lighting plan. Street lighting shall be designed so that project lighting does not illuminate adjacent properties. The lighting plan will show the locations and design of the shielded light fixtures for the review and approval of the Planning Department and the Public Works Department.

II.	AGRICULTURAL RESOURCES	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. The subject property is currently zoned R-3 PD Mobile Homes and Multi-Family Residential as and does not support any agricultural operations. According to the High Capability Agricultural Lands Map in the County General Plan (1), the site is not in an area of high agricultural capability. **No impact.**

b. Development of the site as proposed would not result in a conflict with Williamson Act contracts or existing zoning for agriculture. Williamson Act contracts are usually made for properties over 100 acres in size. **No impact.**

c. Land to the north of the site is zoned RR (Rural Residential). Property to the west of the subject parcel is zoned RR and to the east property is zoned RR, Professional Office, and Local Commercial. Land to the south is zoned C-2 Commercial, R3-PD Multi-Family Residential, and Rural Residential. Surrounding properties are similar in size to the proposed subdivision lots. While the primary use for property with RR zoning is residential, agricultural operations are a permitted use. The potential for the project to encourage conversion of Farmland to non-agricultural use in an area dominated by small family farms and residences is considered possible. However, the impact of such an influence is considered small when compared to the larger farming areas in the County. **Less than significant impact.**

III. AIR QUALITY		Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan or regulation?	<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 in 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 (e.g., children, the elderly, individuals with compromised respiratory or immune systems)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

DISCUSSION

The project site is located in that portion of Calaveras County included in the Mountain Counties Air Basin (MCAB), under the jurisdiction of the Calaveras County Air Quality Management District (CCAQMD) and United States Environmental Protection Agency (USEPA) Region IX. Most areas in the District, including the project site, enjoyed relatively good air quality in 2005, with non-attainment of State and federal standards for ozone (1 hour and 8 hour) and particulate matter (PM 2.5 and PM10). See Table 1 below for actual county compliance. An area is designated in attainment if the state standard for the specified pollutant was not violated at any site during a three-year period. An area is designated in non-attainment if there was at least one violation of a state standard for the specified pollutant within the area boundaries. Calaveras County is currently unclassified for visibility-reducing particles (VRPs), but PM10 (which includes dust and smoke particles) is a VRP, indicating a possible reason for concern in this area, especially considering the number of woodburning appliances used as a primary or secondary heat source in the project area. Many sources of PM10 are seasonal, so annual averages may give artificially low results.

Table 1 - Criteria Pollutant Designations

	2005 State Levels	2005 National Levels
Ozone - 1 hour	Non-Attainment	Non-Attainment
Ozone - 8 hour	Non-Attainment	Non-Attainment
Carbon Monoxide	Unclassified	Unclassified
Nitrogen Dioxide	Attainment	Unclassified
Sulfur Dioxide	Attainment	Attainment
Particulate Matter PM10	Non-Attainment	Unclassified
Particulate Matter PM2.5	Non-Attainment	Non-Attainment

Sulfates	Attainment	N/A
Lead	Attainment	N/A
Hydrogen Sulfide	Unclassified	N/A
Visibility Reducing Particles	Unclassified	N/A

Area Designation Maps - State and National, California Air Resources Board,
www.arb.ca.gov/design/adm/adm.htm, July 21, 2005 and as updated by the Calaveras County Air
Pollution Control District (CCAPCD), May 3, 2006. (2)

a. Subdivision of the site and operation of the permitted uses would not be in conflict with obstruct implementation of any applicable air quality management plan for the California Air Resources Board, CCAPCD, or the MCAB. **No impact.**

b. The CCAPCD has not established thresholds of significance for use in CEQA analyses. The APCD does apply a one-ton threshold for determining if they will review and comment on a project for criteria pollutants and a ten-ton threshold for non-criteria pollutants. Any project generating more than 100 tons of any pollutant does exceed the thresholds for New Source Review and permitting. Because CCAPCD does not have adopted thresholds of significance, with the permission of the District, this environmental document uses the thresholds of significance used by the adjacent San Joaquin Valley Air Pollution Control District (SJVAPCD). Table 2 presents these thresholds. Because of the proximity of the two air basins and the connection of the airsheds, the use of San Joaquin Valley's thresholds for determining whether or not the proposed project would generate a significant CEQA impact is acceptable practice in air quality planning and was authorized by the CCAPCD (Grewal, pers. com., June 2006). Use of another jurisdiction's thresholds of significance and methodologies is an accepted CEQA practice when the lead jurisdiction has not established its own CEQA Guidelines; no formal authorization is required.

Table 2- Emissions Evaluation

(Tons/Year – Annual)

Pollutant Thresholds of Significance	ROG	NO _x	CO	PM ₁₀
	10 tons/yr	10 tons/yr	None ¹	15 tons/yr ²
Project Emissions				
Construction (tons/year unmitigated)	7.42	0.02	0.60	0.01
Operations (tons/year unmitigated) ³	9.81	7.08	54.6	5.29

Source: SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts (1998); Environmental Service (Urbemis 2002 for Windows 8.7.0; On-Road Motor Vehicle Emissions Based on EMFAC2002 Version 2.2), 2006.

Emissions resulting from the construction of any facilities to accommodate the residences would not be expected to emit air contaminants at a level that, by

¹ No emission threshold; instead use ambient air quality standards, 9 ppm (8-hour average) 20 PPM (1-hour average)

² The threshold of significance of 15 tons/year represents the SJVAPCD threshold level at which new stationary sources must provide emission offsets. In addition, all projects must implement the CCAPCD's Fugitive Dust Emission Standards.

³ Sum of area and operational emission estimates.

themselves, would violate any local, state, or federal ambient air quality standard (AAQS), or contribute to a permanent or long-term increase in any air contaminant.

Trips related to construction would be those associated with a 36 month construction period and the residences would not generate enough additional vehicle trips at the project location to result in significant new emissions once construction is completed.

Less than significant impact

c. Increased emissions of ozone precursors (i.e., reactive organic gases [ROG] and nitrogen oxides, or NOx) from construction equipment and activity-generated fugitive dust (PM10) could contribute to existing county-wide nonattainment conditions for ozone and PM10, but would not result in a cumulatively considerable net increase or be significant enough to interfere with the projected attainment schedule for any AAQS.

Less than significant impact.

d. Any building or road construction would generate dust and equipment exhaust emissions for the duration of the project. The only sensitive receptors that could be affected during periods of construction associated with development of the proposed project would be adjacent residences. *The SJVAPCD's approach to CEQA analyses of construction impacts is to require implementation of effective and comprehensive control measures rather than to require detailed quantification of emissions. The SJVAPCD has determined that compliance with Regulation VIII for all sites and implementation of all other control measures indicated in the District's guidelines (as appropriate, depending on the size and location of the project site) will constitute sufficient mitigation to reduce PM₁₀ impacts to a level considered less than significant. The provisions of Regulation VIII pertaining to construction activities are implemented as Mitigation Measure Air Quality – 1 below. Additionally, CCAQMD Best Management Practices (BMPs), which are applicable to all grading and excavation activities, would further reduce project-related emissions and fugitive dust (3).* ***Less than significant impact with mitigation incorporated***

Mitigation Measure Air Quality-1

Implementation of the following mitigation measures would reduce the potential impacts related to dust and exhaust emissions to a *less than significant* impact.

- *The developer and all contractors shall provide effective dust suppression for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities to the approval of the air pollution control officer.*
- *The developer and all contractors shall provide effective stabilization of all disturbed areas of a construction site, including storage piles, not used for seven or more days to the approval of the air pollution control officer and public works director.*
- *The developer and all contractors shall provide effective control of fugitive dust from onsite unpaved roads and offsite unpaved access roads to the approval of the air pollution control officer.*

- *The developer and all contractors shall provide for the removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site to the approval of the public works director.*

e. There may also be a short-term generation of odors from project emissions, including diesel exhaust, fuel vapors, and evaporative emissions from asphalt paving materials, that may be considered objectionable by neighbors. However, construction activities would be short-term and dust and odors would remain confined to the project area or dissipate rapidly in the air, with increased distance from the source. Area residences are sufficiently distant from proposed construction activities to be safe from serious exposure. Additionally, CCAQMD Best Management Practices (BMPs), which are applicable to all grading and excavation activities, would further reduce project-related emissions and fugitive dust (3). ***Less than significant impact.***

		<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
IV. BIOLOGICAL RESOURCES					
Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a sensitive, candidate, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<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, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<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 §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?	<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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

Most of the site is annual grassland with scattered blue oaks, which lie in the northwestern two-thirds of the site. Common dominants of the annual grasslands include ripgut grass (*Bromus diandrus*), Italian ryegrass (*Lolium multiflorum*), slender tarweed (*Holocarpha virgata*), and medusa-head grass (*Taeniatherum caput-medusae*). There are six small, shallow depressions within the annual grassland in the northern half of the site. These areas pond two to six inches deep with winter rains and then dry by mid- to late-spring. The southern third of the site, which is graded, is an old construction area that includes some two dozen puddles which are excluded as temporary artifacts of grading. Six isolated seasonal wetlands and an isolated fresh-water seep are scattered throughout the northern half of the site. An ephemeral stream, a tributary to the Calaveras River, runs through the northernmost section of the project site (see Figures 10 and 11). (4, 5)

The most prominent aquatic habitats in the assessment area are the seasonal wetlands, the ephemeral stream, and the freshwater seep on-site (see Figure 12). The freshwater seep is dominated by hydrophytic vegetation, half of which is native, such as spike-rush (*Eleocharis macrostachya*) and tall flat-sedge (*Cyperus eragrostis*). Vegetation in the weak channels of the ephemeral stream is annual grassland, with a tiny sprinkling of hydrophytes, such as meadow foam (*Limnanthes douglasii*), Carter's buttercup (*Ranunculus alveolatus*), and wire-rush (*Juncus tenuis*), that thrive with occasional prolonged saturation and brief, shallow inundation.

Two non-native annual grasses, Italian ryegrass and Mediterranean barley (*Hordeum marinum*), are particularly prominent in the seasonal wetlands. A handful of other species (both native and non-native) that commonly occur in wet meadow, vernal pool, and seasonal marsh habitats also occur in the seasonal wetlands, such as coyote thistle (*Eryngium castrense*), hyssop-loosestrife (*Lythrum hyssopifolia*), spike-rush, Carter's buttercup (*Ranunculus alveolatus*), and meadow foam (*Limnanthes sp.*).

A very small freshwater seep, approximately 1,260 ft² (0.029 ac), can be found near the center of the site. The somewhat weedy mix of species in this wetland indicates that there is winter and spring saturation, but that it is dry by early summer. This is also indicated by absence of cattails. Dominant species of the fresh water seep include hairy willowherb (*Epilobium ciliatum*), tall flat-sedge, bull-thistle (*Cirsium vulgare*), spike-rush, Italian ryegrass, and horseweed (*Conyza canadensis*).

a. The only potential adverse effect of the project on sensitive, candidate, or special status species would be on the California red legged frog (RLF) and the California tiger salamander (CTS), both listed as threatened species under the federal Endangered Species Act. The RLF has been federally listed as threatened due to its great reduction in potential range and likely reduction in population due to on-going threats. No known localities of RLF fall within one mile of the project site (see Figure 13, CNDDDB Occurrence Map). Zentner and Zentner staff evaluated habitat for use by RLFs in the aquatic habitats on-site in May of 2006 and later in June 2006. This includes the stream, seasonal wetlands and freshwater seep. (5)

None of the seasonal wetlands located in the project site contain deep enough water nor do they contain water long enough to support breeding RLFs. The freshwater seep also does not provide suitable habitat for RLF because it is shallow and does not pond deeply. The ephemeral stream on-site probably does not contain deep water long enough nor does it appear to contain ample vegetation for RLFs, and Zentner & Zentner assessed the stream further in the June protocol surveys for possible RLF utilization because ponds in the creek were deep enough to support numerous frog tadpoles during the winter surveys. No evidence of RLFs were uncovered by Zentner & Zentner staff in the June, 2006 protocol surveys. (5)

The California tiger salamander (CTS) is a relatively large terrestrial salamander, up to 8 inches or slightly more in length. Males are generally larger than females. They are typically black with white or pale yellow bars or spots on the back and sides. The underside is variable in color but typically more muted. The CTS requires somewhat

similar habitat to the RLF but tends to be found in ponds that dry in late-spring to summer rather than the perennial or near-perennial ponds used by the RLF. Zentner and Zentner staff evaluated habitat for the likelihood of use by CTS in the aquatic habitats on-site in May of 2006. This includes the stream, seasonal wetlands and freshwater seep.

This Biological Assessment concludes that CTS are not likely to occur on-site and are not likely to occur in the site environs. The rationale for these conclusions are as follows. CTS require ponds or deep pools that hold freshwater for a minimum of 12 weeks in a typical year for breeding habitat. These are typically large vernal pools or similar habitats such as stockponds, constructed ponds, or inadvertently created ponds; all typically pond for long periods (3 to 6 months), however. The relatively shallow seasonal wetlands or ponds in the creek that occur on-site would not be useable by CTS as they have relatively gentle relief and typically do not have the depth to remain ponded for the minimum 12 weeks. CTS also require upland habitats adjacent to and accessible from the breeding ponds that contain small mammal burrows or similar underground habitat for aestivation. Burrowing mammals such as ground squirrels and gophers are almost non-existent at the site, probably due to landowner extirpation efforts. The nearest known CTS breeding habitats are just under 5 miles from the project site. The longest distance CTS are known to move from breeding ponds to aestivation habitat is approximately 1 mile (Austin and Shaffer 1992; also cited by FWS 2005), making the project site well outside known movement maxima.

Less than significant impact

b. The ephemeral stream on-site is a tributary to the Calaveras River via Indian Creek. The ephemeral stream habitat on the site is restricted to two slight, vegetated creases within annual grassland, a main stem and a tiny branch, that average roughly 1.5 feet wide (1 to 5 feet). These weakly-defined channels apparently carry flows for just a few days following winter rainstorms. Vegetation in the weak channels is annual grassland, with a tiny sprinkling of hydrophytes, such as meadow foam, Carter's buttercup, and wire-rush (*Juncus tenuis*), that thrive with occasional prolonged saturation and brief, shallow inundation. Dominant species at the sample point included medusa grass, Italian ryegrass, hyssop loosestrife, wire-rush, spring vetch (*Vicia sativa*), cut-leaved geranium (*Geranium dissectum*, UPL), and prickly lettuce (*Lactuca serriola*). The vegetation along the channel is not very dense and cover is low.

The existing drainage pattern would be altered by any construction on the site. Grading and flattening of the sloped areas would redirect runoff. According to the Conceptual Drainage Exhibit (Exhibit 7) and the Preliminary Grading Exhibit (Exhibit 8), Parcel C in Drainage Basin B would be left undeveloped, allowing seasonal runoff to occur in the existing drainage swale in this location. Also, these two exhibits illustrate the modification to the small riparian corridor in the northwestern portion of the site, with a 0.3 acre detention basin at the beginning of the drainage swale as it enters the site and the eastern portions of lots 23-33 maintained as a riparian corridor/drainage swale within the project. There will also be an off-site detention pond at the south end of the project site, near the project entrance. Nevertheless, the proposed project could

potentially result in an increase in total runoff volume during the construction phase of the project as well as during ongoing use of the site after construction. This could adversely affect the existing drainage patterns and flows and on-site and off-site erosion and provide additional sources of polluted runoff potentially degrading water quality. ***Less than significant impact with mitigation incorporated.***

Mitigation Measure Bio-1

Implementation of the following mitigation measure would reduce the potential impacts related to alteration of drainage to a *less than significant* impact.

Prior to recording the first phase of the Final Map, the developer shall obtain and comply with a California Dept. of Fish and Game Streambed Alteration Agreement in accordance with Sections 1600-1616 of the California Fish and Game Code.

c. The only apparent jurisdictional area on the site is the ephemeral stream which is a tributary to the Calaveras River via Indian Creek. The Calaveras River is navigable water, which establishes the on-site stream channel as a Tributary to Navigable Waters of the U.S., and thus subject, under Section 404 of the Clean Water Act, to the jurisdiction of the Army Corps of Engineers. As defined in the Clean Water Act, "waters of the U.S." include coastal waters, rivers, streams (including intermittent streams), lakes, ponds, and wetlands. Any discharge of fill or dredged material into waters of the U.S. is subject to regulation by the Army Corps of Engineers ("Corps") under Section 404 and 10 of the Clean Water Act. Each disposal site is specified by the Corps through application of guidelines developed by the US Environmental Protection Agency in conjunction with the Corps and is subject to a National Pollutant Discharge Elimination System (NPDES) permit (see also Hydrology section). The ephemeral stream habitat on the site is restricted to two slight, vegetated creases within annual grassland, a main stem and a tiny branch, that average roughly 1.5 feet wide (1 to 5 feet). These weakly-defined channels, located in the north end of the site, apparently carry flows for just a few days following winter rainstorms (see Figures 8 and 11). ***Less than significant impact with mitigation incorporated.***

Mitigation Measure Bio-2

Implementation of the following mitigation measure would reduce the potential impacts related to surface runoff and water quality to a *less than significant* impact.

Prior to recording the first Final Map, the project developer shall obtain and comply with the NPDES general permit including the submittal of a Notice of Intent (NOI) and associated fee to the State Water Resources Control Board (SWRCB) and the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes construction Best Management Practices (BMPs) to be submitted to the Public Works Director for review and approval and maintained on-site at all times during construction. Drainage from all paved surfaces, including streets, parking lots, driveways, and roofs shall be routed through an appropriate treatment system to mitigate surface runoff and water quality impacts during project construction and operations. As described in Section VIII Hydrology and Water Quality, the applicant intends to detain stormwater on

the site via a site stormwater system that will include culverts, drainage pipes, bioswales, and detention basins with the ability to treat stormwater before discharge.

d. Based on available information in the Calaveras County General Plan Open Space Element, the project would not 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. Deer herd migration routes are normally at the higher elevations of Calaveras County. (6) ***Less than significant impact.***

e. The project has been analyzed with respect to the California Oak Woodland Conservation Act of 2001 (California Fish and Game Code Section 1360-1372) the purpose of which is to preserve and restore California oak woodlands as well as the more general considerations of impacting oak trees under CEQA guidelines. Oak woodland of the type defined in Fish and Game Code Section 1361 (h) occupies only about 1 $\frac{1}{2}$ acres on the 32 acre site and is in the western portion of the property. It is a stand of sufficient size to be considered a discrete oak woodland community on the basis of ecological functionality. Approximately 1/3 of this formation is centered around the drainage contained on Parcel C and the remaining 2/3 of the formation extends onto nearby Lots 7, 8, and 9 (see Figure 6, Tentative Map). Parcel C is to be subjected to placement of small areas of fill to buttress an adjacent road and the house pad of the parcel to the north. On Parcel C there will be no removal of oak trees and the location of fill is not expected to adversely impact any tree on the parcel.

Based primarily on the small area and corresponding low number of oaks potentially impacted on the three numbered lots, it is concluded that there will be a less than significant adverse direct impact on the oak woodland resource as a result of developing the project. With respect to cumulative impacts, these cannot be identified as there is a lack of baseline data on how much ground is covered by oak woodlands as defined by the Fish and Game Codes. In addition to preserving oaks on Parcel C, the applicant intends to preserve and incorporate into the site design the cluster of existing oak trees located on what will be the Parcel B recreation area. For information on design features of the project intended to enhance oak woodland habitat the reader is referred to the reference listed. This project's incremental impact to the removal of oak woodlands is less than significant and therefore there is a less than significant cumulative impact. (7) ***Less than significant impact.***

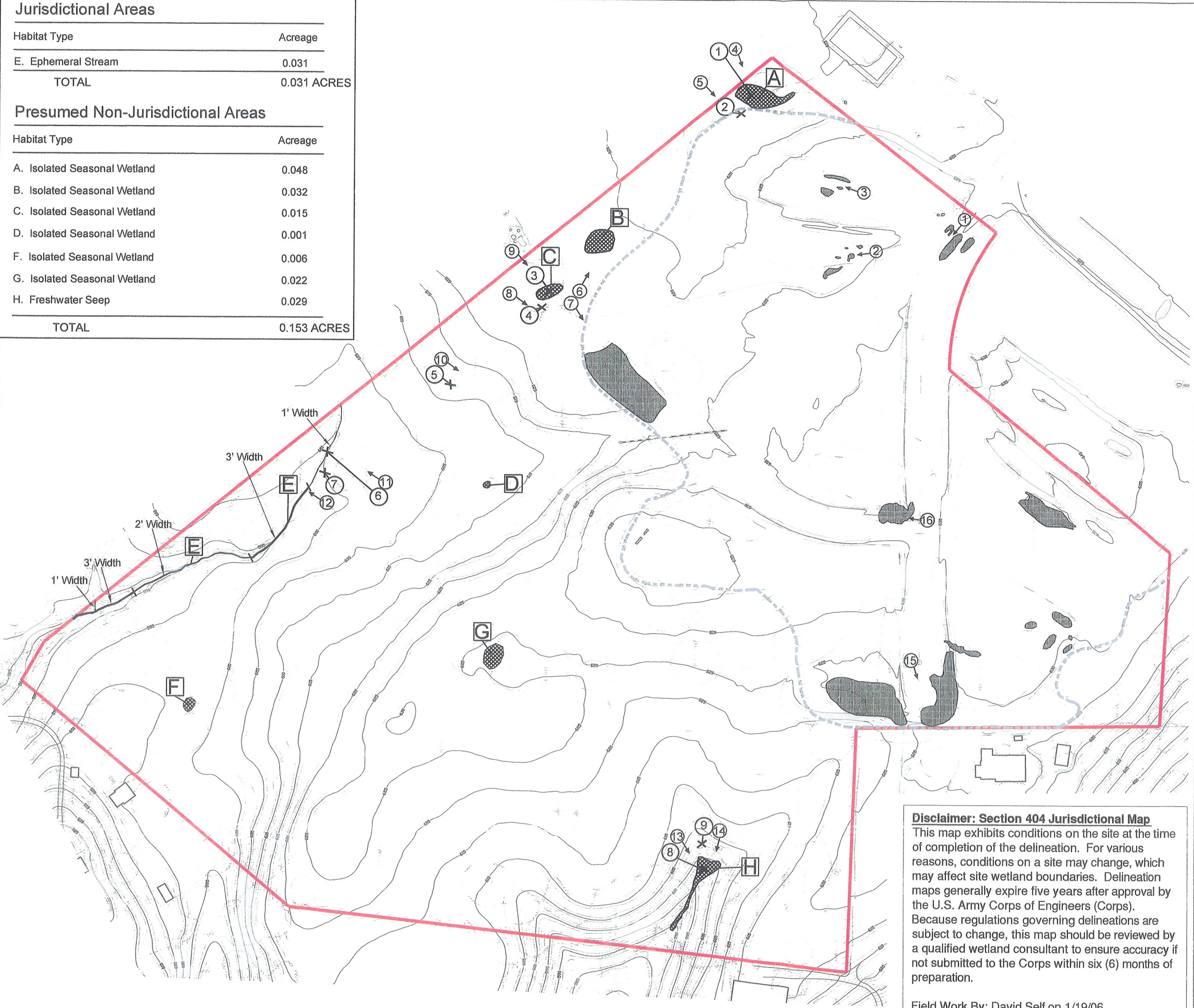
f. The project would not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because no such plans exist. ***No impact.***

Jurisdictional Areas

Habitat Type	Acreage
E. Ephemeral Stream	0.031
TOTAL	0.031 ACRES

Presumed Non-Jurisdictional Areas

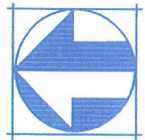
Habitat Type	Acreage
A. Isolated Seasonal Wetland	0.048
B. Isolated Seasonal Wetland	0.032
C. Isolated Seasonal Wetland	0.015
D. Isolated Seasonal Wetland	0.001
F. Isolated Seasonal Wetland	0.006
G. Isolated Seasonal Wetland	0.022
H. Freshwater Seep	0.029
TOTAL	0.153 ACRES



Disclaimer: Section 404 Jurisdictional Map
This map exhibits conditions on the site at the time of completion of the delineation. For various reasons, conditions on a site may change, which may affect site wetland boundaries. Delineation maps generally expire five years after approval by the U.S. Army Corps of Engineers (Corps). Because regulations governing delineations are subject to change, this map should be reviewed by a qualified wetland consultant to ensure accuracy if not submitted to the Corps within six (6) months of preparation.

Field Work By: David Self on 1/19/06.

Project Name:	Valley Springs
Project Number:	866 MPC
Project File:	C:\projects\800-899\866mpc\delineation.dwg
Date:	1/19/07
Topo Source:	RICK ENGINEERING



Project North

ZENTNER
Land Planning and Restoration
95 Linden Street., Suite 6, Oakland, CA 94607
Phone: (510) 622-8110 Fax: (510) 622-8116

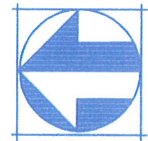
FIGURE 10
Delineation Map
North Vista Plaza Project
Site
Valley Springs, CA

Legend

- Non-Jurisdictional Area [Pattern]
- Ponding due to Past Construction (Non-Jurisdictional) [Pattern]
- Jurisdictional Ephemeral Stream [Line]
- Data Point [Symbol]
- Photo Point [Symbol]
- Old Grading/Fill Limit [Line]
- Property Boundary [Line]



Project Name: Valley Springs
Project Number: 866 MPC
Project File: C:\projects\800-899\866mpc\vegetation.dwg
Date: 06/21/06
Topo Source: RICK ENGINEERING



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and ZENTNER
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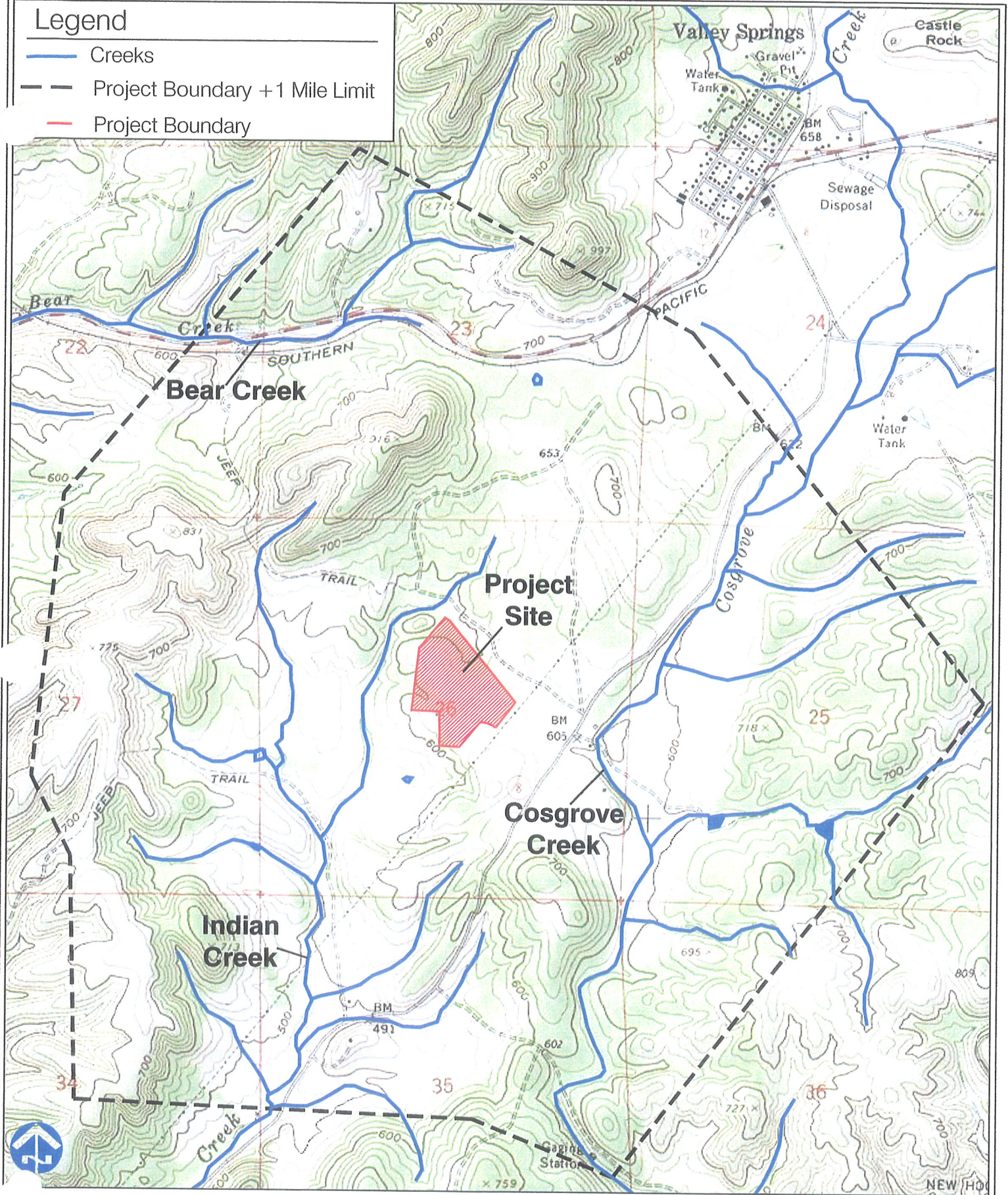
FIGURE 11
Vegetation Map
North Vista Plaza Project
Site
Valley Springs, CA

Legend

- Old Construction Area 
- Annual Grassland 
- Ephemeral Stream 
- Old Grading/Fill Limit 
- Property Boundary 

Legend

- Creeks
- - - Project Boundary + 1 Mile Limit
- Project Boundary



Project Name: Valley Springs
 Project Number: 866 MPC
 Source: USGS 7.5 min
 Quad: Valley Springs, CA
 Date: 2/22/06
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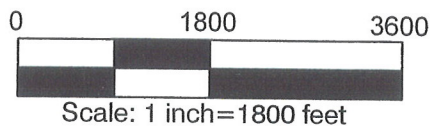
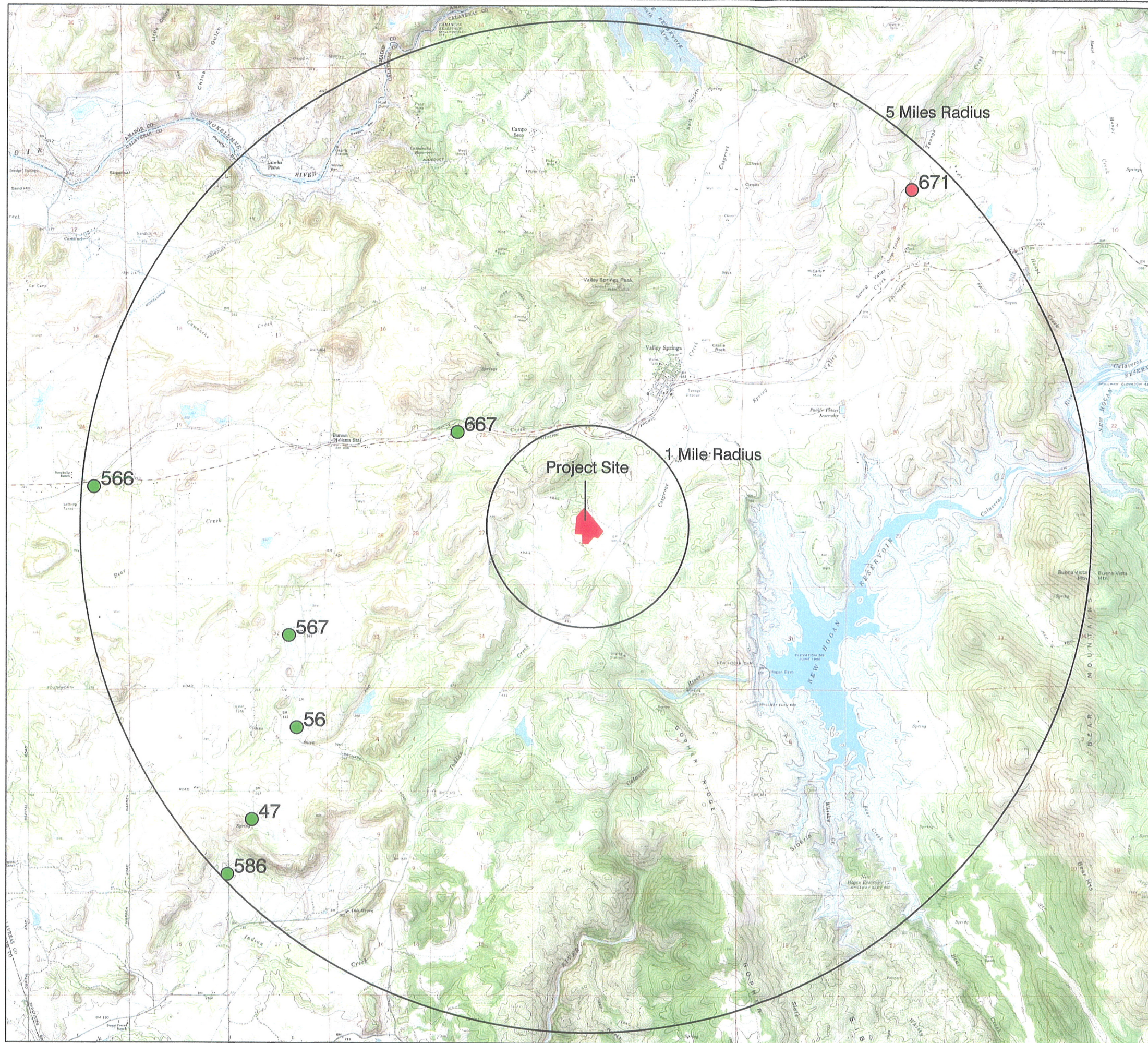


FIGURE 12
 Aquatic Habitats Map
 Valley Springs, CA



95 Linden Street, Suite 6
 Oakland
 California
 94607
 510.622.8110



Project Name: Valley Springs
Project Number: 866 MPC
Project File: C:\projects\800-899\866mpc\occurrence.dwg
Date: 06/13/06
Map Source: USGS 7.5 MIN
Quads: Jenny Lind, Valley Springs, Wallace, CA



Project North

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and ZENTNER
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FIGURE 13
 Occurrence Map
 North Vista Plaza Project
 Site
 Valley Springs, CA

Legend

- California red-legged frog Occurrence Site
Rana aurora draytonii
- California tiger salamander Occurrence Site
Ambystoma californiense

158 CNDDDB Occurrence Number

V. CULTURAL RESOURCES		Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource, as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. The project parcel is located in an area designated as low archaeological sensitivity, as identified in the 1996 CCGP (8). A portion of the project site has been graded and no historic resources have been identified. ***Less than significant impact.***

b. No prehistoric or historic archaeological sites, features, or artifacts were identified as part of the CCGP investigations or the above grading activity. ***Less than significant impact.***

c. There is also no evidence of any unique paleontological resource(s) or site, or geologic feature identified as part of the CCGP investigations or the above grading activity. ***Less than significant impact.***

d. In the previous Initial Study/Negative Declaration for the site, the County notified the Mi-Wuk Council of that project but no response was received. (9) Given the lapse of time, the County will again notify pertinent tribes of the current project and ask for a response. This process has been initiated and the County will coordinate with any responses from local tribes. Even though the location of the parcel is within an area of low archaeological sensitivity, nevertheless, ground-disrupting activities could inadvertently expose and significantly impact previously unrecorded human remains. ***Less than significant impact with mitigation incorporated.***

Mitigation Measure Cult-1

Implementation of the following mitigation measure would reduce the potential impacts related to cultural resources to a *less than significant* impact.

In the unlikely event that previously undocumented cultural resources are encountered during ground-disturbing activities, work within 100 feet of that location shall stop or be diverted until a qualified archeologist has evaluated the find and determined the appropriate course of action. Work shall not resume in the area of the find until proper disposition is complete.

If any human remains are discovered, work shall cease immediately in the area of the find and the County Coroner shall be contacted in accordance with §7050.5 of the California Health and Safety Code. If the coroner determines the remains represent Native American interment, the Native American Heritage Commission in Sacramento shall be consulted to identify the most likely descendants and appropriate disposition of the remains.

If it is determined the find indicates a sacred or religious site, the site shall be avoided to the maximum extent practicable. Formal consultation with the State Historic Preservation Office and review by the Native American Heritage Commission shall also occur.

VI	GEOLOGY AND SOILS	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
	Would the project:				
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable, as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste 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"/>

DISCUSSION

The project site is not located on or near an active fault that has a potential for future surface fault rupture, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map from the California Geological Survey. Calaveras County lies within the Sierra Block, an area of historically low seismicity. Several Fault Systems transverse the southern half of the County, from northwest to southeast. The closest to the project site is the Bear Mountain Fault Zone, approximately 8 miles to the east (10) (11) (12).

With a few exceptions, the subsurface conditions encountered generally consisted of medium- dense silty and clayey sand followed by an irregular transition into dense to very-dense, weakly-cemented gravel, sand, and silt of the Valley Springs Formation (VSF) to the depths explored. At boring B-5, the soils encountered consisted of low-plastic sandy silt to a depth of about 1 foot below site grade, moderately-plastic and very-stiff sandy clay to a depth of about 3 feet, hard and moderately-plastic silty clay to a depth of approximately 7 feet, and very-stiff clayey silt to the depth explored. Most areas, including the project site, consist of moderately to steeply sloping hills covered with grasslands, oak trees, and shrubs. (11)

a. The project site is in Seismic Zone 3 and is not located on or near an active fault that has a serious potential for future surface fault rupture, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map from the California Geological Survey. Although the area has felt groundshaking from distant earthquake epicenters, no major earthquakes have been recorded within the County. There are, however, several fault systems that transverse the southern half of the County, from northwest to southeast. The nearest Seismic Source Type A fault is mapped greater than 15 kilometers (km) from the project site and the nearest Seismic Source Type B fault is mapped greater than 10 km from the site. However, such an event is considered very unlikely and the risk of surface rupture is not considered sufficient to restrict development in the project area. (11) (12)

The upper 100 feet of soil underlying the site should meet the criteria for soil profile type S_D as defined in Table 16A-J of the CBC. All buildings constructed on the site would be required to conform to the seismic requirements of the Uniform Building Code and county building standards. As a result, the proposed project would not add any element or structure that would substantially increase the exposure of people or structures to risk of loss, injury, or death as a result of earthquakes or related events, over that incurred by simply living and working in the surrounding county. (11)

The potential for seismically induced groundshaking is lower in Calaveras County than in most of California. All of Calaveras County may be subjected to shaking of intensity 4.0 to 5.0 on the Mercalli Scale during the infrequent events that occur on the relatively distant branches of the San Andreas Fault System or the Owens Valley portion of the Sierra Frontal Fault system. (12)

Sites in Calaveras County with liquefaction potential would be those on alluvial deposits having groundwater and sand and silt layers of uniform grain sizes within about 30 feet of the surface. Such conditions are generally not present in the County. (12)

Landslides occur more readily on steep slopes. There are several areas of the County with steep slopes of 50 percent or greater and therefore have landslide potential. The areas of particular landslide concern are those that include high elevations and steep ravines and gulches associated with river or stream channels. (12)

Less than significant impact.

b. The type of soils found on the site- medium dense silty and clayey sand followed by an irregular transition into dense to very-dense, weakly-cemented gravel, sand, and silt of the VSF to the depths explored- is not a soil type prone to erosion according to the Table VII-3 of the Calaveras County General Plan Safety Element. (11) ***Less than significant impact.***

c. With the exception of expansion potential, unstable soils or geologic units are generally not present on the site. ***Less than significant impact.***

d. Soils with a high clay content are usually expansive. On slopes, the continuous shrinking and swelling of expansive soils can cause the soil to migrate downslope, which can also disrupt foundations and bury utility lines. In addition, the construction of single-family homes would involve the disturbance and relocation of topsoils, rendering earth surfaces susceptible to erosion from wind and water. Soil erosion, or the loss of topsoil, resulting from grading and excavation of the project site would be considered a potentially significant impact. (12) ***Less than significant impact with mitigation incorporated.***

Mitigation Measure Geo-1

Implementation of the following mitigation measure would reduce the potential impacts related to geology/soil erosion to a *less than significant* impact.

Prior to recording the first phase of the Final Map, the project developer shall submit for the review and approval of the Public Works Department, an erosion control plan that will utilize standard construction practices to limit the erosion effects during construction of the proposed project. Measures could include but are not limited to:

- *Hydro-seeding;*
- *Placement of erosion control measures with drainageways and ahead of drop inlets;*
- *The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);*
- *The placement of straw wattles along slope contours;*
- *Directing subcontractors to a single destination "wash-out" location (as opposed to allowing them to wash-out in any location they desire);*
- *The use of siltation fences; and*
- *The use of sediment basins and dust palliatives.*

e. Not applicable. The applicant intends to connect with the Calaveras County Water District system. ***No impact.***

VII. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials, substances, or waste into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites, compiled pursuant to Government Code §65962.5, and, as a result, create a significant hazard to the public or environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Be 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? If so, 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)	Be located in the vicinity of a private airstrip? If so, 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury, or death from wildland fires, including areas where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

Vegetation in the area generally consists of seasonal grasses that become highly flammable during the dry season (June-October). This area, like all of Calaveras County, is considered a Very High fire risk - Zone 5, denoting timber and brush fuels in a populated area. (9)

a. No transport, use or disposal is anticipated with the proposed project. Activities related to construction of a residence or roads would require equipment that uses certain potentially hazardous materials, such as fuels, oils, and solvents, which would be contained within vessels engineered for safe storage. Large quantities of these

materials would not be stored at or transported to the construction site. Hazardous materials are not currently used or stored on-site. ***Less than significant impact.***

b. There would be no foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment since no large quantities of hazardous materials would be utilized in the construction or operations of the project. There is no known hazardous contamination on the property and the site is not suspected of containing any hazardous wastes, debris, or soil contamination. Spills, upsets, or other construction-related accidents could result in a release of a limited amount of fuel or other hazardous substances into the environment. There is an ephemeral stream in the northeast section of the property and a seasonal drainage in the western part of the property. The stream would be relocated to the eastern edge of the property to assist in the creation of a riparian corridor. Runoff would be treated in a detention basin before release (see also Biology and Hydrology sections). Both of these areas, along with buffer zones established (see also Biology and Hydrology sections), would limit the potential for drainage into adjacent ponds, drainages, creeks, and/or wetland areas. ***Less than significant impact.***

c. There is a Calaveras Head Start School, a state pre-school, within a quarter-mile of the site. However, since the site is not known for containing hazardous materials and no hazardous materials are stored on the site, there would be no impact on the school. ***No impact.***

d. The site is not included on a list of hazardous materials sites compiled by the California Department of Toxic Substances Control, pursuant to Government Code §65962.5. ***No impact.***

e. The site is not located within an airport land use plan, within two miles of a public airport, or in the vicinity of a private airstrip. ***No impact.***

f. See answer to e. above. ***No impact.***

g. Work related to this project or implementation of required mitigation measures would not block access to any public road or restrict access to Hwy 26. Minimum access requirements for emergency vehicles would be maintained at all times. Neither construction nor normal usage would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan for the area. ***Less than significant impact.***

h. The proposed project site is located adjacent to significant amounts of grasses that become highly flammable during the dry season (June-October). Heavy equipment can get very hot during the warmer part of the work season; this equipment would sometimes be in close proximity to this vegetation. Friction between metal parts crushing rocks could generate sparks, resulting in a fire. However, the project site is in the light fuel category, which refers to the quantity of flammable vegetation and other materials per unit of land area, moisture content, chemical content, and the distribution and ratio of dead vegetation to living vegetation (1-Safety Element, p.VII-8). In addition,

although the property is moderately sloped, the areas of proposed future construction do not contain significant stands of vegetation. Setbacks between residences and surrounding open grassland would provide sufficient clearance to limit the potential fire risk. The project would not add any new uses that could create additional long-term or permanent increased fire risks and the close proximity of multiple fire protection units (Jenny Lind, Foothill, and CDF) would limit the potential for any fire to spread offsite. The Foothill Fire Protection District, which is responsible for fire protection of the subject property, has an ISO rating of 9 in the rural areas. The ISO rating considers water supply, fire department capabilities, local community conditions, applicable regulations, hazards, and climate. An ISO rating of 9 is consistent with the goals and policies for adequate fire protection of single-family residential development on parcels of 20 acres or less. (9) ***Less than significant impact.***

VIII. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 that 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 alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through 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 on- or off-site flooding?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	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 federal Flood Hazard Boundary or Flood Insurance Rate Map, or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place structures that would impede or redirect flood flows within a 100-year flood hazard area?	<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 from flooding, including flooding resulting from the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

The watershed surrounding the subject property is part of the San Joaquin River Basin. Runoff from winter storms collects in streams and seasonal drainages that feed the Calaveras River. A natural topographic swale located in the northeast corner of the property conveys surface runoff into Cosgrove Creek. There is also a seep on the western edge of the property. The applicant intends to detain stormwater on the site via a site stormwater system which will include culverts, drainage pipes, bioswales, and

detention basins with the ability to treat stormwater before discharge. Accordingly, there will be no net additional drainage from the site to Cosgrove Creek. (13)

a. Groundwater was not encountered during geotechnical investigations for the site. Groundwater elevations and soil moisture conditions within the project area will vary depending on seasonal rainfall, irrigation practices, land use, and/or runoff conditions not apparent at the time of the field investigation. It should be noted, however, that within the general project area it is relatively common during the winter and spring months to encounter confined or "perched" groundwater within the transition zone between the upper soil and the underlying, lower permeable VSF. Furthermore, during this time period occasional springs have been noted. The applicant intends to serve the water and wastewater needs of the project from the CCWD. Accordingly, there would be no impact of project wells on groundwater. (14) Nevertheless, the proposed project could potentially result in an increase in total runoff volume during the construction phase of the project as well as during ongoing use of the site after construction. This could adversely affect the existing drainage patterns and flows and on-site and off-site erosion and provide additional sources of polluted runoff potentially degrading water quality.

Implementation of the previously identified Bio-1 mitigation measure would mitigate the runoff and water quality impact. Prior to recording the first Final Map, the developer shall obtain and comply with a California Dept. of Fish and Game Streambed Alteration Agreement in accordance with Sections 1600-1616 of the California Fish and Game Code. In addition, implementation of the previously identified Bio-2 mitigation measure would mitigate drainage and waste discharge impacts. *Prior to recording the first phase of the Final Map, the project developer shall obtain and comply with the NPDES general permit including the submittal of a Notice of Intent (NOI) and associated fee to the State Water Resources Control Board (SWRCB) and the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes construction Best Management Practices (BMPs) to be submitted to the Public Works Director for review and maintained on-site at all times during construction. Drainage from all paved surfaces, including streets, parking lots, driveways, and roofs shall be routed through an appropriate treatment system to mitigate surface runoff and water quality impacts during project construction and operations. The applicant intends to detain stormwater on the site via a site stormwater system that will include culverts, drainage pipes, bioswales, and detention basins with the ability to treat stormwater before discharge. Less than significant impact with mitigation incorporated.*

b. Because the proposed project would be served by CCWD with respect to water supply and not rely on well water, there would be no adverse impact on groundwater supplies or groundwater recharge. **No impact.**

c. The existing drainage pattern would be altered by construction on the site. Grading and flattening of the sloped areas would redirect runoff. According to the Conceptual Drainage Exhibit (Exhibit 7) and the Preliminary Grading Exhibit (Exhibit 8), Parcel C in Drainage Basin B would be left undeveloped, allowing seasonal runoff to occur in the existing drainage swale in this location. Also, these two exhibits illustrate the

modification to the small riparian corridor in the northwestern portion of the site, with a 0.3 acre detention basin at the beginning of the drainage swale as it enters the site and the eastern portions of lots 23-33 maintained as a riparian corridor/drainage swale within the project. There will also be an off-site detention pond at the south end of the project site, near the project entrance. Implementation of the Bio-1 and Bio-2 mitigation measures, as described in a. above, would mitigate alteration of drainage impacts. ***Less than significant impact with mitigation incorporated.***

d. The moderate to steep slope of the property generally precludes the potential for localized flooding or standing water. See also answer to e. below. ***Less than significant Impact with mitigation incorporated.***

e. The drainage modifications planned for the project, including the planned use of on-site and off-site detention basins, would prevent runoff water from exceeding the capacity of stormwater drainage systems and prevent additional sources of polluted runoff. Implementation of the Bio-1 and Bio-2 mitigation measures, as described in a. above, would mitigate alteration of drainage capacity and polluted runoff impacts. No additional runoff would be added to Cosgrove Creek. ***Less than significant Impact with mitigation incorporated.***

f. Because the proposed project would not use well water and would employ runoff detention and filtration systems designed to prevent the degradation of stormwater runoff, there would be no adverse impact on water quality. Implementation of the Bio-1 and Bio-2 mitigation measures, as described in a. above, would mitigate degradation of water quality impacts. ***Less than significant Impact with mitigation incorporated.***

g. The property is not located within the 100-year or Zone "X", which is an area determined to be outside the 500 year flood plain, according to HUD/FEMA mapping criteria and 1996 CCGP Flood Zones Map. Consequently, people or structures would not be subject to a significant risk of loss, injury, or death from flooding. ***No impact.***

h. No structures would be placed within a 100-year flood hazard area. ***No impact.***

i. There would be no significant risk of loss, injury, or death from flooding, including flooding resulting from the failure of a levee or dam since none exist in the project area. ***No impact.***

j. The site would not be subject to inundation by seiche, tsunami, or mudflow since the conditions for these phenomena do not exist in the project area. ***No impact.***

IX.	LAND USE AND PLANNING	<u>Potentially Significant Impact</u>	<u>Less than Significant 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)	Conflict with the applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including, but not limited to, a 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"/>

DISCUSSION

In 1999, the project site was planned and zoned for Multi-Family Residential (R3), Commercial (C2), and R1 Single-Family Residential. The current project would require a zoning amendment for the proposed R1 Single-Family residential development.

a. The proposed project would not divide an established community (see Exhibit 6). **No impact.**

b. While the proposed project would require a zoning amendment, replacing the R3 Multi-Family development with R1 Single-Family Planned Development zoning, as well as the following permits/clearances:

- California Water Quality Control Board (410 Certification)
- California Dept. of Fish & Game (Streambed Alteration Agreement)
- US Army Corps of Engineers (Section 404 of Clean Water Act consultation)
- California Dept. of Forestry (oak habitat preservation review)
- California Dept. of Transportation (intersection analysis)
- Corps may consult with US Fish & Wildlife Service under Federal Endangered Species Act

If the Corps determines that an endangered species would be affected by the project it would not conflict with the applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. **No impact.**

c. As there are not habitat conservation plans or natural community conservation plans on or near the site, there would be no conflict with these plans. **No impact.**

		<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
X.	MINERAL RESOURCES				
Would the project:					
a)	Result in the loss of availability of a known mineral resource that is or 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"/>

DISCUSSION

The area surrounding the project site has been designated as a Mineral Resource Area 1 in the Calaveras County General Plan, which identifies lands that are not known to contain significant mineral deposits, although isolated mineral occurrences may be found within the area. No specific mineral has been identified as present, no mining activities have been proposed for this site, and no active mining is occurring on this or adjacent parcels

- a. The project would not result in the loss of availability of a known mineral resource that is or would be of value to the region and the residents of the state. **No impact.**
- b. The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use Plan. **No impact.**

XI. NOISE		<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
Would the project:					
a)	Generate or expose people to noise levels in excess of standards established in a local general plan or noise ordinance, or in other applicable local, state, or federal standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Generate or expose people to excessive groundborne vibrations or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Create a substantial permanent increase in ambient noise levels in the vicinity of the project (above levels without the project)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a substantial temporary or periodic increase in ambient noise levels in the vicinity of the project, in excess of noise levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Be 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? If so, 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)	Be in the vicinity of a private airstrip? If so, 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"/>

a. Calaveras County does not have a noise ordinance, so standards are based on general state requirements. The California Noise Insulation Standards (Title 24) apply to multi-family units only and specify that noise levels in living spaces not exceed 45 dB CNEL and exterior noise levels not exceed 60 dB CNEL. (15) Even though they do not apply, it is not anticipated that these noise levels would be exceeded in the proposed development once completed. ***Less than significant impact.***

b. Construction activity associated with future development is not expected to involve the use of explosives, pile driving, or other intensive construction techniques that could generate significant ground vibration or noise. Minor vibration immediately adjacent to excavating and paving equipment would only be generated on a short-term basis and the rural nature of the site would limit any impacts on nearby properties. ***Less than significant impact.***

c. Once road construction and construction of any residence(s) and associated outbuilding(s) are completed, all related construction noise would disappear. ***Less than significant impact.***

d. Nothing within the scope of the proposed project would result in a substantial temporary, permanent, or periodic increase in ambient noise levels or excessive groundborne vibrations or groundborne noise levels. Activities permitted in the R1

zoning district do not include intense noise-generating activities. ***Less than significant impact.***

e. The project is not located within 2 miles of a public airport. ***No impact.***

f. The project is not located in the vicinity of a private airstrip. ***No impact.***

XII. POPULATION AND HOUSING		Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:					
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"/>

a. Although the project would involve construction of 162 homes with a forecast population of approximately 395 (assuming an average family size of 2.43),⁴ the proposed project is of a lesser scale than current land use and zoning designations for the site which would allow a build out of 241 homes. Accordingly, the proposed project is not considered one that would induce substantial population growth compared to the currently allowed growth of approximately 585 persons (assuming an average family size of 2.43). The cumulative impacts analyzed (see table "North Vista Plaza Cumulative Projects" in Mandatory Findings of Significance, Section XVII), which total 573 residential units, would not induce substantial population growth in the area. In addition, the new residential growth is already causing demand for nearby commercial growth which could serve all the new residential projects with the potential to limit vehicular trips. ***Less than significant impact.***

b. No houses would have to be moved or removed for the proposed project. ***No impact.***

c. There would be no displacement of people necessitating the construction of replacement housing elsewhere. ***No impact.***

⁴ 2000 Census, Calaveras County.
North Vista Plaza Mitigated Negative Declaration
March 9, 2007

XII. PUBLIC SERVICES		Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a)	Result in significant environmental impacts from construction associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a.i. Fire protection for the parcel is provided by the Foothill Fire Protection District. The District has an ISO rating of 9 for areas with fire hydrants. The California Department of Forestry (CDF) provides backup and maintains a fire station in the Valley Springs area, approximately 5 miles from the project site, as well as a fire station in San Andreas, approximately 10 miles from the project site. Response time would be approximately 10 minute or less. Air support is available from the Columbia Air Attack/Helitack Base, less than 15 minutes away by air. (16) The use of construction equipment around flammable annual vegetation presents a slightly increased fire risk that could result in minor short-term additional demands on CDF and local fire response teams. Any impact on services would be temporary and nothing in the project scope would result in the need for additional personnel, equipment, or facilities. (17) ***Less than significant impact***

a.ii The Calaveras County Sheriff's Department provides police protection for the Valley Springs/Jenny Lind area out of its Valley Springs Substation, approximately 2-1/2 miles from the project. The project is 10 miles from the Calaveras County Sheriff's Dept. headquarters in San Andreas. The anticipated response time depends on the type of calls and could be less than a minute to more than 45 minutes. The addition of 162 additional single family residences would potentially result in the need for funding 38% of one Deputy Sheriff position (1 deputy Sheriff/1000 population). (18) ***Less than significant impact***

a.iii Schools serving the area surrounding the subject project include Valley Springs Elementary School (2 miles from the project), the Toyon Middle School (7 miles from the project site), and the Calaveras High School (12 miles from the project site). Growth needs of the schools include busses, drivers, and classroom facilities and technology and would be met by the applicant satisfying the project's school impact fee of \$2.63 per square foot of residential development. (19) ***Less than significant impact***

a.iv The project proposes the creation of a .74 acre park and recreation area in the center of the project (see Figure 6). There are no public park districts in the project area. However, there are private recreation areas at nearby La Contenta Golf Course and Hogan Lake that would serve the project. ***Less than significant impact***

a.v Valley Springs is a small unincorporated semi-rural community with limited infrastructure. County administrative, court, and permitting functions associated with activities that could occur on the property are generally conducted at the County Government Center in San Andreas. County administrative requirements for construction of residential structures would add only a negligible impact to county workloads. Alpine Gas would provide natural gas service and Pacific Gas & Electric Co. would provide electricity service to the project. AT&T would provide telephone service. ***Less than significant impact***

XIV.	RECREATION	<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
	Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. The addition of 162 new residences in the area would have a negligible impact on recreational venues. There are no public park districts in the project area. However, there are private recreation areas at nearby La Contenta Golf Course and Hogan Lake that would serve the project. No substantial physical deterioration of these facilities would occur or be accelerated. ***Less than significant impact***

b. The project contains a .74 acre park and recreational area in the center of the project that would be part of an oak habitat preservation (see Figure 6). Since this feature preserves an area of oak habitat, no adverse physical effects on the environment are anticipated. ***No impact.***

XV.	TRANSPORTATION/TRAFFIC	<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
Would the project:					
a)	Cause a substantial increase in traffic, in relation to existing traffic and the capacity of the street system (i.e., a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exceed, individually or cumulatively, the level of service standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Cause 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)	Contain a design feature (e.g., sharp curves or a dangerous intersection) or incompatible uses (e.g., farm equipment) that would substantially increase hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

State Route 26 (SR 26) is a rural state highway traversing north-south in the vicinity of the project, consisting of one travel lane in each direction north of Vista Del Lago West, and one travel lane northbound and two travel lanes southbound just south of Vista Del Lago West. Exclusive left and right-turn lanes are provided in the northbound direction and an exclusive left-turn lane is provided in the southbound direction at Vista Del Lago West. Machine counts show that SR 26 carries 11,649 vehicles per day north of Vista Del Lago West and 9,939 vehicles per day south of Vista Del Lago Drive (20).

Vista Del Lago West is a two-lane roadway traversing east-west in the vicinity of the project. An exclusive left-turn lane is provided in the eastbound direction at SR 26, and although not striped, the roadway is wide enough in the westbound direction to provide for a separate right-turn lane. Machine counts performed show that Vista Del Lago West carries 5,683 vehicles per day (east of SR 26) and Vista Del Lago West carries 2,438 vehicles per day (west of SR 26).

Existing traffic volumes at SR 26/Vista Del Lago West (intersection turning movements) were obtained from traffic counts that were conducted on Wednesday, May 10, 2006. AM (7:00 to 9:00) and PM (4:00 to 6:00) peak turning movement counts were conducted at the project intersection. The calculated peak hour within the count period of each

studied intersection was utilized in the analysis. Daily traffic volumes were recorded along each leg of the intersection on Tuesday, May 9, 2006 and on Wednesday, May 10, 2006.

a. Based on the Institute of Transportation Engineer's (ITE) Trip Generation rates for single-family residential units, the project is anticipated to generate 1,550 ADT with 122 AM peak hour trips (31 inbound/91 outbound) and 164 total PM peak hour trips (104 inbound/60 outbound). AM peak hour volumes were calculated on 25%:75% (in:out) ratio assumption. PM peak hour volumes were calculated on 63%:37% (in:out) ratio assumption. The analysis indicates that existing roadway capacity of both SR 26 and Vista Del Lago West would be able to handle the increase in traffic associated with the project. ***Less than significant impact.***

b. Turning movements at the SR 26/Vista Del Lago West intersection currently operate at LOS D or better during the AM and PM peak hours with the exception of the eastbound left-turn lane. This movement currently operates at LOS F during the AM peak hour. Consequently, the project traffic volumes would add to an existing problem intersection. ***Less than significant impact with mitigation incorporated.***

Mitigation Measure Traffic-1

Implementation of the following mitigation measure would reduce the potential impacts related to existing + project + cumulative traffic at the Vista Del Lago West/State Route 26 intersection to a *less than significant impact*.

Prior to recording the first phase of the Final Map, the developer shall enter into a reimbursement agreement with the County for the installation of a traffic signal at the Vista Del Lago West/State Route 26 intersection. The developer's share of the traffic signal will be 22.39% based on the number of turning movements entering the intersection as evaluated in the project's "Focused Access Analysis." The developer would also be obligated to pay specified roadway improvement fees established in the County RIM fee program and the Valley Springs Benefit Basin Plan. By virtue of CalTrans' approval of prior County traffic signal proposals and CalTrans' knowledge of the Valley Springs Benefit Basin Plan, Caltrans approval of the proposed traffic signal is assured.

c. No change in air traffic patterns resulting in substantial safety risks would be caused by the project. ***No impact.***

d. The project would not contain design features or incompatible uses that would substantially increase hazards. ***No impact.***

e. Minimum access requirements for emergency vehicles would be maintained at all times. Construction activities associated with the proposed project would occur along Vista Del Lago West and within the site boundaries. Work would not block access to any public road or restrict access to SR 26. Delays on Vista Del Lago West would be minor. It is not anticipated that road work on Vista Del Lago West would restrict or block access to SR 26. Any residential construction activities associated with the

proposed project would occur within site boundaries and concurrent with or following completion of work on the access road. ***Less than significant impact.***

f. There is sufficient room to accommodate parking for construction crews and future residents on the property. ***Less than significant impact.***

g. The project would not conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). ***No impact.***

XVI.	UTILITIES AND SERVICE SYSTEMS	<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
Would the project:					
a)	Exceed wastewater treatment restrictions or standards of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities? Would the construction of these facilities cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities? Would the construction of these facilities cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination, by the wastewater treatment provider that serves or may serve the project, that it has adequate capacity to service the project's anticipated demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations as they relate to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

Potable water for the new homes would be supplied by the Calaveras County Water District (CCWD). CCWD would also provide waste treatment for the new development. (14) Electricity for the future development is provided by Pacific Gas & Electric, and telephone service is provided by AT&T. Solid waste curbside pickup is provided by Calaveras Disposal. Calaveras County Public Works - Solid Waste Division operates the Rock Creek landfill on Hunt Road in Milton, approximately nine miles from the project site.

a. Water and wastewater treatment for development of the project would be provided by the CCWD which complies with wastewater treatment standards of the Regional Water Quality Control Board. An agreement dated January 1, 2005 between CCWD and the property owner, Norried Family Properties L.P., specifies the terms on which the CCWD will provide water and wastewater treatment service for the 98-07 project which consisted of residential, commercial, and recreational development with a projected build out of 138 multi-family residential, 38 single-family residential, and 75 North Vista Plaza Mitigated Negative Declaration
March 9, 2007

mobile home residential units. The current project with 162 single-family residential units would have a smaller build out than the 98-07 project, resulting in a ***less than significant impact***. (14)

b. The project would not require the expansion of existing CCWD facilities. The ability of CCWD to serve the project with its existing water and wastewater service is documented in a September 1, 2006 letter to the applicant. ***Less than significant impact***.

c. The construction of 162 residences would involve the on-site construction of drainage facilities and detention basins to control storm water flow and to ensure that runoff from the project does not enter Cosgrove Creek (see also Hydrology section). The on-site stormwater facilities would be designed so as not to increase runoff beyond the capacity of soils in the area and controlled in accordance with applicable laws to not increase runoff beyond preconstruction levels. The construction of these facilities would not in themselves cause significant environmental effects. ***Less than significant impact***. (13)

d. Potable water for the proposed residences would be provided by CCWD. According to CCWD officials, there is adequate existing capacity to serve the development. ***Less than significant impact***. (14)

e. The project would have wastewater services supplied by CCWD. CCWD has sufficient capacity to serve the proposed project in addition to meeting existing wastewater commitments. ***Less than significant impact***.

f. Solid waste disposal is provided at the Calaveras County Department of Public Works - Solid Waste Division, Rock Creek facility in Milton. This landfill location has sufficient capacity to accommodate the average solid waste demand generated by 162 additional residences. The Rock Creek location is a licensed public solid waste disposal facility. ***Less than significant impact***. (21)

g. The project will comply with federal, state, and local statutes and regulations as they relate to solid waste. ***No impact***.

XVII	MANDATORY FINDINGS OF SIGNIFICANCE	<u>Potentially Significant Impact</u>	<u>Less than Significant With Mitigation</u>	<u>Less than Significant Impact</u>	<u>No Impact</u>
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have the potential to 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"/>
c)	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"/>
d)	Have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

The proposed project would not degrade the quality of the environment, result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric cultural resources because project components would be constructed on areas that are not identified as sensitive.

Prehistoric resources would not be adversely affected because no archeological resources are known to exist on the project site or in the area. Further, project implementation includes compliance with appropriate procedures for avoiding or preserving artifacts or human remains if they are discovered during project excavation.

Based on the analysis in the Initial Study, the project does not have impacts that are individually limited, but cumulatively considerable. The following cumulative projects have been analyzed in this environmental document:

Table 3- North Vista Plaza Cumulative Projects	
Cumulative Projects	Use
Vista Del Lago Commercial Development	32,500 sf commercial
Hogan Lake Estates North	83 sfr
Hogan Oaks I	51 sfr
Hogan Oaks II	77 sfr
Vista Plaza Unit 2- Residential	38 sfr
Vista Plaza Unit 2- Commercial	99,709 sf commercial

Del Verde Subdivision	91 sfr
Valley Springs Estates	71 sfr
Proposed Project	
North Vista Plaza	162 sfr
Total	573 sfr; 132,209 sf commercial

Source: Valley Springs, North Vista Plaza, Focused Access Analysis, Calaveras County, Rick Engineering Co., May 22, 2006.

The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly. All potentially significant environmental effects have been mitigated.

The project is consistent with the County's General Plan. In Section XV cumulative traffic impacts are discussed. As stated in this section, affected roadways would be able to handle the increase in traffic. This includes the impacts of the project and cumulative projects on the Vista Del Lago West/SR 26 intersection which would be mitigated by a traffic signal towards which the North Vista Plaza Project would contribute its fair share of the cost. A summary of expected cumulative impacts follows:

- Aesthetics and Light and Glare: Limited cumulative impacts on aesthetic resources would occur, including incremental increases in light and glare. However, since the site is located in a rural area with existing sources of light and glare, cumulative impacts are considered less than significant.
- Agricultural Resources: Current zoning is for non-agricultural uses; cumulative impacts are not anticipated.
- Air Quality: Cumulative air quality impacts are addressed in Section III.
- Biological Resources: Impacts of the project on biological impacts are limited and would not be considered cumulative.
- Cultural Resources: Potential impacts to cultural resources are not considered cumulative.
- Geology and Soils: Potential impacts to geology and soils are not considered cumulative.
- Hazards: Potential impacts to hazards are not considered cumulative.
- Hydrology: Cumulative hydrological impacts are discussed in Section VIII.
- Land Use and Planning: Other projects would be subject to County planning and zoning.
- Mineral Resources: Potential impacts to mineral resources are not considered cumulative.
- Noise: Cumulative noise impacts are anticipated to be less than significant.
- Population and Housing: Cumulative impacts to population, employment and housing are addressed in Section XII.
- Recreation: Area recreation facilities are considered adequate for the project and cumulative projects.

- **Transportation, Parking and Circulation:** As stated previously, only a relatively small incremental increase in traffic is expected with the project, including cumulative projects.
- **Utilities and Public Services:** There would be less than significant cumulative impacts to utility and service providers.

REFERENCES

1. High Capability Agricultural Lands Map, Calaveras County General Plan
2. Area Designation Maps - State and National, California Air Resources Board, www.arb.ca.gov/desig/adm/adm.htm, July 21, 2005 and as updated by the Calaveras County Air Pollution Control District (CCAPCD), May 3, 2006
3. CCAPCD, Best Management Practices
4. North Vista Plaza, Section 404 Jurisdictional Delineation, Zentner & Zentner, Oakland, February, 2006.
5. North Vista Plaza, Red Legged Frog and California Tiger Salamander Biological Assessment and Red Legged Frog Protocol Surveys, Zentner & Zentner, May, June 2006.
6. Calaveras County General Plan Open Space Element.
7. North Vista Plaza Development, Preliminary Findings With Respect to Oak Woodland Resources, Aperio Inc., Daus & Associates, 2006
8. Archeological Sensitivity Map, Calaveras County General Plan
9. 98-07 General Plan Amendment, Zoning Amendment, and Tentative Subdivision Tract Map for Floyd Norried Jr., Calaveras County, 1999.
10. Slopes and Fault Zones Map, Calaveras County General Plan.
11. Geotechnical Services Report, Proposed North Vista Plaza Subdivision, Valley Springs, California, Kleinfelder, Inc., December, 2005.
12. Safety Element, Calaveras County General Plan.
13. Tentative Map, Conceptual Drainage Exhibit, Preliminary Grading Exhibit, Rick Engineering Co.
14. Water and Wastewater Service Facilities Agreement, Calaveras County Water District and Norried Family Properties, LP, 2004.
15. California Title 24 Noise Insulation Standards
16. 2005-43 Tentative Parcel Map (TPM), Calaveras County Planning Dept., 2004.
17. Personal Communication with Clint Gleason, Foothill Fire District, June, 2006.

18. Personal Communication with Lt. Macedo, Calaveras County Sheriff's Dept., June, 2006.
19. Personal Communication with Jim Frost, Supt., Calaveras Unified School District, June, 2006.
20. Valley Springs-North Vista Plaza Focused Access Analysis, Calaveras County, Rick Engineering Company, May 22, 2006.
21. Personal Communication with Cynthia Knapp, Calaveras Public Works Dept., May, 2006.

PREPARERS

Calaveras County Planning Department
Quad Knopf, Peer Review, Initial Study/Negative Declaration
Strategic Planning Consultant- Draft Submittal for Initial Study/Negative Declaration
Zentner & Zentner- Biological Investigations
Kleinfelder, Inc.- Geotechnical Investigations
Rick Engineering Company- Project Engineering & Access Analysis, Drainage Analysis
Aperio Inc. & Daus & Associates- Forestry Report
Environmental Service- Air Quality Analysis
Mark Pringle, Mark Pringle Co.- Applicant

APPENDICES

Appendix A- North Vista Plaza Valley Springs, Section 404 Jurisdictional Delineation, Zentner & Zentner, May, 2006.

Appendix B- North Vista Plaza Red Legged Frog and California Tiger Salamander Biological Assessment, Zentner & Zentner, May, 2006.

Appendix C- Geotechnical Services Report, Proposed North Vista Plaza Subdivision, Kleinfelder, Inc., December, 2005.

Appendix D- Valley Springs-North Vista Plaza, Focused Access Analysis, Calaveras County, Rick Engineering, May, 2006.

Appendix E- North Vista Plaza Development, Findings with Respect to Oak Woodland Resources, Daus Associates/Aperio, Inc., June, 2006.

Appendix F- Valley Springs- North Vista Plaza, Preliminary Drainage Report, Rick Engineering, May, 2006.

CALAVERAS COUNTY PLANNING DEPARTMENT
891 Mountain Ranch Road, San Andreas, CA 95249
(209) 754-6394
MITIGATED NEGATIVE DECLARATION

PROJECT NO: 2005-190 Zoning Amendment, Tentative Subdivision Tract Map, and Planned Development Permit for Floyd and Marilyn Norried and The Mark Pringle Company, LLC (North Vista Plaza).

DEVELOPER / APPLICANT: Mark Pringle Co. LLC

PROPOSAL:

The applicants are requesting a Zoning Amendment from Multiple Family Residential - Planned Development (R3-PD) and R3-MHP-PD (Mobile Home Combining Zone) to Single Family Residential - Planned Development (R1-PD) for 33.8± acres and from Multiple Family Residential - Planned Development (R3-PD) to Recreation - Environmental Protection Combining Zone - Planned Development, with no further division of the parcel (REC-X-EP-PD) for 0.7± acres (Parcel B as a single lot). Concurrently requested is a Tentative Subdivision Tract Map (TSTM), dividing the same 34.5± total acres into 171 lots, including 162 residential lots, 2 detention basins, 6 landscaped areas, recreation area, and private streets. Also requested is a Planned Development Permit to allow the use of density transfer, common area, or other development flexibility methods to create parcels that are smaller than the minimum parcel size permitted by the General Plan and/or Valley Springs Community Plan.

LOCATION :

The property is located west of State Highway 26, at the end of West Vista Del Lago Drive, approximately two miles south of the Highway 12/26 intersection in Valley Springs. (APNs 73-056-001, 002, 003, and 009 are portions of Section 26, Township 4 North, Range 10 East, Mount Diablo Meridian.)

GENERAL PLAN DESIGNATION: In 1999, the project site was planned and zoned for Multi-Family Residential (R3), Commercial (C2), and R1 Single-Family Residential.

EXISTING ZONING: Zoning on the site currently is R-3 PD Multi-Family Residential and R-3-MHP-PD (Mobile Home Combining Zone). Zoning will be changed to R-1 PD and Rec X -PD.

FLOOD ZONE: Zone "X", which is an area determined to be outside the 500 year flood plain.

FINDING FOR NEGATIVE DECLARATION:

On the basis of the whole record including the initial study and comments received, there is not substantial evidence in the public record that the project may cause a significant effect upon the environment with the incorporation of mitigation measures

and the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

Evidence: The comments received during public review of the proposed Negative Declaration identified potentially significant effects on the environment but the mitigation measures that were added after circulation of the Mitigated Negative Declaration would reduce the significant impacts to insignificant level.

MITIGATING MEASURES: Seven (7)

Prepared by: Robert Sellman
Planning Director _____ date

Approved Planning Commission: _____ date _____ Chair

2005-190 Zoning Amendment, Tentative Subdivision Tract Map, and Planned Development Permit for Floyd and Marilyn Norried and The Mark Pringle Company, LLC (North Vista Plaza)

MITIGATIONS, REPORTING, AND MONITORING PROGRAM

Mitigation Measure	Summary of Measure	Responsibility		Timing ^(c)	Reporting ^(d)	Verification ^(e)	
		Mon ^(a)	Res ^(b)			Initials	Date
Mitigation Measure AESTHETICS I-1	Prior to approval of the first phase of the Final Map, the developer shall submit a detailed street lighting plan. Street lighting shall be designed so that project lighting does not illuminate adjacent properties. The lighting plan will show the locations and design of the shielded light fixtures for the review and approval of the Planning Department and the Public Works Department	E	DEV	BFM	DEV AG	PD PW	

<p><u>Mitigation Measure</u> <u>AIR QUALITY-1</u></p>	<p>Implementation of the following mitigation measure would reduce the potential impacts related to dust and exhaust emissions to a <i>less than significant</i> impact.</p> <ul style="list-style-type: none"> • The developer and all contractors shall provide effective dust suppression for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities to the approval of the air pollution control officer. • The developer and all contractors shall provide effective stabilization of all disturbed areas of a construction site, including storage piles, not used for seven or more days to the approval of the air pollution control officer and public works director. • The developer and all contractors shall provide effective control of fugitive dust from onsite unpaved roads and offsite unpaved access roads to the approval of the air pollution control officer. 	E	DEV	DC	DEV AG	PD PW AP	
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	<ul style="list-style-type: none"> • <i>The developer and all contractors shall provide for the removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site to the approval of the public works director.</i> 						
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<u>Mitigation Measure BIO-1</u>	<p>Implementation of the following mitigation measure would reduce the potential impacts related to alteration of drainage to a <i>less than significant</i> impact.</p> <p>Prior to recording the first phase of the Final Map, the developer shall obtain and comply with a California Dept. of Fish and Game Streambed Alteration Agreement in accordance with Sections 1600-1616 of the California Fish and Game Code.</p>	E	DEV	BFM	DEV AG	PD PW	
<u>Mitigation Measure BIO-2</u>	<p>Implementation of the following mitigation measure would reduce the potential impacts related to surface runoff and water quality to a <i>less than significant</i> impact.</p> <p><i>Prior to recording the first phase of the Final Map, the project developer shall obtain and comply with the NPDES general permit including the submittal of a Notice of Intent (NOI) and associated fee to the State Water Resources Control Board (SWRCB) and the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes construction Best Management Practices (BMPs) to be submitted to the Public Works Director for review and approval and maintained on site at all times during construction.</i></p>	E	DEV	BFM	DEV AG	PD PW	

	<p><i>Drainage from all paved surfaces, including streets, parking lots, driveways, and roofs shall be routed through an appropriate treatment system to mitigate surface runoff and water quality impacts during project construction and operations. As described in Section VIII Hydrology and Water Quality, the applicant intends to detain stormwater on the site via a site stormwater system that will include culverts, drainage pipes, bioswales, and detention basins with the ability to treat stormwater before discharge.</i></p>						
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<p><u>Mitigation Measure CULT-1</u></p>	<p>Implementation of the following mitigation measure would reduce the potential impacts related to cultural resources to a <i>less than significant</i> impact.</p> <p><i>In the unlikely event that previously undocumented cultural resources are encountered during ground-disturbing activities, work within 100 feet of that location shall stop or be diverted until a qualified archeologist has evaluated the find and determined the appropriate course of action. Work shall not resume in the area of the find until proper disposition is complete.</i></p> <p><i>If any human remains are discovered, work shall cease immediately in the area of the find and the County Coroner shall be contacted in accordance with §7050.5 of the California Health and Safety Code. If the coroner determines the remains represent Native American interment, the Native American Heritage Commission in Sacramento shall be consulted to identify the most likely descendants and appropriate disposition of the remains.</i></p> <p><i>If it is determined the find indicates a sacred or religious site, the site shall be avoided to the maximum extent</i></p>	E	DEV	DC	DEV AG	PD PW	
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	<i>practicable. Formal consultation with the State Historic Preservation Office and review by the Native American Heritage Commission shall also occur.</i>						
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<p><u>Mitigation Measure GEO-1</u></p>	<p>Implementation of the following mitigation measure would reduce the potential impacts related to geology/soil erosion to a <i>less than significant</i> impact.</p> <p><i>Prior to recording the first phase of the Final Map, the project developer shall submit for the review and approval of the Public Works Department, an erosion control plan that will utilize standard construction practices to limit the erosion effects during construction of the proposed project. Measures could include but are not limited to:</i></p> <ul style="list-style-type: none"> • <i>Hydro-seeding;</i> • <i>Placement of erosion control measures with drainageways and ahead of drop inlets;</i> • <i>The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);</i> • <i>The placement of straw wattles along slope contours;</i> • <i>Directing subcontractors to a single destination wash-out location (as</i> 	E	DEV	BFM DC	DEV AG	PD PW	
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	<p><i>opposed to allowing them to wash-out in any location they desire);</i></p> <ul style="list-style-type: none"> • <i>The use of siltation fences; and</i> • <i>The use of sediment basins and dust palliatives.</i> 						
<u>Mitigation Measure TRAFFIC-1</u>	<p>Implementation of the following mitigation measure would reduce the potential impacts related to existing + project + cumulative traffic at the Vista Del Lago West/State Route 26 intersection to a <i>less than significant</i> impact.</p> <p>Prior to recording the first phase of the Final Map, the developer shall enter into a reimbursement agreement with the County for the installation of a traffic signal at the Vista Del Lago West/State Route 26 intersection.</p>	E	DEV	BFM DC	DEV AG	PD PW	

- (a) (Who makes sure work gets done correctly), "Mon" means the party responsible for ensuring Monitoring of the mitigation measure.
- (b) (Who does work and who pays), "Res" means the party responsible for Implementation or Carrying Out the mitigation measure.
- (c) (When does it happen), Timing of work and Monitoring.
- (d) (Who reports the work is complete), The party(ies) responsible for Reporting results of mitigation and/or monitoring.
- (e) (Who must verify), Verification that the mitigation measure is complete or is being met. Initials of person signing off mitigation and date of action. If more than one agency / department / party must verify, all must sign off to clear the mitigation measure.

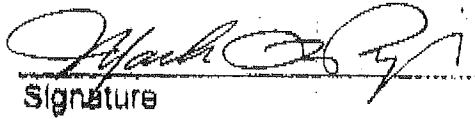
***SUMMARY OF ABBREVIATIONS for responsible
AGENCY / DEPARTMENT / PARTY***

PD	-	Planning Department
PW	-	Public Works
AG	-	Agent
E	-	Engineer, Surveyor, Architect
DEV	-	Developer / Owner
CONTR	-	Contractor
ARCH	-	Archaeologist
NA	-	Native American, Monitor
IM	-	Independent Monitor
BIO	-	Biologist
RPF	-	Registered Professional Forester
AP		Air Pollution Department

SUMMARY OF ABBREVIATIONS for timing of action

BOS	-	Approval of the project by the Board of Supervisors.
PC	-	Approval of the project by the Planning Commission
BP	-	Prior to issuance of any building or construction permit.
OP	-	Prior to Occupancy Permit of the first structure for the project.
BC	-	Prior to start of construction
DC	-	Duration of Construction
FC	-	Following completion/construction
PH	-	Phase 1 (2, 3)
BFM		Prior to the approval of Final Map

I Mark L. Fingle hereby approve of and agree to the mitigation measures as stated within the Mitigated Negative Declaration to avoid or reduce all potentially significant effects to a level of insignificance.


Signature

3/9/07
Date