INITIAL STUDY
AND
MITIGATED NEGATIVE DECLARATION

for the

Tractor Supply Company Project
Angels Camp, CA

July 26, 2018

Prepared for:
The City of Angels Camp
Planning and Building Department
200-B Monte Verda Avenue
Angels Camp, CA 95222
(209) 736-1346
# Table of Contents

## 1.0 Contents

1.0 PROJECT AND SETTING ............................................................................................................ 7

1.1 Project LOCATION ....................................................................................................................... 7

1.2 Project Purpose ........................................................................................................................... 7

1.3 Project Description ...................................................................................................................... 7

1.4 SITE DESCRIPTION: .................................................................................................................... 8

1.5 PUBLIC RESOURCE CODE SECTION 21080.3.1 CONSULTATION ........................................ 12

1.6 CEQA PROCESS ........................................................................................................................ 12

1.7 Incorporation by Reference ......................................................................................................... 12

1.8 Other Public Agency Approvals ................................................................................................. 13

## 2.0 ENVIRONMENTAL EVALUATION ...................................................................................... 13

2.1 Aesthetics .................................................................................................................................. 16

2.1.1 Background and Setting ......................................................................................................... 16

2.1.2 Analysis ................................................................................................................................ 16

2.2 Agriculture and Forestry Resources ......................................................................................... 24

2.2.1 Background and Setting ......................................................................................................... 24

2.2.2 Analysis ................................................................................................................................ 24

2.3 Air Quality ............................................................................................................................... 26

2.3.1 Background and Setting ......................................................................................................... 26

2.3.2 Analysis ................................................................................................................................ 27

2.4 Biological Resources ................................................................................................................. 31

2.4.1 Background and Setting ......................................................................................................... 31

2.4.2 Analysis ................................................................................................................................ 32

Less Than Significant With Mitigation Incorporated ........................................................................... 32

2.5 Cultural Resources (Excluding Tribal Cultural Resources) ...................................................... 39

2.5.1 Background and Setting ......................................................................................................... 39

2.5.2 Analysis ................................................................................................................................ 39

2.6 Geology and Soils ..................................................................................................................... 43

2.6.1 Background and Setting ......................................................................................................... 43

2.6.2 Analysis ................................................................................................................................ 43

2.7 Greenhouse Gas Emissions ......................................................................................................... 46

2.7.1 Background and Setting ......................................................................................................... 46
<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.7.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.8</td>
</tr>
<tr>
<td>Hazards and Hazardous Materials</td>
</tr>
<tr>
<td>2.8.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.8.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.9</td>
</tr>
<tr>
<td>Hydrology and Water Quality</td>
</tr>
<tr>
<td>2.9.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.9.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.10</td>
</tr>
<tr>
<td>Land Use and Planning</td>
</tr>
<tr>
<td>2.10.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.10.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.11</td>
</tr>
<tr>
<td>Mineral Resources</td>
</tr>
<tr>
<td>2.11.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.11.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.12</td>
</tr>
<tr>
<td>Noise</td>
</tr>
<tr>
<td>2.12.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.12.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.13</td>
</tr>
<tr>
<td>Population and Housing</td>
</tr>
<tr>
<td>2.13.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.13.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.14</td>
</tr>
<tr>
<td>Public Services</td>
</tr>
<tr>
<td>2.14.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.14.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.15</td>
</tr>
<tr>
<td>Recreation</td>
</tr>
<tr>
<td>2.15.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.15.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.16</td>
</tr>
<tr>
<td>Transportation</td>
</tr>
<tr>
<td>2.16.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.16.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.17</td>
</tr>
<tr>
<td>Tribal Cultural Resources</td>
</tr>
<tr>
<td>2.17.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
<tr>
<td>2.17.2</td>
</tr>
<tr>
<td>Analysis</td>
</tr>
<tr>
<td>2.18</td>
</tr>
<tr>
<td>Utilities and Service Systems</td>
</tr>
<tr>
<td>2.18.1</td>
</tr>
<tr>
<td>Background and Setting</td>
</tr>
</tbody>
</table>
2.18.2 Analysis ........................................................................................................................................ 79
2.19 Mandatory Findings of Significance ..................................................................................... 81
2.19.1 Analysis ...................................................................................................................................... 81

Tables
Table 1: Other Public Agency Approvals or Reviews that May be Required....................... 7
Table 2: Status of City of Angels: Ambient Air Quality Standards (California Air Resources Board).......................................................................................................................18
Table 3: Angels Camp 2020 General Plan Appendix 9A Recommended Air Quality Emission Thresholds.......................................................................................................................................19
Table 4: Project Screening Criteria by Project Size and Type .................................................44
Table 5: Project Screening Criteria by Project Features .........................................................45
Table 6: Surrounding Land Uses...........................................................................................56

Figures
Figure 1: Project Site and Surrounding Land Uses................................................................. 3
Figure 2: Site Plan ................................................................................................................ 4
Figure 3: Exterior Elevations ................................................................................................. 5
Figure 4: Potential Sensitive Receptors and Distances from Parcel Boundary ..................24

Attachments
A. Oak Tree Inventory and Mitigation Calculations
B. California Natural Diversity Database list, USFWS Species List, CalFlora List, California Native Plant Society Special Status Plant List, USFWS National Wetlands Inventory (2018)
C. Protecting Trees During and After Construction (UC Cooperative Extension) Guidelines
D. Caltrans Correspondence
E. Traffic Analyses, KD Anderson & Associates, Inc -Transportation Engineers
## Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB</td>
<td>Assembly Bill</td>
</tr>
<tr>
<td>APN</td>
<td>Assessor's Parcel Number</td>
</tr>
<tr>
<td>BMP</td>
<td>Best Management Practice</td>
</tr>
<tr>
<td>CAAQS</td>
<td>California Ambient Air Quality Standards</td>
</tr>
<tr>
<td>CARB</td>
<td>California Air Resources Board</td>
</tr>
<tr>
<td>CCR</td>
<td>California Code of Regulations</td>
</tr>
<tr>
<td>CDFW</td>
<td>California Department of Fish and Wildlife</td>
</tr>
<tr>
<td>CDMG</td>
<td>California Division of Mines and Geology (now California Geological Survey)</td>
</tr>
<tr>
<td>CEQA</td>
<td>California Environmental Quality Act</td>
</tr>
<tr>
<td>CESAR</td>
<td>California Endangered Species Act</td>
</tr>
<tr>
<td>CFGC</td>
<td>California Fish and Game Code</td>
</tr>
<tr>
<td>CIA</td>
<td>Community Impact Assessment</td>
</tr>
<tr>
<td>CNDDDB</td>
<td>California Natural Diversity Database</td>
</tr>
<tr>
<td>CNPS</td>
<td>California Native Plant Society</td>
</tr>
<tr>
<td>County</td>
<td>Calaveras County</td>
</tr>
<tr>
<td>Corps</td>
<td>U.S. Army Corps of Engineers</td>
</tr>
<tr>
<td>CRHR</td>
<td>California Register of Historic Resources</td>
</tr>
<tr>
<td>CRLF</td>
<td>California Red-Legged Frog</td>
</tr>
<tr>
<td>CVRWQCB</td>
<td>Central Valley Regional Water Quality Control Board</td>
</tr>
<tr>
<td>CWA</td>
<td>Federal Clean Water Act</td>
</tr>
<tr>
<td>DTSC</td>
<td>California Department of Toxic Substance Control</td>
</tr>
<tr>
<td>ESA</td>
<td>Environmentally Sensitive Area</td>
</tr>
<tr>
<td>FEMA</td>
<td>Federal Emergency Management Agency</td>
</tr>
<tr>
<td>FESA</td>
<td>Federal Endangered Species Act</td>
</tr>
<tr>
<td>FIRM</td>
<td>Flood Insurance Rate Maps</td>
</tr>
<tr>
<td>FYLF</td>
<td>Foothill Yellow-legged Frog</td>
</tr>
<tr>
<td>GHG</td>
<td>Greenhouse Gas</td>
</tr>
<tr>
<td>HCP</td>
<td>Habitat Conservation Plan</td>
</tr>
<tr>
<td>HSC</td>
<td>California Health and Safety Code</td>
</tr>
<tr>
<td>MBTA</td>
<td>Migratory Bird Treaty Act</td>
</tr>
<tr>
<td>MM</td>
<td>Mitigation Measure</td>
</tr>
<tr>
<td>MTCO2e</td>
<td>Metric tons of carbon dioxide equivalent</td>
</tr>
<tr>
<td>NAAQS</td>
<td>National Ambient Air Quality Standards</td>
</tr>
</tbody>
</table>
### Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAHC</td>
<td>Native American Heritage Commission</td>
</tr>
<tr>
<td>NCCP</td>
<td>Natural Community Conservation Plan</td>
</tr>
<tr>
<td>NEPA</td>
<td>National Environmental Policy Act</td>
</tr>
<tr>
<td>NOA</td>
<td>Naturally Occurring Asbestos</td>
</tr>
<tr>
<td>NPDES</td>
<td>National Pollution Discharge Elimination System</td>
</tr>
<tr>
<td>NRCS</td>
<td>National Resource Conservation Service</td>
</tr>
<tr>
<td>NRHP</td>
<td>National Register of Historic Places</td>
</tr>
<tr>
<td>PRC</td>
<td>Public Resources Code</td>
</tr>
<tr>
<td>Project</td>
<td>Calaveras City Sanitary District Wastewater Treatment Plant Improvements Project</td>
</tr>
<tr>
<td>RTP</td>
<td>Regional Transportation Plan</td>
</tr>
<tr>
<td>RWQCB</td>
<td>Regional Water Quality Control Board</td>
</tr>
<tr>
<td>SCC</td>
<td>Species of Special Concern</td>
</tr>
<tr>
<td>SOIS</td>
<td>Secretary of the Interior Standards</td>
</tr>
<tr>
<td>SR</td>
<td>State Route</td>
</tr>
<tr>
<td>SWPPP</td>
<td>Storm Water Pollution Prevention Plan</td>
</tr>
<tr>
<td>SWRCB</td>
<td>State Water Resources Control Board</td>
</tr>
<tr>
<td>TCAPCD</td>
<td>Calaveras County Air Pollution Control District</td>
</tr>
<tr>
<td>TCOC</td>
<td>Calaveras County Zoning Ordinance/Ordinance Code</td>
</tr>
<tr>
<td>TCSD</td>
<td>Calaveras City Sanitary District</td>
</tr>
<tr>
<td>USFWS</td>
<td>U.S. Fish and Wildlife Service</td>
</tr>
<tr>
<td>USGS</td>
<td>U.S. Geological Survey</td>
</tr>
<tr>
<td>WPT</td>
<td>Western Pond Turtle</td>
</tr>
</tbody>
</table>
INITIAL STUDY

DATE: July 26, 2018

OWNER: Ron and Donna Broglio

APPLICANT: California Gold Development Corporation

LOCATION: 389 and 407 North Main Street, Angels Camp, CA

ASSESSOR'S PARCEL NOS: 058-011-010 and 058-011-032

GENERAL PLAN: Business Attraction and Expansion (BAE)

EXISTING ZONING: Suburban Commercial (SC)

PROPOSED ZONING: Business Attraction and Expansion (BAE)

1.0 PROJECT AND SETTING

1.1 PROJECT LOCATION

The proposed project is located in the incorporated City of Angels (Angles Camp) at an elevation of approximately 1,500 feet above mean sea level in the central Sierra Nevada foothills in a portion of Section 29, T3N, R13E, MDB&M, Calaveras County, CA. Angels Camp USGS 7.5' Quadrangle.

1.2 PROJECT PURPOSE

The proposed project is intended to provide goods in support of rural lifestyles including farm supplies, pet and animal feed and supplies, clothing, tools, fencing, and related materials.

1.3 PROJECT DESCRIPTION

The project analyzed in this Initial Study (Project) consists of the following:

1) Rezone 4.2± acres encompassing Assessor's parcels 058-011-010 and 058-011-032 from Suburban (Shopping Center) Commercial (SC) to Business Attraction and Expansion (BAE).

2) Merge Assessor's parcels 058-011-010 (1.3± acres) and 058-011-032 (2.88 acres) into a single parcel totaling 4.2± acres

3) Site Plan Review to permit construction of a Tractor Supply Company (TSC) retail facility as follows:
### Retail Component

<table>
<thead>
<tr>
<th>Retail Component</th>
<th>Approximate Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail sales building</td>
<td>18,800</td>
</tr>
<tr>
<td>Fenced outdoor sales/display area/forage shed1</td>
<td>15,000</td>
</tr>
<tr>
<td>Permanent outdoor sidewalk display area</td>
<td>1,556</td>
</tr>
<tr>
<td>Permanent trailer/equipment display area</td>
<td>1,315</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>36,671</strong></td>
</tr>
</tbody>
</table>

Approximately 84 parking spaces plus motorcycle parking, associated infrastructure, and landscaping is proposed. Two entrances off SR 49 (Main Street) will serve the site. Each encroachment proposes full left/right in/out turning movements. The southern encroachment will share access with the adjacent chiropractic office. (Figures 1-3)

4) Variance to Angels Camp Municipal Code Section 17.37.090(B)(3) to allow outdoor sales and display in excess of 20% of the total floor area of the primary building.

5) Demolition permit for all structures on site including a former retail facility, greenhouse, residence, barn, and associated structures.

6) Oak tree removal permit to remove up to 35 trees.

### Construction Schedule and Equipment

Construction is currently planned for fall 2018-2019. Anticipated equipment to be used includes: excavators, loaders, dump trucks, backhoes, graders, water trucks, compactors, concrete trucks, pavers, and other equipment.

### 1.4 SITE DESCRIPTION:

The Project is situated on a developed site, a former ranch, nursery, residence, and building supply company. The site is characterized by a large commercial building with attached greenhouse fronting on SR 49. Behind the commercial structure is a tall barn generally surrounded by large native oak trees with scattered remnants of ornamental trees and shrubs from the site’s days operating as Bergantz nursery. Cherokee Creek, shown as a perennial stream on USGS Angels Camp 7.5’ topographic map, cuts across the extreme southeast tip of the site. A residence, relocated decades ago to its current location, is centrally located in the southern one-third of the site. There is an environmentally sensitive area, illustrated on Figures 1 and 2, extending approximately 100 feet from Cherokee Creek. As noted later in this document, no construction activities or structures (other than the piping from the detention basins to the creek) will be allowed in this environmentally sensitive area (the "No Build Area").

The Project site and surrounding land uses are illustrated in Figure 1.

---

1 This approximately 15,000 square foot area includes a 1,250 square foot forage shed accessory structure (approximately 25 feet tall with a metal roof) and approximately 13,750 square feet of outdoor display/sales area.
Figure 1: Project Site and Surrounding Land Uses
Figure 3: Exterior Elevations
1.5 PUBLIC RESOURCE CODE SECTION 21080.3.1 CONSULTATION

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

1.6 CEQA PROCESS

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

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

If the lead agency finds substantial evidence that any aspect of the proposed Project, either alone or in combination with other projects, may have a significant effect on the environment, that agency is required to prepare an Environmental Impact Report (EIR), a supplement to a previously prepared EIR, or a subsequent EIR to analyze the proposed Project at hand. If the agency finds no substantial evidence that the proposed Project or any of its aspects may cause a significant impact on the environment, a negative declaration may be prepared. If, over the course of the analysis, the proposed Project is found to have a significant impact on the environment that, with specific mitigation measures, can be reduced to a less-than-significant level, a supplemental mitigated negative declaration may be prepared. In the case of this proposed Project, all significant or potentially significant impacts on the environment would be reduced to less-than-significant levels with incorporation of specific mitigation measures. Therefore, this document is a mitigated negative declaration.

1.7 INCORPORATION BY REFERENCE

The following studies applicable to the proposed Project are hereby incorporated by reference. Copies of these studies, unless identified as confidential, may be viewed at the City of Angels Planning Department offices located at 200-B Monte Verda Avenue, Angels Camp, CA 95222 during regular business hours.


Davis-King, Shelly. May 22, 2018 Memorandum Tractor Supply/389 and 407 North Main Street, City of Angels, CA RE: Cultural Resources /a/

Pacheco Patrick, Melinda and Judith Marvin (2018) Cultural Resources Study for the Tractor Supply Company Development, Angels Camp, Calaveras County, California/a/

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

1.8 OTHER PUBLIC AGENCY APPROVALS

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

Table 1: Other Public Agency Approvals or Reviews that May be Required

<table>
<thead>
<tr>
<th>Permitting Agency</th>
<th>Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caltrans</td>
<td>Encroachment Permit</td>
</tr>
<tr>
<td>City of Angels</td>
<td>Grading Permit, Building Permit</td>
</tr>
<tr>
<td>Calaveras County Air Pollution Control District</td>
<td>Authority to Construct/Burn Permit</td>
</tr>
<tr>
<td>California Regional Water Quality Control Board</td>
<td>Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit [California’s National Pollutant Discharge Elimination System (NPDES) General Permit]</td>
</tr>
</tbody>
</table>

All other applicable local, state and federal permits required by law.

2.0 ENVIRONMENTAL EVALUATION

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

- **Potentially Significant Impact.** This term applies to adverse environmental consequences that have the potential to be significant according to the threshold criteria identified for the resource, even after mitigation strategies are applied and/or an adverse effect that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an Environmental Impact Report (EIR) must be prepared consistent with the California Environmental Quality Act (CEQA).

- **Less-than-Significant Impact with Mitigation.** This term applies to adverse environmental consequences that have the potential to be significant, but can be reduced to less-than-significant levels through the application of identified mitigation strategies that have not already been incorporated into the proposed Project.

- **Less-than-Significant Impact.** This term applies to potentially adverse environmental consequences that do not meet the significance threshold criteria for that resource. Therefore, no mitigation measures are required.

- **No Impact.** This term means no adverse environmental consequences have been identified for the resource or the consequences are negligible or undetectable. Therefore, no mitigation measures are required.
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- Aesthetics
- Biological Resources
- Greenhouse Gas Emissions
- Land Use / Planning
- Population / Housing
- Transportation / Traffic
- Aesthetics
- Agriculture and Forestry Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Mineral Resources
- Public Services
- Tribal Cultural Resources

DETERMINATION:

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

☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent and a MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.
EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
2.1 AESTHETICS

<table>
<thead>
<tr>
<th>I. AESTHETICS. Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.1.1 Background and Setting

The Project is situated on a developed site, a former ranch, nursery, residence, and building supply company. The site is characterized by a large commercial building with attached greenhouse fronting on SR 49. Behind the commercial structure is a tall barn generally surrounded by large native oak trees with scattered remnants of ornamental trees and shrubs from the site’s days operating as Bergantz nursery. Cherokee Creek, shown as a perennial stream on USGS Angels Camp 7.5' topographic map, cuts across the extreme southeast tip of the site. A residence, relocated decades ago to its current location, is centrally located in the southern one-third of the site.

The Project will remove all existing structures and most of the large oak trees scattered throughout the site and other remnant vegetation remaining from the site’s former use as a nursery. A portion of the southwest section of the site will be retained in its natural state, except for fire fuel management. The Project will convert the site from a highly visible deteriorating commercial establishment to a new commercial establishment with new landscaping.

For the purposes of this evaluation, the thresholds are as follows: (i) a moderate or high decrease in the overall visual quality of the Project site from travelers along SR 49 will be considered a potentially significant impact pursuant to CEQA; and (ii) a low decrease in overall visual quality of the Project site from travelers along SR 49 will be considered a less-than-significant impact.

2.1.2 Analysis

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

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

**Mitigation Measure:** None required.

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

No Impact. The Project is located along SR 49. This portion of SR 49 is not an officially designated state scenic highway. Therefore, no substantial adverse impacts to scenic resources within a state scenic highway are anticipated.

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

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

Less than Significant.
The visual character of the site is a mix of commercial, oak woodland and grassland surrounded primarily by other commercial and light-industrial uses (e.g., automotive repair). Located near the northern city limits, the site generally retains a few gaps of oak woodland and grassland lining SR 49 interspersed with a mix of light industrial (e.g., propane, distribution, outdoor storage), commercial and residential uses. The remaining “gaps” are planned for future development.

The site is surrounded to the north by Middleton’s shopping center, to the east by a chiropractic office and automotive repair business, and to the west by a single-family residence, construction storage, some gaps of visible grassland, and ultimately semi-industrial uses (propane service, bread distribution facility) before reaching the northern city limits. To the south, the site is generally bounded by open rural grasslands. In short, the site is similar in character to other commercial, residential and industrial facilities lining SR 49; except that this site, a former nursery, has retained more vegetation, including oak trees, than some adjacent urbanized lands.

A lack of sidewalks in the area provides minimal access for pedestrians to view the site. Therefore, the site is primarily visible to truck and auto passengers traveling at 45 mph along SR 49.

The current visual character of the site itself is defined primarily by a highly visible deteriorating commercial building and attached greenhouse that occupy the eastern half of the site. An old residence sits well back on the parcel and is generally not visible to those passing by. A tall, deteriorating rustic barn is visible to those that know to look for the barn, but requires slowing along the highway to take a quick glance. While the barn is a defining piece of the site’s character, it is generally visible only to the small population of viewers that include those living on the parcel or the two businesses immediately west of the site. The removal of these structures is not anticipated to significantly alter the overall visual character of the Project site (i.e., a low decrease in overall visual quality of the Project site from travelers along SR 49); however, removing the highly visible deteriorating commercial structures and new Project site landscaping along SR 49 is expected to improve the overall visual character of the Project site. Additionally, compliance with the City Code’s Permanent Outdoor Displays and Sales requirements (set forth in City Code section 17.37.090(B) will ensure that there are no adverse aesthetic impacts from the Project's outdoor display and sales activities. Therefore, the potential impact would be less-than-significant.
Similarly, large, oak trees also define the site’s character. However, the majority of the site’s oaks are not visible to travelers along SR 49, but are, instead, primarily visible only to the small population of viewers living or working on the adjacent parcels. Therefore, the visual impact of removing the oaks is less than significant.

While the visual impact of oak tree removal is less-than-significant; the City of Angels oak tree and heritage tree preservation ordinance codified in Chapter 17.64 of the Angels Municipal Code will be applied to offset their removal and contribution that these oaks make to the “city’s beauty and varied scenery.” The application of the city’s oak tree and heritage tree preservation ordinance is discussed in the Biological Resources Section of this report.

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

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

**Less than Significant with Mitigation Incorporated.** New lighting is proposed in conjunction with the proposed Project. It will create a potential new source of light or glare to areas east, west and south of the Project site. However, this potentially significant impact will be mitigated to less-than-significant levels with the following mitigation measure, shielding the outdoor lighting and aiming it downwards as follows:

**Mitigation Measure: AES-1 Lighting**  
Prior to issuance of a Building Permit; a final lighting plan shall be submitted to the Planning and Building Department for review and approval and shall include, at a minimum: All exterior lighting will be shielded and aimed downward so as to not illuminate any adjacent residential areas or create visible glare to traffic along SR 49.

**Mitigation Monitoring AES-1**: The required mitigation measure will be implemented throughout prior to issuance of a building permit and be retained throughout the life of the Project. The measure is the responsibility of the Project Proponent.
2.2 AGRICULTURE AND FORESTRY RESOURCES

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

<table>
<thead>
<tr>
<th>II. Agriculture and Forestry Resources: Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[x]</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[x]</td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[x]</td>
</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[x]</td>
</tr>
<tr>
<td>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[x]</td>
</tr>
</tbody>
</table>

2.2.1 Background and Setting

The Project site is not under a Williamson Act Land Conservation Contract and is not within an agricultural preserve. The site is bounded to the south and southwest by dry land grazing lands. None of the adjacent parcels are under a Williamson Act Land Conservation Contract and are not within an agricultural preserve.

2.2.2 Analysis

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
No Impact. The Project involves converting approximately 1.3 acres from open grassland to a commercial use. The Natural Resource Conservation Service (NRCS) has not surveyed Calaveras County; therefore, farmland rankings (e.g., Farmland of Statewide or Local Importance) are not available. The Project site is not under a Williamson Act Land Conservation Contract and is not within an agricultural preserve. On-site soils are Guenoc-Stoneyford that have a high range value. However, given the small size of the parcel and the surrounding commercial development; the economic viability of the site for range use is low and no impacts are anticipated.

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

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The existing zoning is Suburban Commercial and the proposed zoning is Business Attraction and Expansion. Thus, the proposed commercial use does not conflict with any zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland production land. No forest land or timberland production lands existing on or adjacent to the proposed Project. Therefore, no conversion of forest land to non-forest use and no impacts to timberland production or parcels zoned for such use are anticipated. No impacts are anticipated.

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

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. Dryland grazing occurs to the south, west, and southwest of the site. Because the Project site has already been developed for commercial use, is physically separated from land to the south by Cherokee Creek, and because the proposed commercial use provides goods in support of rangeland uses, the proposed Project will not result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, no impact is anticipated.

Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.
### AIR QUALITY

#### III. AIR QUALITY

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

<table>
<thead>
<tr>
<th>Potential Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially Significant Impact</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Less Than Significant with Mitigation Incorporated</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Less Than Significant Impact</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>No Impact</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

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

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

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

d) Expose sensitive receptors to substantial pollutant concentrations?

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

#### 2.3.1 Background and Setting

The Project site is located within the Mountain Counties Air Basin under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD).

As stated on its website, CCAPCD is a Special District governed by the Calaveras County Air Pollution Control Board. The primary goal of the District is to protect public health by managing the county’s air quality through educating the public and enforcement of District rules and California Air Resources Control Board - Air Toxic Control Measures that result in the reduction of air pollutants and contaminants. While there are minimal sources that impact air quality within the District (which includes the City of Angels), Calaveras County does experience air quality impacts from the Central Valley through transport pollutants. The most visible impacts to air quality within the District are a result of open burning of vegetation as conducted by individual property owners, industry, and state agencies for purposes of reducing wild land fire hazards. However, project construction and operations may generate air emissions.

The various air emissions measured to assess air quality, per the California Air Resources Board website are:

**Ozone** is an ingredient of smog and is a highly reactive and unstable gas capable of damaging the linings of the respiratory tract. This pollutant forms in the atmosphere through complex reactions between chemicals emitted from vehicles, industrial plants, and many other sources. Key pollutants involved in ozone formation are hydrocarbon and nitrogen oxide gases. Exposure to ozone above current ambient air quality standards can lead to human health effects such as lung inflammation and tissue damage and impaired lung functioning.
Particulate Matter (PM) is a complex mixture of varying combinations of dry solid fragments, solid cores with liquid coatings and small droplets of liquid. These tiny particles vary greatly in shape, size and chemical composition, and can be made up of many different materials such as metals, soot, soil and dust. PM may also contain sulfur particles. PM is measured based on size and is measured in microns (a micron is one-millionth of a meter). CARB regulates two size classes of particles: particles up to 10 microns (PM10) and particles up to 2.5 microns in size (PM2.5). PM2.5 particles are a subset of PM10. PM 2.5 and PM10 particles penetrate into the airways and lungs where they may produce harmful health effects such as the worsening of heart and lung diseases.

Carbon monoxide (CO) is a colorless, odorless gas. It results from the incomplete combustion of carbon-containing fuels such as natural gas, gasoline, or wood, and is emitted by a wide variety of combustion sources, including motor vehicles, power plants, wildfires, and incinerators. Carbon monoxide is considered harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen interfering with oxygen delivery to the body’s organs. The CARB also considers there to be substantial evidence that CO can adversely affect health, participate in atmospheric chemical reactions that result in formation of ozone air pollution, and contribute to climate change.

Nitrogen Dioxide (NO2) is a pungent gas that, along with fine airborne particulate matter, contributes to the reddish-brown haze characteristic of smoggy air in California. It is a member of a family of chemicals comprised of nitrogen and oxygen that are collectively known as nitrogen oxides. The two most prevalent nitrogen oxides are NO2 and nitric oxide (NO), and the combination is often referred to as NOx. NO2 can be directly emitted from combustion sources, much of this gas in the ambient air is formed through reactions between nitric oxide (NO) and other air pollutants that require the presence of sunlight (photochemical reactions). It contributes to formation of several other air pollutants, including ozone (O3), nitric acid (HNO3), and nitrate (NO3−)-containing particles that also form through photochemical reactions. NO2 levels in air vary with direct emission levels, as well as with changing atmospheric conditions, particularly the amount of sunlight. In addition to health concerns related to ozone and environmental issues related to nitric acid (e.g., acid rain) and reduced visibility, a number of studies have demonstrated associations between NO2 exposure and premature death, cardiopulmonary effects, decreased lung function growth in children, respiratory symptoms, emergency room visits for asthma, and intensified allergic responses.

Sulfur Dioxide (SO2) is comprised of one atom of sulfur and two atoms of oxygen and is a gas at ambient temperatures. It has a pungent, irritating odor and is a member of a family of chemicals comprised of sulfur and oxygen collectively known as sulfur oxides (SOx). The gas is emitted when sulfur-containing fuel is burned. Some sources include motor vehicles, locomotives, ships, and off-road diesel equipment that are operated with fuels that contain high levels of sulfur. In addition, SOx are emitted from some industrial processes, such as natural gas and petroleum extraction, oil refining, and metal processing. They are also released during volcanic activity and from geothermal fields. Studies show that children and adults with asthma are more likely to experience adverse responses with SO2 exposure including bronchoconstriction accompanied by symptoms of respiratory irritation such as wheezing, shortness of breath and chest tightness, especially during exercise or physical activity.

Sulfates are a family of chemicals that contain a fully oxidized ionic form of sulfur in combination with metal and/or hydrogen ions. In California, emissions of sulfur-containing compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. A small amount of sulfate is directly emitted from combustion of
sulfur-containing fuels, but most ambient sulfate is formed in the atmosphere when fuel is oxidized to sulfur dioxide (SO₂) during combustion and subsequently converted to sulfate particulate matter through chemical reactions in the atmosphere. Sulfates can be a significant portion of fine particulate matter (particles that are equal to or less than 2.5 microns in diameter, called \textbf{PM2.5}), and can induce a wide range of adverse health effects including reduced lung function, aggravated asthmatic symptoms, and increased risk of hospitalizations and death in people with chronic heart or lung diseases.

\textbf{Lead} is a relatively soft and chemically resistant metal. As an air pollutant, it is present in small particles. In the past, motor vehicle exhaust was the major source of lead emissions to the air. Since lead has been removed from gasoline, air emissions of lead from the transportation sector, and particularly the automotive sector, have greatly declined. However, because it was emitted in large amounts from vehicles when leaded gasoline was used, lead remains present in many soils (especially urban soils) and can get resuspended into the air. The major sources of lead emissions today are ore and metals processing, particularly lead smelters, and piston-engine aircraft operating on leaded aviation gasoline. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. Lead can adversely affect multiple organ systems of the body and people of every age group. In children, adverse health effects include irreversible brain damage and mental retardation, and behavioral problems, anemia and liver or kidney damage. In adults, it can cause reproductive problems in men and women, high blood pressure, kidney disease, digestive problems, nerve disorders, memory and concentration problems, and muscle and joint pain with some evidence that lead exposure can result in cancer in adults.

\textbf{Hydrogen sulfide (H₂S)} is a colorless gas with the odor of rotten eggs generated by oil and natural gas extraction and processing, and natural emissions from geothermal fields. It is also formed during bacterial decomposition of human and animal wastes and is present in emissions from sewage treatment facilities and landfills. Industrial sources include petrochemical plants, coke oven plants, and kraft paper mills. It can induce tearing of the eyes and symptoms related to overstimulation of the sense of smell, including headache, nausea, or vomiting. H₂S is regulated as a nuisance based on its odor detection level. If the standard were based on adverse health effects, it would be set at a much higher level.

\textbf{Visibility reducing particles} Particulate matter (PM) pollution impacts the environment by decreasing visibility (haze). These particles vary greatly in shape, size and chemical composition, and come from a variety of natural and manmade sources. Some haze-causing particles are directly emitted to the air such as windblown dust and soot. Others are formed in the air from the chemical transformation of gaseous pollutants (e.g., sulfates, nitrates, organic carbon particles) which are the major constituents of fine PM. These fine particles, caused largely by combustion of fuel, can travel hundreds of miles causing visibility impairment. Haze not only impacts visibility, but some haze-causing pollutants have been linked to serious health problems and environmental damage as well. Exposure to PM in the ambient air can contribute to a broad range of adverse health effects, including premature death, hospitalizations and emergency department visits for worsened heart and lung diseases.

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

Table 2: Status of City of Angels: Ambient Air Quality Standards (California Air Resources Board)

<table>
<thead>
<tr>
<th>California Ambient Air Quality Standards (CAAQS)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ozone</td>
<td>Non-attainment</td>
</tr>
<tr>
<td>Particulate Matter 2.5</td>
<td>Unclassified</td>
</tr>
<tr>
<td>Particulate Matter 10</td>
<td>Non-attainment</td>
</tr>
<tr>
<td>Carbon monoxide</td>
<td>Unclassified</td>
</tr>
<tr>
<td>Nitrogen dioxide</td>
<td>Attainment</td>
</tr>
<tr>
<td>Sulfur dioxide</td>
<td>Attainment</td>
</tr>
<tr>
<td>Sulfates</td>
<td>Attainment</td>
</tr>
<tr>
<td>Lead</td>
<td>Attainment</td>
</tr>
<tr>
<td>Hydrogen sulfide</td>
<td>Unclassified</td>
</tr>
<tr>
<td>Visibility reducing particles</td>
<td>Unclassified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>National Ambient Air Quality Standards (NAAQS)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-hour ozone</td>
<td>Non-attainment</td>
</tr>
<tr>
<td>Particulate Matter 10</td>
<td>Unclassified</td>
</tr>
<tr>
<td>Particulate Matter 2.5</td>
<td>Unclassified/Attainment</td>
</tr>
<tr>
<td>Carbon Monoxide</td>
<td>Unclassified/Attainment</td>
</tr>
<tr>
<td>Lead</td>
<td>Unclassified/Attainment</td>
</tr>
<tr>
<td>Nitrogen Dioxide</td>
<td>Unclassified/Attainment</td>
</tr>
<tr>
<td>Sulfur Dioxide</td>
<td>Unclassified</td>
</tr>
</tbody>
</table>

As shown, Calaveras County is currently designated as a nonattainment area with respect to state standards for ozone and for federal 8-hour ozone standards. The County also is non-attainment for Particulate Matter of 10 microns in size or greater (PM10).

Recommended air quality thresholds and standards for the City of Angels used herein are established pursuant to the following, hereby incorporated by reference:


Recommendations from that study are incorporated into Angels Camp 2020 General Plan Implementation Programs 9.A.q and 9.A.r and Angels Camp 2020 General Plan Appendices 9A and 9B.
2.3.2 Analysis

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

**No Impact.** The City and County are not subject to any regional or local air quality plans. The Project will comply with local City air quality thresholds set forth in Table 3. Therefore, the Project will not conflict with any such air quality plans.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

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

**Less Than Significant.**

Angels Camp 2020 General Plan establishes the following recommended thresholds for both construction and operational emissions based on the *Angels Air Quality Study* and incorporated in Angels Camp 2020 General Plan Appendix 9A, previously incorporated by reference:

**Table 3: Angels Camp 2020 General Plan Appendix 9A Recommended Air Quality Emission Thresholds**

<table>
<thead>
<tr>
<th>Types of Pollutant Emissions</th>
<th>Amount of Pollutant Emissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ozone precursors (sum of Reactive Organic gases [ROG] and Nitrogen Oxides [NOx])</td>
<td>274</td>
</tr>
<tr>
<td>Inhalable Particulate Matter (PM$_{10}$)</td>
<td>383</td>
</tr>
<tr>
<td>Carbon Monoxide (CO)</td>
<td>550</td>
</tr>
</tbody>
</table>

Project-related emissions exceeding 2020 General Plan values (preceding table) are considered significant impacts. Values equal to or less than those recommended in the *Angels Air Quality Study* as incorporated into Angels Camp 2020 General Plan are considered less-than-significant impacts.

The general level of air emissions created by certain classes of projects may be predicted based on the size and nature of the proposed project. Pursuant to General Plan 2020, implementation program 9.A.q, the City will establish thresholds for when air quality assessments shall be prepared for various classes of projects (i.e., when the nature and size of the project are expected to result in a potentially significant adverse impact on air quality or contribute substantially to an air quality violation). The *Angels Air Quality Study* recommends such standards and were incorporated into General Plan 2020, Appendix 9A.

Pursuant to these standards, free-standing discount stores of 61,000 square feet or less and discount club stores of less than 40,000 square feet do not trigger emission levels sufficient to

---

2 *Angels Air Quality Study*, as incorporated into Angels Camp 2020 General Plan Appendix 9A, based these emission standards on those adopted by the Amador County Air Pollution Control District.

3 These threshold standards from the *Angels Air Quality Analysis* as incorporated into General Plan 2020 are based
contribute substantially to an existing or projected air quality violation. Therefore, the proposed project, totaling just over 36,600 square feet (an 18,800 square feet building and 17,871 square feet of outdoor display area) will not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

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

**Less Than Significant with Mitigation Incorporated.**

**Construction-Related Emissions**

During construction, uncontrolled emissions of fugitive dust could result in short-term localized nuisance impacts to nearby land uses and contribute to PM10 levels. These emissions may contribute incrementally to the cumulative impacts on regional air emissions - a potentially significant adverse impact. The following mitigation measures are proposed:

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

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

A. A water truck shall be present on the construction site throughout construction activities and shall be available for use on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. All fugitive dust emissions caused by land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled using application of water.

B. All material excavated and stockpiled onsite and/or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.

C. All land clearing, grading, earth moving, or excavation activities shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.

D. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance and/or visible dust plumes.

E. Vehicular traffic speeds on unpaved surfaces shall not exceed 10 miles per hour.

---

on: San Joaquin Valley Air Pollution Control District Guide for Assessing and Mitigating Air Quality, January 10, 2002 revision.
Mitigation Monitoring AQ-1: The required mitigation measure will be implemented throughout Project construction. The measure, which is the responsibility of the Project Proponent, shall be included on the construction plans.

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

Mitigation Measure AQ-2: Equipment Emissions
Throughout Project construction, the Project Proponent shall be responsible for equipment emissions including:

A. Ensuring that all construction equipment and vehicles are properly tuned and maintained and that low-sulfur fuel is used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114 (Compliance with Caltrans’ Standard Specifications, Section 14-9).
B. Heavy-duty diesel-powered construction equipment is prohibited from idling for more than five minutes during periods when the equipment is not in use.
C. Grid (electrical) power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.

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

Mitigation Measure AQ-3: Open Burning
Alternatives to open burning of vegetative material will be used during vegetation clearing and grubbing activities, unless otherwise deemed infeasible by the CCAPCD. Suitable alternatives include chipping, mulching, or conversion to biomass fuel.

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

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

Operational Emissions
Operational emissions are primarily related to vehicle emissions from employees, delivery trucks, and customers traveling to and from the retail facility, heating and cooling and related activities. These emissions may contribute incrementally to the cumulative impacts on regional air emissions—a potentially significant adverse impact. The following mitigation measure is proposed:

Mitigation Measure AQ-4:

A. The Project will, prior to issuance of a Building Permit, incorporate the following design features into the main building:
   i. Increase the main building’s energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways
(increasing attic, wall or floor insulation, etc.), subject to the approval of a designated representative of the City's Planning & Development Department.

ii. Improve thermal efficiency of the main structure by reducing thermal load with automated and timed temperature controls, or occupancy load limits, subject to the approval of a designated representative of the City's Planning & Development Department.

**Mitigation Monitoring AQ-4:** The required mitigation measure will be completed prior to issuance of a Building Permit. The measure is the responsibility of the Project Proponent subject to the oversight of the City building and planning inspectors.

d) **Exposure to substantial pollutant concentrations?**

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

Land uses in the Project area generally consist of a mix of commercial, light-industrial, limited agricultural uses, a chiropractic office and residences to the west and southeast. The locations, distances and approximate numbers of sensitive receptors relative to the Project site are illustrated in **Figure 4**. One residence is located within 40 feet of the Project boundaries, three residences are located within 200 feet of the Project boundaries, 12± mobilehomes and RVs are located within 250 feet and a chiropractic office is located within 15 feet of the Project boundaries.

The Project has the potential to expose, temporarily, these receptors to air emissions including dust and equipment emissions during construction activities, a potentially significant impact. The following mitigation measures are included to minimize the potential for exposing sensitive receptors to construction dust and equipment emissions.

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

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

**Mitigation Measure AQ-3:** Open Burning

Proper implementation of these measures is expected to reduce temporary impacts on sensitive receptors to a level of less-than-significant.

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

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

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.
Figure 4: Potential Sensitive Receptors and Distances from Parcel Boundary
### BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>✗</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 2.4.1 Background and Setting

Qualified biological staff from Augustine Planning Associates, Inc., conducted a biological reconnaissance and tree inventory (Attachment A) for the proposed project.

Prior to conducting site surveys, natural resources were identified through a review of databases and lists from the United States Fish and Wildlife Service (USFWS), California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS) and CalFlora databases. Results of these database reviews are included in the Attachment B.

Biological field surveys were conducted March 23, 2018 and May 7, 2018. Surveys were conducted on foot using Canon Image Stabilizer 10 X 30 binoculars, Nikon D3300 digital camera (18- 55mm and 70-300mm lens), and standard field and collection supplies. For
botanical surveys, photos of representative vegetation were taken. Where species were not readily identified in the field, plant specimens were inspected with a hand lens, sketched and, if necessary, collected and preserved then keyed in-house using a dissecting microscope and *The Jepson Manual* (Baldwin, 2012).

Live and dead trees and structures were inspected for signs of nesting, burrowing, roosting or movement corridors (e.g., whitewash, cavities, scat, hair, presence/absence of spider webs across openings). Mud, sand and dirt trails were inspected for animal tracks. Matted grasses indicating potential bedding areas were inspected for hair and scat.

On-site vegetation includes, primarily, oak woodland fragmented by urbanization (commercial building, residence) with a patch of annual grasslands to the north (east) and foothill riparian (Cherokee Creek) and lining the intermittent drainage across the southeast corner of the site.

For the purposes of the following analysis, a species is considered “Special Status” if it is one or more of the following:

- Listed pursuant to the California Endangered Species Act (CESA)
- A candidate for listing pursuant to CESA
- A species petitioned for listing pursuant to CESA
- Listed pursuant to the Federal Endangered Species Act (FESA)
- A candidate for listing pursuant to FESA
- A species petitioned for listing pursuant to FESA
- Designated by the CDFW as a Species of Special Concern (SSC)
- Designated by the CDFW as a Special Animal (SA)
- Designated by the CDFW as a Fully Protected Species (FPS)
- Designated by CNPS as List 1A (Presumed extinct in California), List 1B (Rare, threatened, or endangered in California and elsewhere), or List 2 Plant (Plants rare, threatened, or endangered in California but more common elsewhere)
- Identified by the US Forest Service as Sensitive (USFS-S)
- Identified by the US Bureau of Land Management as Sensitive (BLM-S)
- Identified by the International Union for Conservation of Nature (IUCN) as vulnerable
- Identified by the Western Bat Working Group (WBWG) as High Priority
- Identified by the WBWG as Moderate Priority
- Birds identified by the US Fish and Wildlife Service as Birds of Conservation Concern (USFWS BCC)
- Birds protected pursuant to the Migratory Bird Treaty Act (MBTA)

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations [16 U.S.C. 703-712; Ch. 128; July 3, 1918; 40 Stat. 755] as amended. The MBTA generally is used as an enforcement tool to protect birds while nesting and until their young have fledged and can take care of themselves. Birds protected pursuant to the MBTA are listed in 50 Code of Federal Regulations (CFR) 10.13.
2.4.2 Analysis

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

A. Unlikely to be Present. The following State and/or Federally Listed and Candidate Species identified in the USFWS Species List for the site and in the California Natural Diversity Database within two miles of the site were determined Unlikely to be Present:

California red-legged frog (*Rana draytonii*)
The species is federally listed as threatened and is a California Department of Fish and Wildlife (CDFW) Species of Special Concern.

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

The nearest CNDDB record is more than 10 miles from the project site. A review of the *History and Status of the California Red-Legged Frog (Rana draytonii) in the Sierra Nevada California, USA* (Barry and Fellers 2013) confirms that the project site and surrounding area is not historically or currently known to support CRLF. The study does, however, reference Angels Camp and CRLF indirectly, as follows:

> Finally, popular accounts and Internet sources commonly cite the humorist Mark Twain’s 1865 allegorical tale of “The Celebrated Jumping Frog of Calaveras County” as evidence that *R. draytonii* was formerly a well-known Sierra Nevada species, even though the tale offers no clue regarding the title character’s identity. Further, *R. boylii*, an impressive leaper, inhabits several Calaveras County creeks and would seem as likely a candidate for Twain’s anuran character if indeed the species’ identity was relevant to the story (which it clearly is not). In our opinion, Mark Twain’s jumping frog is best left in the world of humor and allegory as Twain clearly intended, and we discourage the citation of the tale as evidence of anything but Mark Twain’s profound understanding of human nature.

Cherokee Creek, along the project's southeastern tip, provides marginal habitat for CRLF, but would more likely provide a dispersal corridor for the species (if it had been found historically off-site) given the lack of relatively permanent, deep pools and dense shrubby vegetation preferred by the species. Based on the lack of records for the species in this area of the county and the marginal nature of the habitat, the species is not expected to occur within the project boundaries. Therefore, no impacts to this species are anticipated.

Delta smelt (*Hypomesus transpacificus*) is not present due to a lack of riverine habitat on site.

California tiger salamander (*Ambystoma californiense*)
The California tiger salamander (CTS) is federally listed and state listed as threatened. It occupies a wide variety of habitats including Valley & foothill grasslands, vernal pools and
wetlands. The species requires underground refuges, especially ground squirrel burrows, and
vernal pools or other seasonal water sources for breeding. The site lacks vernal pools and
seasonal water sources in combination with burrows necessary for the species to breed. The
nearest CNDDB occurrence record is more than 10 miles from the project site. It is unlikely to
occur on site. Therefore, impacts to the species are not anticipated.

**Tricolor blackbird (Agelaius tricolor)**

Tricolor blackbirds occur within two miles of the project site. However, the oak woodlands on
site are not preferred habitat for the species. Cherokee Creek, on site, lacks the thick stands of
cattails preferred by the species and the species was not present during surveys of the Project
site. Therefore, it is not expected to occur on site. Therefore, impacts to the species are not
anticipated.

**Valley elderberry longhorn beetle (Desmocerus californicus dimorphus)**

Valley elderberry longhorn beetle (VELB) was not included in the special status species list
obtained from the USFWS. However, this note is included because blue elderberry shrubs are
present on the site. However; since 2007, the US Fish and Wildlife Service has amended the
range for VELB to encompass areas in Calaveras County below 500 feet in elevation\(^4\). The
Project is located at approximately 1,550’ elevation. Therefore, the project is outside the range
of this species and no impacts to the species will occur.

B. Special Status Species Present/Potentially Present. The following Special Status Species
(Non-Listed) identified in the USFWS Species List for the site and in the California Natural
Diversity Database within two miles of the site were determined to be present or have the
potential to occur on or adjacent to the Project site:

**Foothill yellow-legged frog (Rana boylii)**

*Less Than Significant with Mitigation Incorporated.* The foothill yellow-legged frog (FYLF) is
a Candidate for listing as threatened pursuant to the California endangered species act (CESA).
The species is also a US Bureau of Land Management and U.S. Forest Service sensitive
species and a CDFW Species of Special Concern. No FYLF were identified during daytime
biological surveys.

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

Cherokee Creek provides limited rocky substrate consistent with the species’ habitat
requirements. The nearest CNDDB record is more than five miles from the project site.

\(^4\) [https://ecos.fws.gov/ecp0/profile/speciesProfile?slid=7850#currentRange](https://ecos.fws.gov/ecp0/profile/speciesProfile?slid=7850#currentRange)
However, although there is a low likelihood of occurrence, potential disturbance of the creek and the area up to 33 feet from the centerline of the creek could result in a potentially significant adverse impact to the species if present. Therefore, the following mitigation measure is required:

**Mitigation Measure BIO-1 Establish and Maintain a No Build Area**
Throughout project construction and the life of the Project, a No Build Area shall be established and maintained as shown in Figure 2.

Prior to issuance of an occupancy permit, a Notice of Action (NOA) will be recorded on the affected Project parcel(s) at the Calaveras County Recorder’s Office identifying the No Build Area boundaries and describing the restrictions and allowable uses in the No Build Area to future landowners.

At a minimum, the NOA will:

a) Describe and/or identify the boundaries of the No Build Area in a manner sufficient to allow persons to locate the boundaries on the ground now and in the future.

b) Establish that fire fuel management may occur with minimal soil disturbance. Live trees shall not be removed but may be limbed for fire safety.

c) Specify that no construction will occur within the No Build Area unless otherwise specifically approved herein or otherwise approved by City Staff.

**Mitigation Monitoring BIO-1:** The required mitigation measure will be implemented prior to commencing site disturbance. The measure is the responsibility of the Project Proponent.

**Mitigation Measure BIO-2 Install Environmentally Sensitive Area (ESA) Fencing**
Prior to issuance of a grading permit or any site disturbance, including vegetation removal, the Project applicant will ensure that the contractor installs ESA fencing, supported by hay/straw bales, along the boundaries of the No Build Area. Alternatively, more permanent fencing (e.g., chain link) may be installed subject to approval by the City. Fencing shall remain in place until issuance of a certificate of occupancy. No encroachment within the No Build Area, unless specifically authorized by the City Planner (e.g., to allow for installation of a pipeline from the detention basin to the creek) or otherwise specifically addressed herein, shall occur throughout Project construction. Any authorized work within the No Build Area shall be monitored by a qualified biologist.

**Mitigation Monitoring BIO-2:** The required mitigation measure will be implemented prior to commencing site disturbance. The measure is the responsibility of the Project Proponent.

As noted, the species does not tend to wander more than a few meters from its home stream. Therefore, even if present, the species would be confined to Cherokee Creek and to the No Build Area surrounding the creek. Therefore, no impacts to the species are anticipated with proper implementation of these measures.

**Western pond turtle (Emys= Actinemys marmorata)**
Less Than Significant with Mitigation Incorporated. The Western pond turtle (WPT) is a U.S. Forest Service Sensitive species and a Priority 3 CDFW Species of Special Concern. It is also a U.S. Bureau of Land Management (BLM) Sensitive Species in the southern portion of its range. WPTs occur in a broad range of habitats include flowing streams, permanent lakes, ponds, reservoirs, settling ponds, marshes and other wetlands. None were identified during
project surveys; however, the potential exists for the species to be present on site and use Cherokee Creek as a movement corridor. To ensure that the species remains absent during construction, the following mitigation measure is included:

**Mitigation Measure BIO-3 Bid Package/Tail-Gate/Environmental Awareness Training**

Construction bid packages and contractual requirements shall include a requirement for tail-gate training by a qualified biologist, as determined by the City, prior to commencing site disturbances (including demolition) to inform construction personnel of avoidance protocols for species, protected oaks and identify the No Build Area. If reasonably feasible, this training should occur in conjunction with Cultural Resources pre-construction environmental awareness training.

**Mitigation Monitoring BIO-3:** The required mitigation measure will be implemented prior to commencing site disturbance. The measure is the responsibility of the Project Proponent.

**Mitigation Measure BIO-4: Preconstruction Survey/Turtles**

Prior to commencing site disturbances within 300 feet of Cherokee Creek, a qualified biologist, as determined by the City, shall conduct pre-construction surveys to re-confirm that Western pond turtles are absent. If found, the biologist will relocate the species off-site along Cherokee Creek. Note: The biologist shall be qualified to relocate turtles, as applicable, by the California Department of Fish and Wildlife.

**Mitigation Monitoring BIO-4:** The required mitigation measure will be implemented prior to commencing site disturbance within 300 feet of Cherokee Creek. The measure is the responsibility of the Project Proponent.

**Mitigation Measure BIO-5: No Build Area Construction - Pipeline**

Prior to excavating within the No Build Area to install piping to the creek from the detention basins, a qualified biologist, as determined by the City, shall conduct a pre-construction survey of the proposed pipeline route within the No Build Area.

**Mitigation Monitoring BIO-5:** The required mitigation measure will be implemented prior to commencing any ground disturbance within the No Build Area. The measure is the responsibility of the Project Proponent.

**Birds and Raptors**

*Less Than Significant With Mitigation Incorporated.*

USFWS bird species of conservation concern identified in the USFWS Species List for this project and with the potential to occur on site (and additionally protected pursuant to the Migratory Bird Treaty Act) include: Lawrence goldfinch (*Carduelis lawrencei*), Nuttall’s woodpecker (*Picoides nuttallii*), oak titmouse (*Baeolophus inornatus*), spotted towhee (*Pipilo maculatus*), rufous hummingbird (*Selasphorus rufus*) and Lewis’s woodpecker (*Melanerpes lewis*).

Site surveys identified spotted towhee within the project boundaries (USFWS Birds Species of Special Concern and protected pursuant to the MBTA) and a pair of barn owls (*Tyto alba*), also protected pursuant to the MBTA. The owls were observed occupying the on-site barn proposed for demolition. In addition to bird species observed during surveys, other bird species
could occupy the site in the future. Disturbance of these birds, especially while nesting, is a potentially significant adverse impact.

The commencement of Project construction is not anticipated during the bird nesting season. However, if Project construction activities do commence during or extend into the nesting season, such activities could affect both special status bird species and other more common bird species protected pursuant to the Migratory Bird Treaty Act - a potentially significant adverse impact. The following mitigation is proposed to address this potential impact if construction activities commence during or extend through the nesting season:

**Mitigation Measure BIO-6: Nesting Birds**

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

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

Surveys shall be conducted in all suitable habitat in the Project site. The minimum survey radii surrounding the work area shall be the following:

i) 250± feet for passerines;
ii) 500± feet for small raptors such as accipiters;
iii) 1,000± feet for larger raptors such as buteos. Surveys shall be conducted at the appropriate times of day, and during appropriate nesting times and shall concentrate on areas of suitable habitat.

- If an active nest is found, the bird species shall be identified and the approximate distance from the closest work site to the nest estimated. No additional measures need be implemented if active nests are more than the following distances from the nearest work site: (a) 300± feet for raptors; or (b) 75± feet for other non-special-status bird species. Disturbance of active nests shall be avoided to the extent possible until it is determined that nesting is complete and the young have fledged. For species protected under the California Fish and Game Code (CFGC), if active nests are closer than those distances to the nearest work site and there is the potential for bird disturbance, CDFW will be contacted for approval to work within 300± feet of raptors, or 75± feet of other non-special-status bird species.

**Mitigation Monitoring BIO-6**

The required mitigation measure will be implemented prior to any commencement of construction between February 1st and August 30th of the construction year. The measure is the responsibility of the Project Proponent.

Proper implementation of the preceding measures is expected to reduce the potential impact to birds and raptors to a level of less-than-significant.
In addition to the preceding, wildlife databases also identify the potential for the following species to occur in the project area:

**Pallid bat (Antrozous pallidus)**  
**Less Than Significant With Mitigation Incorporated.**

The pallid bat is a BLM Sensitive species, CDFW Species of Special Concern, US Forest Service Sensitive species and a high priority risk species as identified by the Western bat working group. The species occupies valley and foothill grasslands and is most common in open, dry habitats with rocky areas for roosting. Except for isolated areas near the creek and off-site, the project does not provide rocky areas for roosting. The species is very sensitive to disturbance of roosting sites. An occurrence record is found within one mile of the site; however, the record dates to 1895 with an uncertainty in excess of one mile. Given the marginal potential habitat on site, the No Build Area, and the uncertainty of the record, the species is not expected to occur on site.

Although the pallid bat is unlikely to occur on site, other tree-roosting and building roosting species have a high likelihood of occurring (e.g., hoary bat). Destruction of roosting sites while occupied is a potentially significant adverse impact. Therefore, the following mitigation measure is proposed:

**Mitigation Measure BIO-7 Preconstruction Bat surveys**  
Prior to structure demolitions and vegetation removal on the Project site, a qualified biologist shall conduct a survey to determine whether special status bats are occupying the site. If present and the site is not a bat nursery, the biologist will coordinate with the Project Proponent to exclude special status bats from structures during demolition (e.g., installing exclusionary screening after bats leave the site in the evening and before they return). If the site is being used as a bat nursery for special status bats, no disturbance may occur until site use as a nursery has ceased.

**Mitigation Monitoring BIO-7.** The required mitigation measure will be implemented prior to site disturbance. The measure is the responsibility of the Project Proponent.

**Mitigation Measure BIO – 8 Hours of Construction**  
Project construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday unless an emergency situation exists. No work will be performed on Sundays and City holidays, except in emergency situations.

**Mitigation Monitoring BIO-8.** The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the Project Proponent.

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

**Special Status Plants**

**Yellow-lipped pansy monkeyflower (Diplacus pulchellus)**  
The species occurs within two miles of the project site. Marginal habitat occurs in association with Cherokee Creek; however, volcanic soils preferred by the species are lacking in
association with the creek. The species was absent during surveys conducted during the blooming period for the species. Therefore, impacts to the species are not anticipated.

(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

(c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact with Mitigation Incorporated.

As previously noted, on-site vegetation includes, oak woodland fragmented by urbanization (commercial building, residence) with a patch of annual grasslands to the north (east) and foothill riparian habitat (Cherokee Creek), a United States Geological Survey -designated intermittent drainage which flows across the extreme southeastern corner of the site.

Based site surveys conducted by a qualified biologist, two of these habitats are considered sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the US Fish and Wildlife Service:

Oak woodlands
Pursuant to Public Resources Code Section 21083.4, the conversion of oak woodlands is considered a significant adverse impact pursuant to CEQA. However, cities are exempt from these requirements (in large part because urban fragmentation has reduced the biological resource value of isolated oak woodlands).

However, pursuant to Chapter 17.64 of the Angels Municipal Code (AMC), the City’s Oak Tree and Heritage Tree Preservation Ordinance recognizes the importance of native oaks and certain other heritage trees as having both biological and aesthetic values. The removal of oaks on site is a potentially significant adverse impact addressed below in paragraph e.

Cherokee Creek (wetlands or other Waters of the United States and/or state)
Based on a review of the USFWS Wetlands Inventory (Attachment B) and confirmed by site surveys, Cherokee Creek is defined as a fresh-water forested shrub-wetland (i.e., a federally protected wetland as defined by Section 404 of the Clean Water Act).

Construction activities could result in erosion and sedimentation (i.e., fill) of Cherokee Creek. Fill of a water of the United States as defined by Section 404 of the federal Clean Water Act is a potentially significant adverse impact. The following measures, described in detail above, are proposed to avoid this potential impact:

Mitigation Measure BIO-1 Establish and Maintain a No Build Area

Mitigation Measure BIO-2 Install Environmentally Sensitive Area (ESA) Fencing

The No Build Area ensure that all construction will occur outside the bed, banks and riparian vegetation associated with Cherokee Creek and that no fill of Cherokee Creek will occur. Based on the preceding, and subject to proper implementation of the preceding mitigation measures, no impacts to any riparian habitat, other sensitive natural community, wetlands or Other Waters of the United States or State are anticipated.
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less-Than-Significant with Mitigation Incorporated.

Based on site surveys, native wildlife nursery sites are not present within the project boundaries. Cherokee Creek has the potential to serve as a wildlife corridor for species that are able to tolerate the existing residential use, highway noise and traffic, and Alcal commercial use. Altering the creek corridor through the introduction of a more intensive commercial use could result in a potentially significant adverse impact to the use of the creek as a wildlife corridor. The following mitigation measures, more fully described above, are proposed to reduce that impact:

- **Mitigation Measure BIO-1** Establish and Maintain a No Build Area
- **Mitigation Measure BIO-2** Install Environmentally Sensitive Area (ESA) Fencing

Proper implementation of the preceding measure will ensure that the use of the creek as a wildlife corridor by species currently tolerating existing residential, commercial and highway uses will continue and impacts to the movement of resident or migratory fish or wildlife species will be reduced to a level of less-than-significant.

(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Riparian/Wetland habitats

Less Than Significant with Mitigation Incorporated. See paragraphs "b" and “c” relative to riparian and wetland habitats.

Oak Woodlands

Less Than Significant with Mitigation Incorporated.

Chapter 17.64 of the Angels Municipal Code (AMC), the Oak Tree and Heritage Tree Preservation Ordinance establishes appropriate measures to off-set impacts to native oak trees and to heritage trees. Heritage trees are defined as madrone, manzanita, ponderosa pine, incense cedar, California buckeye, western redbud or arroyo willow that are 24” or greater Total Diameter at Breast Height (TDBH) in good or fair condition. Based on site surveys, no trees of both appropriate size and species met the City’s criteria for classification as a heritage tree.

In accordance with Chapter 17.64, an oak tree inventory was conducted. Tree circumference was measured in inches at 4 feet above the ground (breast height) using a field tape measure, then converted to TDBH. Results of the tree inventory are found in Attachment A.

A total of 55 native oaks grow throughout the site. 35 of these native oaks have a trunk diameter at breast height (TDBH) of 9” or greater. Of these 35 trees, the project is expected to remove 30 native oaks of 9” or greater TDBH. Tree removal would reduce habitat for birds and small mammals, eliminate shade and foraging areas for deer and other common species. The oak woodland present on the Project site is contiguous with additional oak woodlands and annual grasslands to the south(west) and represents the edge of a much larger tract of interconnected oak woodland and annual grassland habitat—especially that portion surrounding Cherokee Creek at the rear of the Project site. Elimination of this habitat contributes,
incrementally, to the overall impact of oak woodland removal, a potentially significant adverse cumulative impact.

Pursuant to the City's Oak Tree and Heritage Tree Preservation Ordinance, the goal of the ordinance is to balance the benefits of preservation, and the cost thereof, against the social benefits of private property ownership and development. The ordinance provides incentives for tree preservation, options to removal, where feasible, and specifies mitigation measure for removal. Therefore, implementation of Chapter 17.64 of the City Code will provide mitigation for this potential impact.

Proper implementation of the City's Oak Tree and Heritage Tree Preservation Ordinance and the mitigation measures identified below will offset the potentially significant adverse biological impacts associated with removing on-site oaks to a level of less-than significant.

**Mitigation Measures:**

**Mitigation Measure BIO-9: Oak Tree and Heritage Tree Preservation Ordinance**

Prior to issuance of an occupancy permit (or Prior to Site Disturbance at the option of the Project Proponent per **Mitigation Measure BIO-10**), the Project Proponent shall provide one or a combination of the following to mitigate for the removal of 30 native oak trees of 9" Tree Diameter at Breast Height (TDBH) or greater in size in accordance with Angels Municipal Code Chapter 17.64:

a) Re-plant on-site native oak trees of the same genus as those removed at a ratio of two trees for every one native oak 9" TDBH or greater in size removed. Replacement plantings shall be a minimum 15-gallon size (i.e., replant 60, 15-gallon native oak trees). Subject to approval by the City Planner, up to 20% of the oak trees replanted may be non-native or ornamental oaks as approved by the Planning Commission [e.g., Cork oak (*Quercus suber*), Red oak (*Quercus rubra*) or similar]; and/or

b) Pay a fee to the City in an amount established pursuant to Chapter 17.64 Guidelines based on 477.21 TDBH (inches) of native oak trees removed. The total fee shall be 477.21 X the wholesale cost of a 15-gallon tree.

If a combination of replanting and fee payments are used, fees shall be estimated based on the percentage of trees planted on site versus the percentage of trees remaining to be planted. For example, if 30 trees are planted on site (50% of the 60 trees required to be planted on site), then the total oak tree mitigation fee calculated under paragraph b will be reduced by 50%.

**Mitigation Monitoring BIO-9.** The required mitigation measure will be implemented prior to issuance of an occupancy permit (or Prior to Site Disturbance at the option of the Project Proponent per **Mitigation Measure BIO-10**). The measure is the responsibility of the Project Proponent.

**Mitigation Measure BIO-10 Encroachment within Dripline of Valley Oak in the No Build Area**

Encroachment of up to 6 feet within the dripline of the Valley oak identified in Figure 2 and located within the No Build Area may be approved by the City Planner where such
encroachment is determined unlikely to threaten the long-term survival of the oak. Said determinations will be guided by the publication: *Protecting Trees During and After Construction* (UC Cooperative Extension) included in Attachment C. Encroachment of 6 feet or more within the dripline may require consultation with a qualified arborist, approved by the City and at the discretion of the City Planner.

**Mitigation Monitoring BIO-10.** The required mitigation measure will be implemented throughout Project construction and the life of the Project. The measure is the responsibility of the Project Proponent.

Proper implementation of the preceding measures will reduce the potential impacts on biological resources associated with oak tree removal to a level of less-than significant.

(f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**No Impact.** No Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan exists for the area within the Project boundaries or the vicinity. Therefore, no impacts associated with such will occur.

**Mitigation Measure:** None required.  
**Mitigation Monitoring:** Not applicable.
2.5 CULTURAL RESOURCES (EXCLUDING TRIBAL CULTURAL RESOURCES)

| V. CULTURAL RESOURCES. Would the Project:                                                                 |
|-------------------------------------------------|-----------------|-----------------|-----------------|-----------------|
| a) Cause a substantial adverse change in the    | Potentially     | Less Than       | Less Than       | No              |
| significance of a historical resource as defined | Significant     | Significant with | Significant     | Impact          |
| in § 15064.5?                                   | Impact          | Mitigation      | Impact          | Impact          |
| b) Cause a substantial adverse change in the    | ☐               | ☒               | ☐               | ☐              |
| significance of an archaeological resource      | ☐               | ☒               | ☐               | ☐              |
| pursuant to § 15064.5?                          | ☐               | ☒               | ☐               | ☐              |
| c) Directly or indirectly destroy a unique      | ☐               | ☐               | ☒               | ☐              |
| paleontological resource or site or unique      | ☐               | ☐               | ☒               | ☐              |
| geologic feature?                               | ☐               | ☐               | ☒               | ☐              |
| d) Disturb any human remains, including those    | ☐               | ☒               | ☐               | ☐              |
| interred outside of dedicated cemeteries?       | ☐               | ☒               | ☐               | ☐              |

2.5.1 Background and Setting

The following cultural resources study was prepared for this Project and previously incorporated by reference:


The scope of work included a records search at the Central California Information Center (CCaIC) of the California Historical Resource Information System, archival research, Native American coordination (See Section 2.17), pedestrian survey, limited Extended Phase I exploration, and an historic properties survey and evaluation. Work was conducted by persons meeting Secretary of the Interior Standards.

Findings of the 2018 survey of the site are summarized in the following and exclude Tribal Cultural Resources which are discussed in Section 2.17.

2.5.2 Analysis

a) *Cause a substantial adverse change in the significance of a historical resource as defined in the Government Code, State CEQA Guidelines Section 15064.5?*

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant with Mitigation Incorporated.

An archaeological and architectural pedestrian survey of the entire project area was conducted on March 23, 2018. Patrick GIS conducted limited Extended Phase I exploration on May 7, 2018 using shovel test units (STUs) to determine the presence/absence of subsurface deposits within the vicinity. Field efforts failed to identify intact prehistoric subsurface deposits. Modern debris and historic-era/indeterminate artifacts associated with domestic/commercial use, including a former stock pond, were encountered on the surface and in the shovel test units.
Three extant historic-era structures and ancillary features were identified within the project area: a single-family residence (b. 1917), barn, and commercial nursery complex (ca. 1953). Stacked stone rock walls line the driveway. These structures and site history indicate the parcels were occupied at various times by the Miller, Baumhogger, Clifton, Brewster, Romaggi and Bergantz families prior to the current ownership.

Development plans propose to remove all of the structures and reconfigure the parking lot. Foothill Resources, Ltd. (Foothill) conducted an historic properties survey in March and May of 2018. An evaluation of the built environment concluded that none of the resources appear to be eligible for listing on the California Register of Historical Resources.

Specifically, none of the buildings or associated resources on the property appear to be eligible for listing on the National Register of Historic Places or California Register of Historical Resources under any of the criteria. Under Criterion A/1, they are associated with early 20th century farming and settlement, and with mid-century commerce in Angels Camp, but are not important contributors to those events, nor are they associated with any persons important in history (Criterion B/2). The Craftsman house has been moved and altered and does not appear eligible under Criterion C/3, and the nursery buildings are typical examples of common resource types, not the work of a master, nor do they possess high artistic values. Their information potential has been exhausted through their recordation for this report (Criterion D/4), and no further work or evaluation is recommended.

Despite efforts to identify cultural resources, there remains a possibility that resources may be encountered. For example, implementation of the future project activity may entail earth disturbing construction which could expose buried, subsurface cultural resources; a potentially significant adverse impact. Examples of prehistoric resources may include: stone tools and manufacturing debris; milling equipment such as bedrock mortars, portable mortars, and pestles; darkened or stained soils (midden) that may contain dietary remains such as shell and bone; as well as human remains. Historic resources may include: burial plots; structural foundations; mining spoils piles and prospecting pits; cabin pads; and trash scatters consisting of cans with soldered seams or tops, bottles, cut (square) nails, and ceramics.

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

**Mitigation Measure CULT-1 Bid Package/Tail-Gate/Environmental Awareness Training**

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

**Mitigation Monitoring CULT-1:** The required mitigation measure will be incorporated into the project bid package and implemented throughout project construction. Hard hat stickers indicating completion of training shall be provided upon completion of training. The City shall have the authority to stop work or remove any construction worker on site that has not completed training. The measure is the responsibility of the Project Proponent.

**Mitigation Measure CULT-2: Unanticipated Cultural Resource Discoveries**

If a cultural resource is discovered during construction activities, the construction contractor shall comply with the following provisions:
A. The person discovering the cultural resource shall notify the City of Angels or the Project’s designated qualified cultural resource professional by telephone within 4 hours of the discovery or the next working day if the department is closed.

B. When the cultural resource is located outside the area of disturbance, the Project’s designated qualified cultural resource professional shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, driveways or utility lines, grading and vegetation removal areas, plus 100 feet.

C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by site’s designated qualified cultural resource professional may continue. The project’s designated qualified cultural resource professional shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource, which evaluation shall be complete within 2 weeks of the discovery unless extraordinary circumstances require additional time.

D. When the cultural resource is determined to be not significant, the project’s designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the project’s designated qualified professional.

E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by the project’s designated qualified cultural resource professional or a cultural resource management plan shall be prepared by the project’s designated qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The project’s designated qualified cultural resource professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Project’s designated qualified cultural resource professional. All further activity authorized by this permit shall comply with the cultural resources management plan, if necessary.

For the purposes of implementing this measure, a “qualified cultural resource professional” is an individual (e.g., historian or archaeologist) meeting the Secretary of the Interior’s Qualification Standards A “cultural resource” is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Calaveras County, the State of California, or the nation which is 50 years of age or older or has been listed on or is eligible for listing on the National Register of Historic Places, the California Register of Cultural Resources, or any local register.

Mitigation Monitoring CULT-2: The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the Project Proponent.

Mitigation Measure CULT-3: Human Remains
If human remains, burial, cremation or other mortuary features are uncovered during construction activities; upon discovery, secure the location, do not touch or remove remains and associated artifacts; do not remove associated spoils or go through them; document the location and keep notes of activity and correspondence. All work within 100 feet of the discovery shall stop until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to obtain the Most Likely Descendent (MLD) and follow state law (PRC 5097.98 and Health and Safety Code 7050.5(c)). No further work or disturbance shall occur within 100 feet until all of the preceding actions, as applicable to the discovery, are implemented and completed. Preservation in situ is the preferred treatment of human remains and associated burial artifacts. [Public Resources Code Sections 5097.94, 5097.98 and Health and Safety Code Section 7050.5(c) and Section 15064.5 of the California Code of Regulations implementing the California Public Resources Code, Sections 21000-21177]

**Mitigation Monitoring CULT-3:** The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the Project Proponent.

**Mitigation Measure CULT-4:** Project Scope Changes
If the Project develops beyond the scope and Project description as approved by the City of Angels, further archaeological study and additional environmental review (such as an addendum) may be required.

**Mitigation Monitoring CULT-4:** The required mitigation will be assessed pre-construction during plan reviews and throughout Project construction by site visits conducted by City inspectors. The measure is the responsibility of the Project applicant as well as the City building and planning inspectors.

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

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

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

**Mitigation Measure:** None required.
**Mitigation Monitoring:** Not applicable.
2.6 GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>VI. GEOLOGY AND SOILS, Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving:</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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.</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>iv) Landslides?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

2.6.1 Background and Setting
Pursuant to the USDA/California Dpt. of Forestry Cooperative Soil/Vegetation Survey for Calaveras County, on-site soils are of the Guenoc-Stonyford Association. The characteristics of these soils include a generally high rate of run-off, moderately slow permeability and they are well to excessively drained. Erosion potential is slight to moderate.
2.6.2 Analysis

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
   i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
   ii) Strong seismic ground shaking?
   iii) Seismic-related ground failure, including liquefaction?
   iv) Landslides?

No Impact.

The site is located in a mildly seismic region of the Sierra Nevada. A number of moderately active strike-slip faults belonging to the Foothills Fault system, which trends northwest-southeast, are located 1.2 to 6.2 miles southwest of the site. Several other active faults belonging to the Easter Sierra Fault system are located on the east side of the Sierra Nevada Mountains. The Foothills Fault System is classified by the California Geological Survey as a Class C fault system that is capable of generating smaller earthquakes less frequently than most other California faults.

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

The site is located within Region 1 as defined by the 2016 California Building Code (CBC). Compliance with applicable state standards for Region 1 as provided in the CBC, therefore, is expected to ensure that the building will be properly designed to withstand earthquake related building damage for this Region.

Steep slopes combined with highly erosive soils are not found on site, therefore, there is no risk of landslides anticipated. The site lacks saturated or partially saturated soils that would be likely to lose stiffness and behave as a liquid during earth shaking, therefore, liquefaction is not an anticipated risk.

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

Less Than Significant with Mitigation Incorporated. As noted, on-site soils have a low to moderate erosion potential. Temporary construction activities associated with the Project may disturb soils and result in loss of topsoil and soil erosion, a potentially significant adverse impact. The following mitigation measure (detailed in the Hydrology Section as HYDRO-1) is proposed.

Mitigation Measure HYDRO-1: Erosion Control Plan
This mitigation measure is described in Section 2.9 Hydrology and Water Quality.

Proper implementation of this measure will reduce potential impacts to water quality to a level of less-than-significant.
c) Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No Impact.
The site is relatively flat and not in an area of unstable slopes (i.e., slopes are less than 15%), therefore impacts associated with slope stability are not anticipated. Compliance with provisions in the California Building Code related to soil testing and application of relevant design considerations will ensure that the project will not be located on expansive soils creating a substantial risk to life or property. Therefore, no impact is anticipated.

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

e) Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact.
The Project will be served by public sewer; therefore, no septic tanks are proposed. Therefore, no impacts are anticipated.

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

2.7 GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>VI. GREENHOUSE GAS EMISSIONS, Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.7.1 Background and Setting

The project may contribute to climate change impacts through the release of greenhouse gas (GHG) emissions. The project would generate a variety of GHGs during construction and operation, including several defined by Assembly Bill 32 (AB32), such as carbon dioxide (CO₂), methane (CH₄) and nitrous dioxide (N₂O) from the exhaust of equipment and the exhaust of vehicles for employees, visitors and construction vehicles. The project also may emit GHGs not defined in AB32, including aerosols from diesel particulate matter exhaust, which are short-lived GHGs, oxides of nitrogen (NOₓ) and volatile organic compounds (VOC), which are ozone precursors. Ozone is a GHG. However, unlike other GHGs, ozone in the troposphere is
relatively short-lives and is being reduced on a daily basis. The project will not emit perfluorocarbons (PFCs) and sulfur hexafluoride (SF6), which are typically released from industrial uses and not commercial retail facilities. The GHGs that are expected to be emitted from the project are converted to a common factor known as metric tons per year (MT/yr) of carbon dioxide equivalent (CO2e) for the measurement of GHG emissions.

2.7.2 Analysis

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

Less than Significant with Mitigation Incorporated.

Short-term construction and long-term operation of the project would generate emissions associated with global climate change including CO2, CH4 and N2O.

Neither the Calaveras County APCD, nor the City of Angels Camp have adopted significance thresholds for GHG emissions. As a result, the City has chosen to rely on the screening criteria included in the Tuolumne County Regional Blueprint Greenhouse Gas Study (GHG Study), a copy of which may be found online at: https://docs.wixstatic.com/ugd/fe950e_6fa366b85161406ab2acee5174c8b318.pdf

or, a copy may be reviewed at the City of Angels Camp Planning Department offices located at 200 B Monte Verda Street, Suite B, Angels Camp, CA 95222, during regular business hours. Because of the City's close proximity to Tuolumne County, it is appropriate for the City to adopt the regional standards included in the GHG Study to analyze what has long been recognized to be a cumulative impact.5

The GHG Study presents two sets of screening criteria. If a proposed project either is equal to or less than the project size screening criteria in Table 4, below, or the project incorporates all of the measures identified in Table 5, below, then the City does not need to perform a detailed GHG emissions assessment.

<table>
<thead>
<tr>
<th>Table 4: Project Screening Criteria by Project Size and Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
</tr>
<tr>
<td>Apartment, Condo, Townhouse</td>
</tr>
<tr>
<td>Commercial / Retail</td>
</tr>
<tr>
<td>Industrial</td>
</tr>
</tbody>
</table>

The Project is greater than the project size screening criteria for a commercial / retail project in Table 4. Thus, the City does not need to perform a detailed GHG emissions assessment if the Project incorporates all of the measures identified in Table 5 below.

5 See, CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (CAPCOA 2008), which is incorporated herein by reference.
Table 5: Project Screening Criteria by Project Features

| P-1 | Project exceeds the California Energy Code requirements by 15 percent based on the 2008 Energy Efficiency Standards requirements, through the installation of energy efficient design, lighting, appliances, or solar photovoltaic panels that provide 15 percent or more of the project's energy needs. |
| P-2 | Project does not include fuel oil as a heating source. |
| P-3 | Project provides dedicated and accessible recycling and green waste bins with instructions/education program explaining how to use the bins, what can go into each bin, and the importance of recycling. |
| P-4 | Project provides designated parking for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles at 10 percent of the total spaces, consistent with the 2010 California Green Building Standards Code Tier 1 measure (Table A5.106.5.1.1). |

To satisfy the GHG Study screening criteria, the following mitigation measures are required:

**Mitigation Measure GHG-1:**
The Project shall:

A. Exceed the California Energy Code requirements by 15 percent based on the 2008 Energy Efficiency Standards requirements, through the installation of energy efficient design, lighting, appliances, or solar photovoltaic panels that provide 15 percent or more of the project's energy needs

B. Prohibit fuel oil as a heating source;

C. Provide dedicated and accessible recycling and green waste bins with instructions/education program explaining how to use the bins, what can go into each bin, and the importance of recycling; and

D. Provide designated parking for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles at 10 percent of the total spaces, consistent with the 2010 California Green Building Standards Code Tier 1 measure (Table A5.106.5.1.1). Based on the submitted site design, it is anticipated that nine (9) parking spaces will be designated in accordance with this requirement.

**Mitigation Monitoring GHG-1:**
The required mitigation will be assessed during plan reviews submitted to the Planning and Building Department. The measure is the responsibility of the Project Proponent as reviewed by the City building and planning inspectors.

Proper implementation of the preceding, incorporating all mitigation measures identified in Table 5, will reduce the potential impact to a level of less than significant.

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

**No Impact.**
As noted above, neither the Calaveras County APCD, nor the City of Angels Camp have adopted significance thresholds for GHG emissions.
In light of the fact that the project satisfies the project features screening criteria adopted by the City from the GHG Study, the project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs, nor will it impede any efforts to reduce GHG emissions at the federal, state or local level. Therefore, no impact is anticipated.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.
2.8  HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.8.1  Background and Setting

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

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

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

2.8.2 Analysis

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact with Mitigation Incorporated. The project includes the sale of bulk propane from a 1,000-gallon tank and welding gas in addition to various yard and garden fertilizers, chemicals, and pesticides. The project shall comply with all local, state and federal regulations related to the storage and sales of these potentially hazardous materials. The Angels Camp Fire Department has reviewed the proposed project and states that a hazardous materials business plan is required in conjunction with the project to minimize the potential for any public or environmental hazards that may be related to the storage and sales of hazardous materials on site. In addition, the location, construction, and design of such facilities shall comply with the California Building Code. The following mitigation measure is required:

Mitigation Measure HAZ-1: Prior to the issuance of a Building Permit, a hazardous materials business plan shall be filed with the Angels Fire Department. Prior to issuance of an occupancy permit, the plan shall be approved by the Angels Fire Department.

Mitigation Monitoring HAZ-1: The mitigation measure shall be drafted prior to issuance of a building permit and approved prior to issuance of an occupancy permit. Implementation is the responsibility of the Project Proponent.

Proper implementation of the preceding measure is expected to reduce the potential hazard to a level of less-than-significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. Due to the commercial nature of the project, it is not expected to generate hazardous emissions, and does not involve any active use of hazardous or acutely hazardous materials, substances, or wastes. The project shall comply with all local, state and federal regulations related to the storage and sales of these potentially hazardous materials. The site is not located within ¼ mile of an existing or proposed school. Therefore, no potential impacts to the public, area properties or schools are anticipated.

Naturally Occurring Asbestos (NOA)
Calaveras County is among the counties listed as containing or likely to contain serpentine and ultramafic rock (DOC 2000). These rocks may contain asbestos. Construction activities may release asbestos from naturally occurring rock. Based on a review of geological mapping, the Project area does not appear to occur within one of the areas identified as likely to contain serpentine and ultramafic rock. Therefore, conditions involving the release of hazardous materials into the environment are not anticipated.
Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. A review of the Department of Toxic Substances Control (DTSC) database, EnviroStor, which lists hazardous materials sites compiled pursuant to California Government Code Section 65962.5; GeoTracker, which provides information on Leaking Underground Storage Tanks (LUST) and other cleanup sites; and EPA’s Toxic Release Inventory (EPCRA TRI) shows no active contamination or hazardous materials sites directly associated with the Project site. Two contamination sites are identified within the city limits, both are south of the SR 4/49 intersection ranging from 0.5± and 0.7± mile from the project site. Therefore, no impacts associated with known hazardous material sites are anticipated.

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

e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?

No Impact. The Project is not located within the boundaries of an Airport Land Use Plan nor within two miles of an airport. Therefore, no impacts are anticipated.

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

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

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

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

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

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

Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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

Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.
2.9 HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>IX. HYDROLOGY AND WATER QUALITY. Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>
2.9.1 Background and Setting

Cherokee Creek runs through the southeastern-most tip of the project site. The No Build Area has been incorporated into the Project design extending approximately 100 feet from the centerline of the creek. This No Build Area will ensure no disturbances to the creek and that no proposed structures on site will be threatened by flooding from the creek. On-site detention basins are proposed for the project and incorporated into project design to control stormwater runoff.

2.9.2 Analysis

a) Violate any water quality standards or waste discharge requirements?

b) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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

Less Than Significant with Mitigation Incorporated.

The No Build Area is incorporated into project design and preserves Cherokee Creek, its associated vegetation and a buffer along the short stretch of Cherokee Creek running through the southeast tip of the site. No alterations to the creek will occur in conjunction with the Project. However, soil erosion and runoff from urban development drainage has the potential to enter Cherokee Creek and degrade water quality – a potentially significant adverse impact.

The National Pollution Discharge Elimination System (NPDES) stormwater program is administered by the California Regional Water Quality Control Board and regulates such discharges to reduce non-point source pollutants associated with runoff relative to construction activities. Compliance with the NPDES stormwater program will ensure that the Project does not violate any water quality standards or waste discharge requirements.

The Project's detention basins will also ensure that there is not a substantial increase in the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

Based on the preceding, the following mitigation measures are proposed:

**Mitigation Measure HYDRO-1 Erosion Control Plan**

An Erosion Control Plan shall be submitted for approval and implementation for any construction to take place between October 15 and May 15 of any year. In the absence of such an approved and implemented plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures.

All soils disturbed by grading shall be reseeded or hydromulched or otherwise stabilized as soon as possible and before the rainy season begins, by October 15 of the construction year, and emergency erosion control measures shall be used as reasonably requested by the City.

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

**Mitigation Measure HYDRO-2 Notice of Intent to Obtain Coverage/NPDES**

Prior to ground site disturbance; the Project Proponent shall secure a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit [California’s National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge] for earth moving activities exceeding one acre of total disturbance. [Federal Water Pollution Control Act, Section 401, California Clean Water Act].

**Mitigation Monitoring HYDRO-2:** The required mitigation measure will be implemented prior to initiating project construction. The measure is the responsibility of the Project Proponent.

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

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

**No Impact.** The proposed Project will be served by public water. No known aquifers occur in association with the site. No use of groundwater is required or proposed. Therefore, based on the nature of the proposed Project, no impact, will occur.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

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

Increases in impermeable surfacing will occur in conjunction with the proposed project resulting in increased stormwater runoff—a potentially significant adverse impact.

To mitigate this potential impact, on-site retention basins are included in project plans to collect any increases in run-off resulting from this additional runoff. Collected water will be piped to and released into Cherokee Creek. Preliminary drainage calculations indicate the proposed detention basins will be sufficient to collected and hold runoff so that it can eventually flow into the creek without impacting the creek. To ensure that these drainage calculations are correct, the following mitigation measure is required

**Mitigation Measure: HYDRO-3 Drainage Study**

Prior to site disturbance, the project proponent will submit, for City Staff approval, a detailed drainage study with drainage plans including drainage calculations for peak flows to determine potential runoff and ensure that drainage detention basins are adequately sized to collect stormwater runoff as necessary to achieve no net increase in stormwater runoff onto adjacent properties.
Mitigation Monitoring HYDRO-3: The required mitigation measure will be implemented prior to initiating site disturbance. The measure is the responsibility of the Project Proponent.

f) Otherwise substantially degrade water quality?

Less Than Significant with Mitigation Incorporated.
Temporary construction activities associated with the Project may disturb soils and result in loss of topsoil and soil erosion. Runoff could carry eroded soils into Cherokee Creek thereby degrading water quality, a potentially significant adverse impact. The following mitigation measure is proposed.

**Mitigation Measure HYDRO-1: Erosion Control Plan**

Proper implementation of this measure will reduce potential impacts to water quality to a level of less-than-significant.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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

Pursuant to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Community Panel # 06009C0575E (effective date December 12, 2017), identifies that the majority of the site is located within a Flood Zone X, an area determined to be outside the 0.2% annual chance (or 500-year) floodplain. However, portion of Cherokee Creek within the Project boundaries is located within a Zone A, an area with a 1% annual chance of flooding and a 26% chance of flooding over the 30-year life of a mortgage.

Project design incorporates a no-build zone placing development approximately 100 feet from the centerline of Cherokee Creek--outside the designated flood zone. Consistent with General Plan Implementation Program 6.B.n., the setback meets the recommended minimum setback of 75 feet as necessary to protect property from flood hazards.

Construction in accordance with project design will ensure that no structures will be placed within the 100-year flood hazard area or impede or redirect flows. Therefore, the proposed Project will not be placed within a 100-year flood hazard area and no impact is anticipated.

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

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

No Impact. All Project structures will be outside the 100-year flood hazard area. No large dams or levees exist upstream of Cherokee Creek of sufficient size to result in significant risk of loss, injury or death related to flooding in the event of failure. Therefore, no impact is anticipated.
Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.

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

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

Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.
2.10 LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>
a) Physically divide an established community? | ☐ | ☐ | ☐ | ✗ |
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ✗ |
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ✗ |

2.10.1 Background and Setting

Existing land uses within and adjacent to the Project site include:

Table 6: Surrounding Land Uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zoning/General Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Middleton's Shopping Center</td>
<td>Suburban (Shopping Center) Commercial/Shopping Center Commercial</td>
</tr>
<tr>
<td>South</td>
<td>Grasslands</td>
<td>Suburban (Shopping Center) Commercial/Business Attraction and Expansion</td>
</tr>
<tr>
<td>East</td>
<td>Chiropractor office Wayne &amp; Son Automotive</td>
<td>Suburban (Shopping Center) Commercial/Business Attraction and Expansion</td>
</tr>
<tr>
<td>West</td>
<td>Single family residence</td>
<td>Suburban Commercial/Business Attraction and Expansion</td>
</tr>
<tr>
<td></td>
<td>Grasslands</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Light-Industrial/Commercial</td>
<td></td>
</tr>
</tbody>
</table>

For description of the existing site and proposed Project, see Section 1.4 in the above Project Description.
2.10.2 Analysis

a) Physically divide an established community?

No Impact. The Project involves a rezone, lot merger and, consistent with the proposed rezone, site plan approval for the construction of a retail facility fronting on SR 49 at the northern end of the City of Angels on an existing parcel previously occupied by commercial retail facilities, adjacent to existing businesses to the east, and across the street from a shopping center within the city limits. There is physically no potential to divide the existing Angels Camp community. Therefore, no impact is anticipated.

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

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

No Impact.

The City of Angels adopted the 2020 General Plan in February 2009. The 2020 General Plan established a Business Attraction & Expansion land use designation, and it included implementation measures for the City to adopt a Business Attraction & Expansion (BAE) zoning district. Between 2009 and 2014, in accordance with the implementation measures, the General Plan Implementation Committee reviewed similar zoning districts in other cities and issued recommendations on the BAE zone to the Planning Commission. The Planning Commission held three public meetings concerning this item and the City Council ultimately adopted the BAE zone through its adoption of Ordinance No. 462 in 2014, which added Chapter 17.36 into the City's Zoning Code. Therefore, the proposed BAE rezone is necessary in order for the City to approve any development on the project site to ensure general plan consistency finding.

As for the proposed retail use by the proposed project, Chapter 17.36 refers to Table 17.34.080 to identify permitted uses, uses subject to site plan review and uses subject to a conditional use permit for the BAE zone. Table 17.34.080 was last updated in 2015, through the City Council's adoption of Ordinance No. 473. Under Table 17.34.080, retail uses, such as those proposed by the Project, are expressly allowed in the BAE zone.

In addition, Angels Camp Municipal Code (AMC) Section 17.90.040 requires rezoning decisions to be made upon findings of fact as to whether the proposed amendments and/or zoning change:

1. Are in conformance with the city's Municipal Code
2. Are in conformance with the city's general plan
3. Will not be detrimental to the health, safety, peace, morals and general welfare of the city and its people.

Table 1-5 of the Land Use Element of the General Plan identifies the Business Attraction and Expansion (BAE) land use designation as being compatible with the following zoning districts:

Light Commercial (LC)
Business Attraction & Expansion (BAE)
Public (P) and
Open Space (OS)

The proposed rezoning to BAE therefore complies with the BAE general plan land use designation adopted for the site in 2009.

FINDING: The proposed rezoning of the site from Suburban Commercial to Business Attraction and Expansion complies with the City’s general plan designation for the site.

FINDING: The proposed Project’s retail uses are consistent with the express provisions of the BAE zone, and the land uses allowed in the BAE zone were determined in 2014 to be consistent with the 2020 General Plan.

In 2014, Ordinance 461 was adopted by the City Council establishing the BAE zoning district. Pursuant to Municipal Code Section 17.37.010: The business attraction and expansion (BAE) district was created to establish and preserve areas for a mixture of light industrial and commercial land uses so that the allowed uses do not create serious compatibility problems with other kinds of land uses. This zone district makes provisions for certain kinds of light industrial and commercial uses such as business parks, educational parks, and wholesale businesses. This zone district makes the BAE land use category consistent with the city’s general plan. (Ord. 461 §1 (part), 2014)

Permitted uses, conditional uses, and those requiring a site plan review are established in the BAE zone pursuant to Ordinance 473 passed by the City Council in 2015. Pursuant to Municipal Code Section 17.34.080 these uses include general retail, outdoor sales, shopping centers, general commercial and large format retail. TSC sells farm and ranch products including fencing, feed, water storage and irrigation supplies, fertilizer, equipment, small light-duty machinery, i.e., riding lawnmowers and all-terrain vehicles, tools, generators, work clothing, automotive supplies with an emphasis on large trucks, and other products used in the production of row and field crops (e.g., olives, wine grapes), raising cattle, poultry, goats, sheep, and other animals used to produce food and fiber. Therefore, the proposed Project is consistent with the BAE zoning district.

FINDING: The proposed commercial use is consistent with the BAE zoning district.

As discussed in the Transportation portion of this analysis, the project has been designed to ensure safe ingress and egress from the site. The proposed project carries goods in support of rural lifestyles including farm supplies, pet and animal feed and supplies, clothing, tools, fencing, and related materials. The sale of retail products commonly sold in retail establishments statewide are, therefore, not anticipated to be in conflict with the health, morals or general welfare of the city or its peoples.

FINDING: The proposed rezoning will not adversely affect the health, safety, morals or general welfare of the city or its peoples.
In addition to the references to the 2020 General Plan throughout this document, the goals and policies applicable to the proposed project, for the purpose avoiding or mitigating environmental effects, include the following:

### Implementation Program 2Bf: Monitor the City’s water treatment plant capacity to ensure sufficient capacity for new development and to meet the city’s affordable housing objectives.

If the city’s growth rate continues to exceed 2%, the city will undertake one or more of the following programs…

### Implementation Program 7Bm: At-Capacity Wastewater system

The city shall implement a process requiring no net increase in wastewater connections in conjunction with adoption of the 2020 General Plan in the areas connecting to the system identified as “at capacity” in 2020 General Plan Appendix 7J) The program will remain effect until the following is completed…

As stated in **Program 2.B.f**, population growth in excess of 2% is the trigger for this mitigation measure. Pursuant to the United States Census Bureau, American Factfinder, the 2010 population of the City of Angels totaled 3,836. As of 2017, the population has declined to 3,807. Therefore, population growth in the City of Angels remains below 2% and the proposed project is consistent with this general plan policy adopted for the purpose of avoiding or mitigating environmental effects related to water availability.

The project is in compliance with Program 7.B.m. The site is served by two sewer connections (for the commercial use and residence). Demolition of these structures and construction of the project will, therefore, result in no net increase in wastewater connections consistent with this general plan program adopted for the purpose of avoiding environmental effects. In addition, based on review by the City Engineer, the wastewater treatment master plan completed in 2013 (four years following adoption of General Plan 2020) revised earlier projections of “at capacity” to reflect that the system is, in fact, capable of handling additional connections.

In addition to the preceding measures adopted for the purposes of mitigating an environmental effect, the following analysis evaluates the project consistency with the general plan and zoning code.

Pursuant to the Land Use Element of **Angels Camp 2020 General Plan**, the purpose and intent of the Business Attraction and Expansion (BAE) land use designation is to promote the development of specifically identified industries, including the following industries identified in Table 10-2 of the 2020 General Plan Economic Development Element:
TSC sells farm and ranch products including fencing, feed, water storage and irrigation supplies, fertilizer, equipment, small “tractors,” tools, generators, work clothing, automotive supplies with an emphasis on large trucks, and other products used in the production of row and field crops (e.g., olives, wine grapes), raising cattle, poultry, goats, sheep, and other animals used to produce food and fiber for target industries emphasized in the general plan’s BAE land use designation.

TSC the industry supported by the proposed project is now more closely associated with the term “agrì-tourism” and such marketing campaigns as “Calaveras Grown,” and “Farm to Table.” These efforts have, in part, resulted in economic booms to communities such as Murphys where locally grown and produced wines are sold in numerous wineries that provide an economic base for that community with associated restaurants and retail establishments selling or serving locally grown and/or prepared foods including specialty olive oils and related products. These industries, in turn, have associated with local artists and even those that raise, gather, and even spin their own wool to create clothing or other locally grown works of art derived from the county’s agricultural industry.

In short, the proposed project provides goods used to support the production of agricultural “raw materials” essential to agri-tourism industries identified in the general plan with lands designated as business attraction and expansion expected to support those industries in Angels Camp.

**FINDING:** The proposed project is consistent with the 2020 General Plan because the BAE land use designation promotes land development, the BAE zoning district clearly authorizes retail uses, and the proposed project would meet the broader purposes of the BAE land use designation by providing goods in support of target industries identified in the 2020 General Plan.

A related issue is whether the proposed commercial retail land use project could cause significant economic impacts to neighboring businesses, which could in turn have a significant physical impact on the environment due to urban decay or blight. In addition, the 2020 General Plan Policy 10.A.2 requires the City to “[r]ecognize the economic impacts of new commercial development on existing businesses within the city limits.” For CEQA purposes, these impacts must be analyzed only to the extent that the City finds there to be a reasonable likelihood that the proposed project would lead to the significant deterioration of existing structures through urban decay.

**Food and Kindred Products:**
- Canned specialties
- Pickled Fruits & Vegetable, Sauces, Salad Dressings
- Wines, Brandy & Brandy Spirits
- Food Preparations
- Meat products
- Beverages
- Miscellaneous fabricated Textile Products
The definition of “urban decay” for the purposes of CEQA analysis was recently discussed in *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, and involves the following:

… physical deterioration to properties or structures [that] is so prevalent, substantial, and lasting for a significant period of time that it impairs the proper utilization of the properties and structures, or the health, safety, and welfare of the surrounding community. The manifestations of urban decay include such visible conditions as plywood-boarded doors and windows, parked trucks and long term unauthorized use of the properties and parking lots, extensive gang and other graffiti and offensive words painted on buildings, dumping of refuse on site, overturned dumpsters, broken parking barriers, broken glass littering the site, dead trees and shrubbery together with weeds, lack of building maintenance, abandonment of multiple buildings, homeless encampments, and unsightly and dilapidated fencing.

This definition, which represents an *extreme* economic condition, was endorsed by the appellate court as "consistent with the law that urban decay requires a significant effect on the physical environment." *(Ibid.)*

**Policy 10.A.2** calls for the City to recognize the economic impacts of new commercial development on existing businesses within the city limits. However, the city does not have an adopted program detailing how, or by what measures, the City will recognize economic impacts of new commercial development on existing businesses in the city limits.

Therefore, a reasonable approach for analyzing these potential impacts will include evaluating the goods sold by the proposed new commercial development, compare them with those sold by other businesses in the city limits and consider, in general, how the new commercial establishment might affect existing businesses within the city limits based on products sold and the relative percentage of business or goods in direct competition.

TSC carries products generally aimed at rural lifestyles including farm supplies, landscaping and irrigation equipment, pet and animal feed and supplies, clothing, tools, fencing, large vehicles, recreational goods, and related materials.

Existing local businesses sell some of the same products as TSC; however, there are fundamental differences in the name brands sold, variety of goods sold, and the target consumer. TSC caters to farming, ranching and moderate-sized rural outdoor-based activities and consumers. While TSC sells some of the same brands of western wear as Turner’s Western Wear, Turner’s has a wider selection and variety of styles, brands, and sizes. Turner’s may find that certain portions of its stock are in direct competition with TSC, but Buck’s is anticipated to retain a broader share of market selection, knowledgeable employees and willingness to fill special orders.

Similarly, with regard to paint, TSC targets a narrow market – those in need of a very specific oil-based automotive paint. In contrast, Calaveras Lumber has an entire paint department with hundreds of colors and formulations for building interiors and exteriors, painting supplies, and employee expertise to offer its customers. Similarly, while both establishments sell tools, TSC stocks some name-brands, but also includes an extensive line of little-known brands. In contrast, Calaveras lumber carries a wide variety of well-known and dependable name brands.
Spence Feed is located outside the city limits and, therefore, is not subject to analysis pursuant to the general plan policy. Because of its proximity to the City, some analysis of Spence feed is provided here to ensure a complete review of the issue. Spence Feed appears to have the greatest overlap in goods with those offered by TSC. However, TSC is designed to support more small-to-moderate sized ranchers, farmers and producers. Alternatively, Spence provides materials by the truckload, including a wide variety of feed, to support the largest commercial ranchers, farmers and producers. Given the extent of overlap between Spence Feed and TSC, it is anticipated that this business could see some temporary economic impact despite the fact that these two entities target and serve a different type of consumer.

Given the limited number of businesses in the city limits with overlapping product offerings; it is unlikely that the impacts of TSC would be sufficient to result in the closure of those businesses. More importantly, it is not reasonable to assume, based on the previous analysis, that the introduction of TSC could result in mass vacancies, abandoned buildings, physical deterioration of multiple properties, boarded windows and doors, graffiti painting, dead landscaping, and the like resulting in urban decay for the City of Angels Camp.

It is more likely that, in a dynamic urban environment, such the City of Angels, businesses and other activities will come and go for reasons of their own, without necessarily affecting the overall health of the Angels Camp economy. The bulk of existing businesses will continue to exhibit the economic vitality that tolerates turnover, even significant turnover, without suffering the type of physical deterioration characteristic of urban decay.”

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

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

Mitigation Measure: None required.  
Mitigation Monitoring: Not applicable.
### 2.11 MINERAL RESOURCES

#### XI. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

#### 2.11.1 Background and Setting

Since the identification of mineral resources in Calaveras County in 1962, the State of California has undertaken more intensive classification efforts in some counties. State classification of mineral resources is intended to assist counties in managing important mineral resources within their jurisdiction. To date, only the San Andreas Quadrangle has been evaluated in detail in Calaveras County. The California Geological Survey (CGS) anticipates that additional evaluations and classifications of mineral resource values within the county, including the Angels Camp Sphere of Influence, will occur in the coming years; however, a review of the CGS list of available surveys shows no new mineral classification maps have been released for Calaveras County since adoption of the Angels Camp 2020 General Plan in 2009. In the interim, Angels Camp applies the Calaveras County mineral resource classifications surrounding the city’s sphere of influence to evaluate potential impacts on mineral resources.

#### 2.11.2 Analysis

**a)** Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

**b)** Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**No Impact.** Pursuant to Angels Camp General Plan 2020, the project area is designated as “unclassified” with respect to mineral resources. The site is not adjacent to any designated mineral resource and is adjacent to urban development to the north, east and west. Therefore, there will be no loss of availability of a known mineral resource of value (locally, regionally, or by residents of the state) and no significant adverse impacts to mineral resources are anticipated.

**Mitigation Measure:** None required.
**Mitigation Monitoring:** Not applicable.
## 2.12 NOISE

<table>
<thead>
<tr>
<th>XII. NOISE – Would the Project result in:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

### 2.12.1 Background and Setting

The Project site is adjacent to SR 49 and will replace an existing commercial development. Potential sensitive noise receptors include a single-family residence adjacent to the west and a chiropractic office adjacent to the east. **Figure 4** (Air Quality Section) identifies the distance and types of potentially sensitive receptors surrounding the site. Three residences are located within 200 feet of the Project boundaries, one residence is within 40 feet of the Project, 12± mobilehomes and RVs are located within 250 feet and a chiropractic office is located within 15 feet of the Project boundaries.

The **Angels Camp 2020 General Plan Acoustical Assessment**, (hereinafter “Angels Camp Noise Study”) is hereby incorporated by reference as follows.

RBF Consulting. 2007. *Acoustical Assessment for Angels Camp 2020 General Plan*

Pursuant to the **Angels Camp Noise Study**, Angels Camp 2020 General Plan Implementation Program 5.A.a, Table 5-1 establishes exterior ambient community noise exposure levels (CNELs) for new, non-residential development in the City of Angels.

Angels Camp 2020 General Plan Implementation Measure 5.A.n calls for preparation of a Noise Ordinance which has not yet been adopted. In the interim, Angels Camp 2020 General Plan
Implementation Measure 5.A.d and Appendix B provide guidelines for reducing construction-related noise.

2.12.2 Analysis

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

b) Result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

c) Result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Less Than Significant Impact with Mitigation Incorporated.

Per Table 5-1, Angels Camp 2020 General Plan normally acceptable commercial post construction (operational) exterior noise level limit is 70 decibels.

The Project site is adjacent to SR 49 and will replace an existing commercial development. Ambient noise levels include truck and auto traffic along SR 49, a shopping center across SR 49 and an automotive repair shop. Given these contributors to ambient noise levels, it is unlikely that the project will exceed ambient noise levels; however, exceedance of the 70 dB noise limit established pursuant to Angels Camp 2020 General Plan could result in a significant adverse impact as established in the general plan. The following mitigation measure is required:

**Mitigation Measure: NOISE-1**
Throughout the life of the Project (post-construction), noise levels shall not exceed 70 dB.

**Mitigation Monitoring NOISE-1:**
The Project Proponent shall operate the Project in accordance with Project conditions. The City shall investigate any noise complaints to confirm the Project is operating in accordance with Project conditions. Any violation of this provision shall be enforced in accordance with Chapter 17.96 of the Angels Municipal Code (Enforcement).

Proper implementation of the preceding will ensure that significant permanent increases in noise levels, vibrations, or increases in ambient noise will be less than significant.

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

Less Than Significant with Mitigation Incorporated. Long-term operation of the proposed Project is not expected to increase existing ambient noise levels. However, ground-borne vibrations and ground-borne noise will temporarily increase during construction—a temporary and potentially significant adverse impact. Therefore, the following mitigation measure, discussed in the Biological Resources section of the study, which limits the hours of construction to daytime hours, is proposed.

**Mitigation Measure BIO-8: Hours of Construction**
This mitigation measure is discussed in Section 2.4 Biological Resources.

Proper implementation of the preceding measure, consistent with the recommendations of the Angels Camp 2020 General Plan (Implementation Measure 5.A.d and Appendix B), is expected
to minimize the temporary increase in noise levels associated with Project construction to a
level of less-than-significant.

e) For a Project located within an airport land use plan or, where such a plan has not been
adopted, within two miles of a public airport or public use airport, would the Project expose
people residing or working in the Project area to excessive noise levels?
f) For a Project within the vicinity of a private airstrip, would the Project expose people
residing or working in the Project area to excessive noise levels?

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

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

2.13 POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

2.13.1 Background and Setting

The City of Angels, or Angels Camp, is the only incorporated community in Calaveras County. Angels Camp is a census designated place with a population of approximately 4,121 persons (California Department of Finance, Demographics estimate January 1, 2018).

2.13.2 Analysis

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. No new homes are proposed with the Project. The Project will replace existing development and commercial uses. No new roads or extensions of new infrastructure to areas not previously served will occur in conjunction with the Project. Therefore, no growth inducing impacts are anticipated.
Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.

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

No Impact. One single-family residence will be demolished in conjunction with the proposed Project, which will not necessitate the construction of replacement housing elsewhere because there will not be a displacement of a substantial number of existing housing units or people. Therefore, no significant adverse impacts are anticipated.

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

2.14 PUBLIC SERVICES

<table>
<thead>
<tr>
<th>XIV. PUBLIC SERVICES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Fire protection?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Police protection?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Schools?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Parks?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Other public facilities?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

2.14.1 Background and Setting
The City of Angels Camp provides most of the services to its residents including fire, police, water and sewer service. Schools include: Mark Twain Elementary and Bret Harte Union High School. Agencies providing support services to city agencies include CalFire and the Calaveras County Sheriff's Department.

2.14.2 Analysis
Less Than Significant with Mitigation Incorporated. The proposed Project will not increase population and, therefore, will not increase demand for parks or schools. The Project is replacing an existing development along the existing commercial corridor. There may be minor increases in other public service needs (police, fire, and transportation facilities). However, these minor increases as addressed by the mitigation measures discussed below. The Project will not require new public facilities at this time, therefore no analysis of potential impacts related to the construction of new facilities is required in order for police or fire services to maintain acceptable response ratios. Payment of the City’s impact fees will further ensure that any impacts to service times are less than significant over the long-term.

Mitigation Measure PS-1 Traffic Impact Mitigation Fee
The City adopted a Streets and Traffic Signals Impact Mitigation Fee and adopted the accompanying Impact Fee Study Report (Colgan, 2016) establishing traffic impact fees for all areas within the City pursuant to Resolution 16-25, adopted June 21, 2016. At the time of issuance of a Building Permit, the applicant will pay the Angels Camp Streets and Traffic Signals Impact Mitigation Fee applicable at the time of issuance. Fee payment may be deferred until occupancy subject to adoption of a fee deferral agreement.

Mitigation Monitoring PS-1: The required mitigation shall occur no later than prior to issuance of an occupancy permit. The Project Proponent is responsible for implementation.

Mitigation Measure PS-2 City Services Impact Mitigation Fee
At the time of issuance of a Building Permit, the applicant will pay the Angels Camp City Services Impact Mitigation Fee for fire and police services applicable at the time of issuance. Fee payment may be deferred until occupancy subject to approval by the City Council.

Mitigation Monitoring PS-2: The required mitigation shall occur prior to issuance of a building permit unless a fee deferral to certificate of occupancy is approved by the City Council occur no later than prior to issuance of an occupancy permit. The Project Proponent is responsible for implementation.

Payment of the applicable mitigation fees will reduce these potential impacts to a level of less-than-significant.
2.15 RECREATION

<table>
<thead>
<tr>
<th>XV. RECREATION.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.15.1 Background and Setting
The Project site and general area surrounding the Project site is primarily commercial. The closest recreational facility is a baseball field approximately ¼ mile north of the site.

2.15.2 Analysis

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

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The proposed Project will not increase population (See Section 2.13) and, therefore, will not increase demand for or use of recreational facilities. The proposed Project does not include recreational facilities. Therefore, no impact on recreational facilities is anticipated.

Mitigation Measure: None required.
Mitigation Monitoring: Not applicable.
## TRANSPORTATION

### XVI. TRANSPORTATION/TRAFFIC

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

### 2.16.1 Background and Setting

The Project will be accessed directly off SR 49 via two driveways. The driveway entering the chiropractor’s office will be a shared driveway with the Project. The Project does not propose any alterations to off-site roadways, trails, access routes or other transportation-related facilities.

In conjunction with project submittal, the applicant, City, and Caltrans met to discuss potential traffic-related concerns regarding access to and from the site. Caltrans required a shared driveway entry for TSC/chiropractor’s office ([Attachment D](#)). The applicant revised Project plans to incorporate the shared driveway.

Caltrans requested truck turn templates to ensure safe traffic movements can be accommodated and revised plans showing that new driveways aligned with driveways across the highway at the Middleton’s Shopping Center ([Attachment D](#)). KD Anderson & Associates, Inc. prepared that analysis, previously incorporated by reference and included as [Attachment E](#) to this IS/MND.
Subsequently, the Project was re-designed to accommodate environmental concerns at the back of the site (i.e., pushed the main building 20 feet closer to SR 49). Caltrans reviewed the updated plans and the traffic analysis and issued a final response on June 21, 2018 (Attachment D). The findings of these studies and correspondence are described in the following analysis.

2.16.2 Analysis

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less Than Significant with Mitigation Incorporated.

Based on the traffic analysis conducted by KD Anderson & Associates, Inc., the Project generates 26 trips in the weekday p.m. peak hour (i.e., 4:00 to 6:00 p.m.) with 12 inbound and 14 outbound trips over the course of the p.m. peak hour. During the highest hour of store activity on Saturday, the Tractor Supply Store could generate 60 trips. These times and hours are considered the highest volume background traffic periods along this segment of SR 49. Therefore, traffic count data gathered represents a “worst case” analysis of Project traffic impacts.

Typically, some share of the trips associated with a retail use is made by customers who stop at the store as part of a trip made for another purpose. These “pass-by” trips comprise a large share of the total trips associated with “convenience” types uses (i.e., ½ of trips for fast food restaurants are pass-by). The average pass-by rate for shopping centers is 34%. However, no pass-by rate specific to a Tractor Supply store is published, and Caltrans traffic study guidelines indicated that without additional substantiation, a rate of 15% should be assumed. Thus, while all peak hour trips will use the project’s driveways, the actual traffic increase on streets in the area of the project would be 22 p.m. peak hour trips and 51 Saturday peak hour trips after accounting for pass-by trips.

Because other Tractor Supply stores exist in Jackson, Sonora and Oakdale, the Project’s trade area would be expected to extend up SR 4 towards Murphys and Arnold, west on SR 4 towards Copperopolis and north on SR 49 to San Andreas. Based on these assumptions, it is projected that 35% of the trips associated with the Project will be oriented to the north on SR 49 at the project’s driveway and 65% will be oriented to the south.

Background traffic counts along SR 49 and for each of the three driveways at Middleton’s Shopping Center were gathered on Tuesday, May 22, 2018 and provided the following information related to p.m. peak hour traffic:

Background traffic during the “worst case” p.m. peak hours along SR 49 identified 999 trips northbound and southbound. To this, the Project could add 8 trips northbound and 14 trips southbound during p.m. peak hours—an incremental worst case traffic increase of 0.8% and 1.4%, respectively.
Given this relatively low level of traffic generated by the project during the week relative to existing background traffic; it has been determined that the project in and of itself will not contribute directly to impacts on the transportation system but will contribute incrementally to cumulatively significant adverse impacts to the overall transportation system city-wide.

As discussed in the Public Services section of this analysis, the City adopted a Streets and Traffic Signals Impact Mitigation Fee and adopted the accompanying Impact Fee Study Report (Colgan, 2016) establishing traffic impact fees for all areas within the City pursuant to Resolution 16-25, adopted June 21, 2016. That study establishes the following mitigation measure applicable to this project to address the project’s fair share contribution to cumulatively significant adverse impacts to the traffic signal.

**Mitigation Measure PS-1 Traffic Impact Mitigation Fee**

Proper implementation of this measure is expected to reduce the project’s fair share contribution to the cumulative transportation impacts on city-wide transportation to a level of less-than-significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**Less Than Significant.**
The project does not occur near an airport and will; therefore, not change air traffic patterns.

The project will improve existing driveways for ingress and egress to and from the site, thereby improving emergency access to the site. The project does not propose new roads or reconfigure existing roads, therefore, it will not impact SR 49’s existing use as a main route for emergency response vehicles other than an incremental increase in traffic as discussed in paragraph (a).

The proposed project will include the construction of sidewalks consistent with adopted programs. Conceptual plans for the extension of Foundry Lane and/or Angel Oaks Greenhorn Creek Road through parcels located in the vicinity do not involve the proposed project site and would, therefore, not conflict with future road alignment plans. Therefore, the project does not conflict with these adopted policies, plans and programs.

**Mitigation Measure:** None required.

**Mitigation Monitoring:** Not applicable.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

**Less Than Significant with Mitigation Incorporated.**

Upon receipt and review of correspondence from an adjoining landowner requesting a southbound acceleration and deceleration lane along the SR 49 south side (i.e., Project frontage), Caltrans failed to conclude that Project traffic levels dictated installation of an acceleration/deceleration lane at this location.
Correspondence from the adjoining property owner to Caltrans also requested a reduced traffic speed (from 45 MPH to 35 MPH) at the north end of Angels Camp in the Project vicinity. Because regulation of traffic speed is a regional, rather than project-specific issue, Caltrans is not requiring a reduced speed at the north end of Angels Camp in response to the Project. However, the City of Angels currently is conducting an evaluation of traffic speeds throughout the City. Should the regional study identify a need to reduce traffic speeds at the north end of town; Caltrans will adjust allowable speed accordingly.

As noted, upon initial Project review, Caltrans requested Project changes including driveway realignment to match the location of driveways across the highway at Middleton’s Shopping Center and combining the access driveway for the Project and adjoining chiropractic office (Attachment E). The Project incorporated both changes.

Upon reviewing revised site plans, Caltrans identified the following potential safety hazards:

a) Cars backing out of the parking stall nearest the south(east) driveway could back into autos entering the site. An updated site plan should be provided showing the relocation of the parking stall nearest the driveway that is a shared driveway

b) The proposed configuration of the driveways does not allow for concurrent entering and exiting traffic when proposed delivery trucks are entering and exiting the proposed driveways. Truck turn templates show the truck path over sidewalk and edge of pavement. The areas being used by the trucks will need to be the same as adjacent pavement structural section. A document should be provided stating the trucks will be delivering in off-peak hours.

In response, the applicant states that delivery trucks arrive 2-3 times per week in the mid-morning during non-peak traffic hours. Based on discussions between the traffic consultant and Caltrans, Caltrans continues to require a document stating that trucks will be delivering during off-peak hours.

The potential to increase safety hazards due to these design features, is a potentially significant adverse impact. The following mitigation measures have been incorporated:

**Mitigation Measure TRAN-1: Remove Parking Space**
Prior to issuance of a grading permit, the Project Proponent will submit revised plans eliminating the one parking stall located nearest the shared driveway adjoining the chiropractor’s office.

**Mitigation Monitoring TRAN-1:**
The required mitigation shall occur no later than prior to issuance of a grading permit. The Project Proponent is responsible for implementation.

**Mitigation Measure TRAN-2 Truck Accommodation**
Truck deliveries shall be limited to off-peak hours. Prior to occupancy, a sign will be posted in the truck delivery bay notifying delivery trucks of acceptable non-peak delivery hours. Alternatively, the Project Proponent may submit to the City correspondence from Caltrans indicating that additional information provided to Caltrans has allowed that agency to waive its 6/21/18 requirement for truck deliveries during non-peak hours in conjunction with
acquisition of an encroachment permit from Caltrans for work performed in the State right-of-way.

**Mitigation Monitoring TRAN-2** The required mitigation shall occur no later than prior to occupancy. The Project Proponent is responsible for implementation.

Proper implementation of the preceding measure will reduce the potential impacts to a level of less-than-significant.
2.17 TRIBAL CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>XVII. TRIBAL CULTURAL RESOURCES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

2.17.1 Background and Setting

As previously noted, in accordance with Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) Tribal notifications and follow up contacts were made as summarized in the following table.
A search of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) identified sacred sites in the vicinity of the project area. Letters dated February 26, 2018, were sent to individuals on the Native American Contact List provided by the NAHC. An initial site visit was conducted on March 23, 2018 with Augustine Planning Associates (representing the City of Angels) and Debra Grimes of the Calaveras Band of Mi-Wuk Indians, the Most Likely Descendent identified by the NAHC.

Ms. Grimes participated in limited Extended Phase I efforts (i.e., shovel test units) and consultation has been on-going with the City. Follow-up emails were sent on May 12, 2018 to the remainder of the representatives on the contact list, no responses received.

At the bequest of the City, Anthropologist Shelly Davis-King, of Davis-King Associates visited the site with Ms. Grimes on May 21, 2018. On May 22, 2018, Ms. Davis-King prepared a memorandum indicating the presence of a Tribal Cultural Resource (TCR) as defined under AB 52. In response to the memo, the City concurred with the findings.

At the request of the City, Ms. Debra Grimes, Adam Grimes, Ms. Davis-King, City representatives, and the Project Proponent met together on site June 1, 2018. In response to the on-site meeting, the application revised the site layout to avoid and preserve portions of the site as requested during consultation by Native American representatives. The revised site plans were provided to the Calaveras Band of Mi-Wuk Indians on June 11, 2018 with a follow-up e-mail from the City dated June 18, 2018 summarizing proposed project mitigation. On June 19th and 20th Ms. Davis-King, Ms. Grimes and the City discussed the revised site plans. On June 20th, Ms. Grimes contacted the City and requested a revision to incorporate Native American plantings which have been incorporated into proposed mitigation.
2.17.2 Analysis

Less Than Significant with Mitigation Incorporated.

In response to Tribal consultations, the No Build Area has been established to preserve an identified Tribal Cultural Resource (TCR) plus a buffer. In accordance with AB 52, the nature and location of the TCR will remain confidential.

Alterations to or disturbances of the TCR could result in a potentially significant adverse impact to the resource.

The following mitigation measures address this potential impact:

Mitigation Measure CULT-1 Bid Package/Tail-Gate/Environmental Awareness Training
This mitigation measure is discussed in Section 2.5 Cultural Resources.

Mitigation Measure BIO-2 Install Environmentally Sensitive Area (ESA) Fencing
This mitigation measure is discussed in Section 2.4 Biological Resources.

Mitigation Measure TCR-1 Detention Basin/No Build Area/Adjacent Landscaping
Prior to issuance of a building permit for building construction, the Project Proponent will submit a revised landscaping plan for those areas surrounding the detention basins and those areas adjacent to the No Build Area for review and approval by the City with input from Native American representatives. Plans will include native plants important to the Native Americans, in particular, to the Calaveras Band of Mi-Wuk. Plants are expected to include but are not limited to: deer grass (*Muhlenbergia* sp.) and mints (e.g., *Monardella* sp.). Approved landscaping plans for this portion of the site will be installed and maintained throughout the life of the project in accordance with project conditions.

Mitigation Monitoring TCR-1: The required mitigation shall occur no later than prior to issuance of a building permit for building construction. The Project Proponent is responsible for implementation.

Subsurface resources may extend outside the No Build Area. Specifically, potentially sensitive areas are located beneath existing structures (e.g., barn, home, outbuilding near the barn) that cannot be examined prior to demolition. Unanticipated potential impacts to resources that may be present could result in a potentially significant adverse impact to the resources. However, such potential impacts will be reduced to less-than-significant with the implementation of the mitigation measures listed below.

Mitigation Measure CULT-1: Bid Package/Tail-Gate/Environmental Awareness Training
This mitigation measure is discussed in the Cultural Resources section (Section 2.5.)

Mitigation Measure CULT-2: Unanticipated Cultural Resource Discoveries
This mitigation measure is discussed in the Cultural Resources section (Section 2.5.)

Mitigation Measure CULT-3: Human Remains
This mitigation measure is discussed in the Cultural Resources section (Section 2.5.)

Mitigation Measure CULT-4: Project Scope Changes
This mitigation measure is discussed in the Cultural Resources section (Section 2.5.)

**Mitigation Measure TCR-2  On-Site Native American Monitor**

Prior to issuance of a grading permit, the Project Proponent shall identify a member of the Calaveras Band of Mi-Wuk or their designee to monitor construction activities involving grading, trenching and related soil disturbances within the Project boundaries within the highlighted area identified below:

The Project Proponent will be responsible for all payments to the Tribe to cover the reasonable expenses of such tribal monitoring. In the unlikely event that no member of the Calaveras Bank of Mi-Wuk or their designee are available for monitoring, the City shall coordinate with the Project archaeologist to identify Native American representatives familiar with the Project site that may assist in monitoring activities.

**Mitigation Monitoring TCR-2:**

Prior to issuance of a grading permit, the Project Proponent shall submit to the City Planning Department, for review and approval, the name(s) of the member(s) of the Calaveras Band of Mi-Wuk or their designee to be available for site monitoring. The City recommends, but does not require, that the Project Proponent meet with the Native American monitor prior to commencing work to clarify for both parties, the nature and duration of the work to be
performed, agreed to cost and hours of work, provisions for continuing work should a monitor fail to be present or be unavailable on site, provisions for repatriating Native American resources, and related matters.

**Mitigation Measure TCR-3 On-Site Archaeological Monitor**

Prior to issuance of a grading permit, the Project Proponent shall identify an archaeologist meeting the Secretary of the Interior standards for archaeology to the City Planning Department to monitor all grading, excavation, and other soil disturbances, worker awareness training, and monitoring the integrity of the No Build Area and ESA fencing throughout grading and excavation operations. The Project applicant shall submit the archaeologist name, resume, proposed scope of work and cost to the Planning Department for review and approval. The proposal will include the nature of the monitoring work to be performed, duration of the work, agreed cost and hours of work, provisions for continuing work if unavailable, and related matters. The Project applicant will deposit the cost plus a 10% contingency with the City. The City will contract directly with the archaeologist. The archaeologist shall provide a minimum of two brief (less than one page, excluding photos) reports per month to the City Planning Department throughout grading and excavation operations with the potential to impact subsurface cultural resources. The archaeologist will have the authority to stop work, if necessary pursuant to **Mitigation Measures CULT-2 or CULT-3**. The archaeologist will be on site throughout grading and excavation operations unless, in the professional opinion of the archaeologist, such monitoring is unnecessary. If the archaeologist determines that monitoring is unnecessary for a particular phase of the grading and excavation activities, the archaeologist will notify the City in writing. The Project Proponent shall be responsible for the costs of all archaeological monitoring.

**Mitigation Monitoring TCR-3:**

Prior to issuance of a grading permit, the Project Proponent shall be responsible for complying with this mitigation measure.

Proper implementation of the preceding measures is expected to minimize potential impacts to a level of less-than-significant.
## 2.18 UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>XVIII. UTILITIES AND SERVICE SYSTEMS</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the Project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

### 2.18.1 Background and Setting

Public water and sewer services are provided by the City of Angels Camp. The Project will be served by public water and public sewer.

### 2.18.2 Analysis

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

d) *Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?*

e) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to provide existing commitments?*
**No Impact.** The Proposed project is currently served by two connections for public water and two for public sewer by the City of Angels Camp. Demolition will eliminate the commercial and residential uses currently being served and replace them with a single connection for a single commercial use. This is effectively no net increase in water or wastewater connections on site. The city has determined that adequate capacity exists within the water and wastewater system to serve the project. Therefore, no impacts related to water or wastewater service or treatment area anticipated.

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

c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

**Less than Significant with Mitigation.** Increases in impermeable surfacing will occur in conjunction with the proposed project resulting in increased stormwater runoff—a potentially significant adverse impact.

To mitigate this potential impact, on-site detention basins are included in project plans to collect increased run-off. Collected water will be piped to and released into Cherokee Creek. Preliminary drainage calculations indicate the proposed detention basins will be sufficient to collected and hold runoff so that it can eventually flow into the creek without impacting the creek. To ensure that final drainage design plans do not create a potentially significant adverse impact as a result of increased stormwater runoff that could flood adjacent properties, the following mitigation measures, detailed in the Hydrology portion of this analysis, is required

**Mitigation Measure:** HYDRO-3 Drainage Study
This mitigation measure is discussed in the Hydrology and Water Quality Section 2.9.

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

f) *Be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs?*

g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

**No Impact.** Cal-Waste contracts with Angels Camp for solid waste pick-up. Cal-Waste provides curbside pickup of household garbage and recycling for residents of Angels Camp. Cal-Waste also provides recycling services for businesses, including pick-up of recyclables on site.

Approximately six transfer stations and one transfer station annex, and one landfill are located in Calaveras County which disposes of solid waste both inside and outside the County. In 2013, 43 tons (0.1% of total waste) were disposed of in locations outside of the County in Alameda, Kern, San Joaquin, Solano and Stanislaus Counties. The remainder, 31,983 tons, was disposed of at the County’s Rock Creek landfill. The Rock Creek Solid Waste Facility includes a Class II landfill, a transfer station, several recycling programs and a household hazardous waste facility. It is located at 12021 Hunt Road, near Milton and has a capacity of 8,710,486 cubic yards. As of 2013, the landfill had a remaining capacity of 6,657,862 cubic yards or 76%. The Calaveras County Department of Public Works estimates 26.8 years of capacity remains.
Therefore, sufficient solid waste disposal facilities are anticipated to meet the needs of the project.

Mitigation Measure: None required.
Mitigation Monitoring: Not applicable

2.19 MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Does the Project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; 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)?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

2.19.1 Analysis

a) **Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Less Than Significant with Mitigation Incorporated. As detailed in this study, the proposed Project will not have a significant effect on the environment and will not result in any of the impacts requiring a mandatory finding of significance provided the mitigation measures identified herein are properly implemented and maintained as described in the Biological and Cultural Resources sections of this study. The mitigation monitoring and reporting plan and its identified mitigation measures as identified herein applicable to Biological and Cultural Resources, if properly implemented and maintained, will reduce the identified potential impacts to biological and cultural resources to a level of less-than-significant.
b) **Have impacts that are individually limited, but cumulatively considerable?** ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant with Mitigation Incorporated. As identified in the Transportation and Public Facilities and Services sections of this analysis, cumulative adverse impacts associated with traffic generation are offset through the payment of the city’s applicable traffic impact mitigation fee. Similarly, cumulative impacts to police and fire are mitigate through payment of a City Service Impact Mitigation Fee (commercial projects are exempt from the paying impact fees for park facilities because commercial uses do not generally create an impact on those services).

The collection of these applicable fees (Mitigation Measures PS-1 and PS-2) reduces the potentially cumulative adverse impact of new development’s share of impacts on transportation, police and fire facilities to a level of less-than-significant.

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

Less Than Significant with Mitigation Incorporated. As described herein, the proposed Project will not result in any substantial adverse effects on human beings either directly or indirectly except for temporary noise increases during project construction. Mitigation Measure BIO-6, limiting the hours of construction, will reduce that potential impact associated with temporary noise increases to a level of less-than-significant.
Attachment A
Oak Tree Inventory & Mitigation Calculations
**Tractor Supply Company: Oak Trees 9" or Greater Diameter at Breast Height to be Removed**

<table>
<thead>
<tr>
<th>#</th>
<th>Oak tree species</th>
<th>Circumference at breast height (4' above ground)</th>
<th>TDBH (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BO</td>
<td>88&quot;</td>
<td>28.0</td>
</tr>
<tr>
<td>2</td>
<td>BO</td>
<td>110&quot;</td>
<td>35.0</td>
</tr>
<tr>
<td>3</td>
<td>BO</td>
<td>74&quot;</td>
<td>23.6</td>
</tr>
<tr>
<td>4</td>
<td>BO</td>
<td>117&quot;</td>
<td>37.2</td>
</tr>
<tr>
<td>5</td>
<td>LO</td>
<td>93&quot; multi</td>
<td>29.6</td>
</tr>
<tr>
<td>6</td>
<td>BO</td>
<td>109&quot;</td>
<td>34.7</td>
</tr>
<tr>
<td>7</td>
<td>LO</td>
<td>BKN BRANCH 146&quot;</td>
<td>46.5</td>
</tr>
<tr>
<td>8</td>
<td>VO</td>
<td>37&quot;</td>
<td>11.8</td>
</tr>
<tr>
<td>9</td>
<td>BO</td>
<td>41&quot;</td>
<td>13.1</td>
</tr>
<tr>
<td>10</td>
<td>BO</td>
<td>33&quot;</td>
<td>10.5</td>
</tr>
<tr>
<td>11</td>
<td>BO</td>
<td>54&quot;</td>
<td>17.2</td>
</tr>
<tr>
<td>12</td>
<td>LO</td>
<td>31&quot;</td>
<td>9.9</td>
</tr>
<tr>
<td>13</td>
<td>BO</td>
<td>85&quot;</td>
<td>27.1</td>
</tr>
<tr>
<td>14</td>
<td>VO</td>
<td>146&quot;</td>
<td>46.5</td>
</tr>
<tr>
<td>15</td>
<td>LO</td>
<td>44&quot;</td>
<td>14.0</td>
</tr>
<tr>
<td>16</td>
<td>LO17</td>
<td>63&quot; multi</td>
<td>20.1</td>
</tr>
<tr>
<td>17</td>
<td>VO18</td>
<td>38&quot;</td>
<td>12.1</td>
</tr>
<tr>
<td>18</td>
<td>LO19</td>
<td>46&quot; multi</td>
<td>14.6</td>
</tr>
<tr>
<td>19</td>
<td>VO20</td>
<td>32&quot;</td>
<td>10.2</td>
</tr>
<tr>
<td>20</td>
<td>LO21</td>
<td>30&quot;</td>
<td>9.5</td>
</tr>
<tr>
<td>21</td>
<td>VO22</td>
<td>50&quot;</td>
<td>15.9</td>
</tr>
<tr>
<td>22</td>
<td>LO23</td>
<td>48&quot; multi</td>
<td>15.3</td>
</tr>
<tr>
<td>23</td>
<td>VO24</td>
<td>estimated</td>
<td>12</td>
</tr>
<tr>
<td>24</td>
<td>LO25</td>
<td>multi</td>
<td>16</td>
</tr>
<tr>
<td>25</td>
<td>LO26</td>
<td>57&quot; multi</td>
<td>18.1</td>
</tr>
<tr>
<td>26</td>
<td>VO27</td>
<td>38&quot; (dbl)</td>
<td>12.1</td>
</tr>
<tr>
<td>27</td>
<td>VO28</td>
<td>40&quot; (dbl)</td>
<td>12.7</td>
</tr>
<tr>
<td>28</td>
<td>LO29</td>
<td>29&quot; multi</td>
<td>9.2</td>
</tr>
<tr>
<td>29</td>
<td>LO30</td>
<td>133&quot; multi</td>
<td>42.3</td>
</tr>
<tr>
<td>30</td>
<td>VO31</td>
<td>39&quot;+18&quot;=57&quot; (multi)</td>
<td>18.14</td>
</tr>
</tbody>
</table>

**Total DBH to be removed**: **622.94**
Tractor Supply Company: Oak Trees 9” or Greater Diameter at Breast Height to be Retained

<table>
<thead>
<tr>
<th>#</th>
<th>Oak tree species</th>
<th>Circumference at breast height (4’ above ground)</th>
<th>TDBH (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>VO</td>
<td>156”</td>
<td>49.7</td>
</tr>
<tr>
<td>2</td>
<td>LO32</td>
<td>45” multi</td>
<td>14.3</td>
</tr>
<tr>
<td>3</td>
<td>LO33</td>
<td>45” multi</td>
<td>14.3</td>
</tr>
<tr>
<td>4</td>
<td>LO34</td>
<td>55” (multi)</td>
<td>17.5</td>
</tr>
<tr>
<td>5</td>
<td>LO35</td>
<td>31”</td>
<td>9.9</td>
</tr>
<tr>
<td></td>
<td>Total DBH to be Retained</td>
<td></td>
<td>105.7</td>
</tr>
</tbody>
</table>

Tractor Supply Company: Oak Trees less than 9” TDBH to be Removed:

<table>
<thead>
<tr>
<th>#</th>
<th>Oak tree species</th>
<th>Circumference at breast height (4’ above ground)</th>
<th>TDBH (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BO</td>
<td>24”</td>
<td>7.6”</td>
</tr>
<tr>
<td>2</td>
<td>VO</td>
<td>28”</td>
<td>8.9”</td>
</tr>
<tr>
<td>3</td>
<td>VO</td>
<td>26”</td>
<td>8.3”</td>
</tr>
<tr>
<td>4</td>
<td>LO</td>
<td>21”</td>
<td>6.7”</td>
</tr>
<tr>
<td>5</td>
<td>VO</td>
<td>16” + saplings</td>
<td>5.1”</td>
</tr>
<tr>
<td>6</td>
<td>LO</td>
<td>25”</td>
<td>7.9”</td>
</tr>
<tr>
<td>7</td>
<td>LO</td>
<td>ALL &lt; 4” DBH</td>
<td>0.00</td>
</tr>
<tr>
<td>8</td>
<td>LO</td>
<td>22” (lgst of multi)</td>
<td>7”</td>
</tr>
<tr>
<td>9</td>
<td>LO</td>
<td>16”</td>
<td>5.1”</td>
</tr>
<tr>
<td>10</td>
<td>VO</td>
<td>12”</td>
<td>3.8”</td>
</tr>
<tr>
<td>11</td>
<td>LO</td>
<td>28”</td>
<td>8.9”</td>
</tr>
<tr>
<td>12</td>
<td>VO</td>
<td>estimated</td>
<td>8”</td>
</tr>
<tr>
<td>13</td>
<td>LO</td>
<td>15”</td>
<td>4.8</td>
</tr>
<tr>
<td>14</td>
<td>VO</td>
<td>16”</td>
<td>5.1</td>
</tr>
<tr>
<td>15</td>
<td>LO</td>
<td>multi</td>
<td>8”</td>
</tr>
<tr>
<td>16</td>
<td>VO</td>
<td>25”</td>
<td>7.9”</td>
</tr>
<tr>
<td>17</td>
<td>LO</td>
<td>17”</td>
<td>5.4”</td>
</tr>
<tr>
<td>18</td>
<td>VO</td>
<td>16”</td>
<td>5.1”</td>
</tr>
<tr>
<td>19</td>
<td>VO</td>
<td>12”</td>
<td>3.8”</td>
</tr>
<tr>
<td>20</td>
<td>LO</td>
<td>27”</td>
<td>8.6”</td>
</tr>
<tr>
<td></td>
<td>Total Oak Trees less than 9” TDBH</td>
<td></td>
<td>48.7</td>
</tr>
</tbody>
</table>
Step A:
Percentage of Total Trees greater than 9” TDBH:   35
Total # Trees to be Removed:  30
Total Percentage Trees to be Removed:  $\frac{30}{35} = 85.7\%$

For removal of more than 20% of the TDBH or more than 20% of the total number of all surveyed trees, the replacement TDBH shall be based upon the following 2-step formula:

STEP 1:

**TDBH of all Surveyed Trees on Site X 20% = Discount Diameter**

$622.94 \text{ (Surveyed Trees to be Removed)} + 105.7 \text{ (Surveyed Trees to be Retained)} = 728.74$

$\text{TDBH X 20%} = 145.73 \text{ (Discount Diameter)}$

STEP 2:

**TDBH of all Surveyed Trees on the Site to Be Removed – Discount Diameter = Total Number Inches of TDBH of Replacement Trees Required**

$622.94 \text{ (Surveyed Trees to be Removed)} – 145.73 \text{ (Discount Diameter)} = 477.21 \text{ TDBH Total Number of Inches of TDBH of Replacement Trees Required.}$

FEE:

**TDBH of trees to be Mitigated x Fee for 15-gallon trees = Mitigation Fee**

$477.21 \times \text{Fee for 15-gallon tree} = \text{Mitigation Fee}$

replacement Plantings:
- Minimum of 2:1 replacement ratio for trees to be removed
- 15 gallon size minimum for replacement trees

30 trees to be removed $\times 2 = 60$ Trees to be planted
15-gallon size minimum

Mitigation may be by Fee or Replacement Plantings or a Combination of Both
Attachment B

USFWS National Wetlands Inventory
California Natural Diversity Database
USFWS Species List (IPAC)
California Native Plant Society Special Status Plant List
CalFlora Special Status Plant List (Search returned zero results)
Tractor Supply

May 26, 2018

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or correctness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.
<table>
<thead>
<tr>
<th>Name (Scientific/Common)</th>
<th>CNDBB Ranks</th>
<th>Listing Status (Fed/State)</th>
<th>Other Lists</th>
<th>Elev. Range (ft.)</th>
<th>Total EO's</th>
<th>Element Occ. Ranks</th>
<th>Population Status</th>
<th>Presence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agelaius tricolor</td>
<td>G2G3 S1S2</td>
<td>None</td>
<td>BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered</td>
<td>1,200 1,602</td>
<td>951 S:3</td>
<td>0 0 0 0 0 3 0 3</td>
<td>Extant</td>
<td>3 0 0</td>
</tr>
<tr>
<td>tricolored blackbird</td>
<td></td>
<td>Candidate Endangered</td>
<td>节能环保 BLM_Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anthococcus pallidus</td>
<td>G5 S3</td>
<td>None</td>
<td>BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern</td>
<td>1,440 1,440</td>
<td>415 S:1</td>
<td>0 0 0 0 0 1 1 0</td>
<td>Extant</td>
<td>1 0 0</td>
</tr>
<tr>
<td>pallid bat</td>
<td></td>
<td>None</td>
<td>节能环保 BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cryptantha sphagnosa</td>
<td>G2 S2</td>
<td>None</td>
<td>Rare Plant Rank - 1B.3</td>
<td>1,800 1,800</td>
<td>5 S:1</td>
<td>0 0 0 0 0 1 0 1</td>
<td>Extant</td>
<td>1 0 0</td>
</tr>
<tr>
<td>Red Hills cryptantha</td>
<td></td>
<td>None</td>
<td>节能环保 Rare Plant Rank - 1B.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diplacus pulchellus</td>
<td>G2 S2</td>
<td>None</td>
<td>Rare Plant Rank - 1B.2 BLM_S-Sensitive USFWS_S-Sensitive</td>
<td>1,502 1,502</td>
<td>5 S:1</td>
<td>0 0 0 0 0 1 1 0</td>
<td>Extant</td>
<td>1 0 0</td>
</tr>
<tr>
<td>yellow-tipped pansy monkeyflower</td>
<td></td>
<td>None</td>
<td>节能环保 Rare Plant Rank - 1B.2 BLM_S-Sensitive USFWS_S-Sensitive</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monsadia mormonum butoni</td>
<td>G2S1 S1S2</td>
<td>None</td>
<td>BLM_S-Sensitive USFWS_S-Sensitive</td>
<td>1,420 1,420</td>
<td>11 S:1</td>
<td>0 0 0 0 0 1 1 0</td>
<td>Extant</td>
<td>1 0 0</td>
</tr>
<tr>
<td>Button's Sierra sideband</td>
<td></td>
<td>None</td>
<td>节能环保 Rare Plant Rank - 1B.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Navarretia paradoxica</td>
<td>G2 S2</td>
<td>None</td>
<td>Rare Plant Rank - 1B.3</td>
<td>1,420 1,420</td>
<td>11 S:1</td>
<td>0 0 0 0 0 1 1 0</td>
<td>Extant</td>
<td>1 0 0</td>
</tr>
<tr>
<td>Patterson's navarretia</td>
<td></td>
<td>None</td>
<td>节能环保 Rare Plant Rank - 1B.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as trust resources) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Project information

NAME
Tractor Supply Angels Camp

LOCATION
Calaveras County, California

Local office
Sacramento Fish And Wildlife Office

📞 (916) 414-6600
✉️ (916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species\(^1\) and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries\(^2\)).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for **species under their jurisdiction**.

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

**Amphibians**

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
</table>

---

\(^1\) Listed species

\(^2\) NOAA Fisheries
California Red-legged Frog  Rana draytonii
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecp/species/2891

California Tiger Salamander  Ambystoma californiense
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecp/species/2076

Fishes
NAME

Delta Smelt  Hypomesus transpacificus
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecp/species/321

Critical habitats
Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds
Certain birds are protected under the Migratory Bird Treaty Act\(^1\) and the Bald and Golden Eagle Protection Act\(^2\).

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

• Nationwide conservation measures for birds
  

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

**NAME**

**BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)**

Bald Eagle  *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

https://ecos.fws.gov/ecp/species/1626

Breed Jan 1 to Aug 31

Clark's Grebe  *Aechmophorus clarkii*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breed Jan 1 to Dec 31

Common Yellowthroat  *Geothlypis trichas sinuosa*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA.

https://ecos.fws.gov/ecp/species/2084

Breed May 20 to Jul 31
Lawrence's Goldfinch  Carduelis lawrencei
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9464
Breed Mar 20 to Sep 20

Lewis's Woodpecker  Melanerpes lewis
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9408
Breed Apr 20 to Sep 30

Nuttall's Woodpecker  Picoides nuttallii
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/9410
Breed Apr 1 to Jul 20

Oak Titmouse  Baeolophus inornatus
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656
Breed Mar 15 to Jul 15

Rufous Hummingbird  selasphorus rufus
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/8002
Breed elsewhere

Song Sparrow  Melospiza melodia
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
Breed Feb 20 to Sep 5

Spotted Towhee  Pipilo maculatus clementae
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/4243
Breed Apr 15 to Jul 20

Tricolored Blackbird  Agelaius tricolor
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910
Breed Mar 15 to Aug 10

Wrentit  Chamaea fasciata
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
Breed Mar 15 to Aug 10

Yellow-billed Magpie  Pica nuttallii
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9726
Breed Apr 1 to Jul 31
Plant List
Inventory of Rare and Endangered Plants
4 matches found. Click on scientific name for details

Search Criteria
Found in Calaveras County, Found in Quad 3812015

Scientific Name  Common Name  Family  Lifeform  Blooming Period  CA Rare Plant Rank  State Rank  Global Rank
Claytonia parviflora ssp. grandiflora  streambank spring beauty  Montiaceae  annual herb  Feb-May  4.2  S3  G5T3
Crypiantha spithamneaa  Red Hills cryptantha  Boraginaeae  annual herb  Apr-May  18.3  S2  G2
Diplacus pulchellus  yellow-lip pansy monkeyflower  Phrymaceae  annual herb  Apr-Jul  18.2  S2  G2
Navarretia paradoxclara  Patterson's navarretia  Polemoniaceae  annual herb  May, Jun(Jul)  18.3  S2  G2

Suggested Citation

Search the Inventory
Simple Search
Advanced Search
Glossary

Information
About the Inventory
About the Rare Plant Program
CNPS Home Page
About CNPS
Join CNPS

Contributors
The Calflora Database
The California Lichen Society
California Natural Diversity Database
The Jepson Flora Project
The Consortium of California Herbaria
CalPhotos

Questions and Comments
rareplants@cnps.org

© Copyright 2010-2018 California Native Plant Society. All rights reserved.
Attachment C
Protecting Trees During and After Construction
Protecting Trees During and After Construction

Information for builders and owners on preserving oak trees as part of residential and commercial landscapes.

INSIDE:
What trees need to survive and grow.

Planning to preserve valuable trees.

Protecting trees during and after grading, trenching, filling, paving, and other construction activities.

Additional Resources
Living Among the Oaks, UC ANR Pub #21538
Vineyards in an Oak Landscape, UC ANR Pub #21577
Guidelines for Managing California's Hardwood Rangelands, UC ANR Pub #3368
UC Integrated Hardwood Range Management Program: http://dcar.ucop.edu/dhmp/

Protecting Trees From Construction Damage: A Homeowner's Guide, University of Minnesota Cooperative Extension Service:
http://www.extension.umn.edu/distribution/housingandclothing/DR6133.html

Native oaks contribute to property values by enhancing appearance, reducing noise, cutting energy costs, screening unsightly views, and attracting songbirds and other wildlife.

Unfortunately, oaks meant to be part of a permanent landscape can be damaged during construction or mismanaged after construction.

Planning, coordination, and actively protecting oaks can reduce damage and save the trouble and expense of treating or removing injured trees.

Valley oak, (Quercus lobata).
This tall, spreading deciduous oak was once an important member of the Central Valley's riparian forests. From Shasta County to Los Angeles County, it is still a conspicuous oak in the hardwood range, in valley bottoms and on deep alluvial soils.

Blue oak, (Quercus douglasii).
This deciduous oak is the dominant oak of the hardwood range from Shasta County to Kern County. Where it shares its range with the valley oak, blue oak generally occupies the more shallow soils, steeper slopes, and upland sites.

Interior live oak (Quercus wislizeni).
This evergreen oak is widely distributed in California from Siskiyou County south into Baja California. It is abundant in the Sierra Nevada foothills and in the coastal ranges occupies the higher, drier, or more inland sites than the coast live oak. Interior live oak is found in more heavily wooded sites than the blue oak. In chaparral habitats or other dry locations, it develops a shrubby form.
What trees need to survive

Our Mediterranean climate naturally limits oak diseases. Native oaks are well adapted to the cool wet winters and hot dry summers. But they are very susceptible to changes within the Tree Protection Zone (TPZ), including irrigation, compaction, trenching, filling, etc.

Tree Protection Zone
Root systems should be protected to at least half again the distance from the trunk to the edge of the canopy (dripline). The TPZ can be calculated:

DBH (inches) x 1.5 = TPZ (feet)

DBH (diameter breast height) is the trunk diameter 4.5 feet above the ground. A 20-inch oak would have a TPZ of 30 feet from the tree base to the TPZ edge. For immature trees TPZ can be reduced to one foot per inch DBH.

Planning to protect trees
Before planning to remove any trees, contact the Community Development Department (533-5633) to find out about regulations that might apply to your property.

Inventory of trees
Map the location, species, and condition of trees and use as a basis for planning construction.

Select which trees to save
Visualize how each tree fits into the future landscape.

Planning and commitment
Develop a landscape protection agreement with contractors. Install temporary fencing around the TPZ. Photo-document the site before work begins.

Monitoring and inspection
Visit the site often and inform workers of any problems. Begin repairing any damage immediately.

Neighboring projects
Be aware of construction on adjacent properties. Workers need permission to use your property for access, parking, materials storage, etc. — all of which can damage oaks.

Preventing and mitigating damage

Our rolling foothill landscape is very attractive and offers many beautiful building sites. For actual building, however, the steep topography can be challenging. Although building to fit the landscape is a very attractive idea and well-planned projects keep grading to a minimum, most projects require considerable earth moving for driveways, parking areas, and building sites. The following activities can damage existing oaks if they encroach on the TPZ. If the guidelines offered here cannot be followed to protect a tree, consider removing the tree.

Grading — Protect the TPZ with retaining walls
Changing the land surface, whether excavating (cutting) or filling soil within the TPZ, damages roots and can begin the slow death of native oaks. Excavating destroys roots and can expose them to damage and disease. Fill reduces access to air and can trap water, which destroys roots through suffocation and disease. Burying the base of trees leads to rot. When grade changes around trees are necessary, the TPZ can be protected with walls for fill areas and retaining walls for cut areas.

Drainage — Don’t change the amount of water flowing into the TPZ
Changing the land surface and the way water flows on a building site can increase or decrease the amount of water reaching the root zone. Avoid drainage changes that move additional water toward oak trees or reroute natural runoff they may depend on.

Compaction — Protect the TPZ from traffic and materials storage
Trees need natural soil conditions with abundant pore spaces for roots to absorb air and water. Compaction from vehicle parking, construction equipment, storage of materials or topsoil, and even excessive foot traffic impedes the movement of air, water, and nutrients in the soil and leads to declining tree health or even death. Protect the TPZ — keep it natural and undisturbed.

Paving — Use porous materials to protect the TPZ from traffic
Asphalt or concrete also impede movement of air, water, and nutrients and have many of the same effects as compaction. Porous materials, like brick with sand joints, gravel, bark, or wood chips, make excellent ground coverings that allow passage of air and water while they protect the soil from compaction. No disturbance or covering of any kind should be used within six feet of the base.

Trenching — Use conduits and coordinate installation of utility lines
Trenching to place water, gas, and electrical lines can cut off and destroy a large proportion of a tree’s root system. If utility lines must pass within the TPZ, tunneling conduits through the soil, instead of trenching, minimizes root damage. If trenching is unavoidable, coordinate to have all utilities lined placed together in one trench.

Beyond the root zone — Consider effects of large cut and fill slopes on surface and subsurface water
Cut and fill areas outside the TPZ can still impact oaks. Fill can cause water to pond within the TPZ, and large cutslopes cause subsols to dry more rapidly. Anything that changes the environment of mature trees can threaten survival.

Long-term management — Establish “natural areas” within TPZ without irrigation or fertilization
For landscaping under oaks, use native or other drought-tolerant plants that don’t require irrigation or other special care.

Sources: Living Among the Oaks, UCARR pub 921558, Protecting Trees from Construction Damage, Unit of Missouri Extension Service.
Attachment D – Caltrans Responses
June 21, 2018

Ms. Amy Augustine, AICP
Augustine Planning Associates, Inc.
270 S. Barretta, Suite C
P.O. Box 3117
Sonora, CA 95370

Dear Ms. Augustine,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the site development permit for Tractor Supply Company. The Tractor Supply Store project is an 18,800 S.F. store with 15,000 S.F. outdoor display area proposed at 407 N. Main Street/State Route (SR) 49. The project proponent proposes to combine Parcels 058-011-010 and 058-011-032. The project complies with existing zoning regulations for suburban commercial. The project proposes two driveways on the north and south end of the property. The driveway for Parcel 058-011-033 on the south end of the project would be eliminated and the parcel will have access through easement to the south driveway of the project site.

Caltrans reviewed this project and provided a letter on May 4, 2018. The comments below are in addition to the previous letter provided:

The proposed configuration of the driveways does not allow for concurrent entering and exiting traffic when the proposed delivery trucks are entering and exiting the proposed driveways. Truck turning templates show the truck path over sidewalk and edge of pavement. The areas being used by the trucks will need to be same as adjacent pavement structural section. A document should be provided stating the trucks will be delivering in off-peak hours. An updated site plan should be provided showing the relocation of the parking stall nearest to the driveway that is a shared driveway.

If there are no additional changes to this project, please submit your application to encroachment permits to continue the development process.

Please do not hesitate to contact me at (209) 948-7325 (email gregoria.ponce@dot.ca.gov) or Austin Sos (209) 948-7936 (email austin.sos@dot.ca.gov) if you have any questions or concerns.

Sincerely,

Gregoria Ponce, Chief
Office of Rural Planning

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
C: Jeff Crovitz, Calaveras County Public Works
    Amber Collins, Calaveras Council of Government

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
May 4th, 2018

10-CAL-49-PM 9.11
Tractor Supply Store

Amy Augustine, AICP
Augustine Planning Associates, Inc.
270 S. Barretta, Suite C
P.O. Box 3117
Sonora, CA 95370

Dear Ms. Augustine

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the site development permit for Tractor Supply Company. The Tractor Supply Store project is an 18,800 S.F. store with 15,000 S.F. outdoor display area proposed at 407 N. Main Street/State Route (SR) 49. The project proponent proposes to combine Parcels 058-011-010 and 058-011-032. The project complies with existing zoning regulations for suburban commercial. The project proposes two driveways on the north and south end of the property. The driveway for Parcel 058-011-033 on the south end of the project would be eliminated and the parcel will have access through easement to the south driveway of the project site.

Caltrans reviewed the site plan and potential new encroachments onto SR 49. Caltrans has the following comments:

Caltrans supports the consolidation of driveway access for parcel 058-011-033 with the project parcel. A traffic study will be required to show the ingress and egress traffic at the proposed driveways and existing driveways across from the project site along with traffic volumes associated with the store activity. Please provide the truck turning templates for all movements with the design vehicle (i.e. delivery trucks) at the proposed driveways.

Based on the preliminary drainage plan, Caltrans assumes water will be retained on site as retention basins are proposed. Without a detailed drainage study with calculations we cannot determine if there will be additional runoff entering the state right of way. There is a roadside ditch proposed within Caltrans right of way which will require an encroachment permit. The project appears to have minimal effects to Caltrans right of way. A detailed drainage study with calculations will need to be submitted along with the Encroachment Permit application for review and verification.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability."

(CW064462.1) TSC Angels Camp Initial Study/Mitigated Negative Declaration 103 July 2018
Ms. Augustine  
May 4th, 2108  
Page 2

If project activities are within Caltrans right of way and there are several mature trees that could provide nesting habitat for migratory or other bird species. A preconstruction bird survey will be required if construction will occur during nesting season (Feb. 15th through Sept. 1st).

If human remains are discovered within Caltrans right of way, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby suspected to overlies remains, and the County Coroner contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Most Likely Descendent (MLD). At the time the landowner will work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

If project construction activities will encroach into Caltrans right of way, the project proponent must submit an application for an Encroachment Permit to the Caltrans Permit Office. Appropriate environmental studies must be submitted with this application. These studies will include an analysis of potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans right of way at the project site(s).

Please do not hesitate to contact me at (209) 941-1947 (email kevin.schroder@dot.ca.gov) if you have any questions or concerns.

Sincerely,

Kevin Schroder, Acting Office Chief  
Office of Rural Planning

Cc: Jeff Crovitz, Calaveras County Public Works  
Amber Collins, Calaveras Council of Government

*Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability*
May 18, 2018

Ms. Amy Augustine, AICP
Augustine Planning Associates, Inc.
P.O. Box 3117
Sonora, CA 95370

RE: TRACTOR SUPPLY STORE ON SR 49 IN ANGELS CAMP, CA: TRAFFIC ASSESSMENT

Dear Ms. Augustine:

Thank you for contacting our firm regarding the Tractor Supply Store proposed on SR 49 in Angels Camp. As we understand Caltrans District 10 has responded to the City’s request for comment on the project and asked for two pieces of information:

1. Trip generation estimate for the project with identification of the trip distribution at the project’s driveway, and
2. Graphic review of the adequacy of truck turning paths at the project’s driveway based on AUTOTURN software for the applicable design vehicle.

This letter provides the requested information.

Trip Generation Estimate. We have identified the project’s weekday p.m. peak hour and Saturday peak hour trip generation based on rates presented in the Institute of Transportation Engineers (ITE) publication Trip Generation Manual, 10th Edition. As indicated in Table 1, a land use category specific to Tractor Supply Store is available, and supporting information is shown below.

Description

A tractor supply store is a free-standing facility that specializes in the sale of agricultural and garden equipment, power tools, vehicle maintenance parts, and heavy-duty outdoor machinery. It may also offer ancillary items such as clothing, footwear, and other accessories.

Additional Data

Outside storage areas are not included in the overall gross floor area measurements. However, if storage areas are located within the principal outside faces of the exterior walls, they are included in the overall gross floor area of the building.

The ITE p.m. peak hour rates for this use are shown in Table 1. This rate has been applied to the total building floor area to determine the number of trips generated by the project in the weekday p.m. peak hour. As indicated, the project generates 26 trips in the weekday p.m. peak hour (i.e., 4:00 to 6:00 p.m.)
with 12 inbound and 14 outbound trips over the course of the p.m. peak hour. During the highest hour of
store activity on Saturday, the Tractor Supply Store could generate 60 trips.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Unit</th>
<th>PM Peak Hour</th>
<th>Saturday Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>810</td>
<td>Tractor Supply Store</td>
<td>ksf</td>
<td>47%</td>
<td>53%</td>
</tr>
<tr>
<td></td>
<td>Angels Camp Store</td>
<td>18.8 ksf</td>
<td>12</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Less - Pass-by Trips</td>
<td>15%</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Net New Primary Trips</td>
<td></td>
<td>10</td>
<td>12</td>
</tr>
</tbody>
</table>

Typically, some share of the trips associated with a retail use is made by customers who stop at the store
as part of a trip made for another purpose. These ‘pass-by’ trips comprise a large share of the total trips
associated with “convenience” types uses (i.e., ½ of trips for fast food restaurants are pass-by), and the
average pass-by rate for shopping centers is 34%. However, no pass-by rate specific to a Tractor Supply
store is published, and Caltrans traffic study guidelines indicated that without additional substantiation, a
rate of 15% should be assumed. Thus, while all peak hour trips will use the project’s driveways, the
actual traffic increase on streets in the area of the project would be 22 p.m. trips and 51 Saturday peak
hour trips after accounting for pass-by trips.

The directional distribution of trips at the project driveways will generally reflect the typical trade area for
this type of store as well as the general population distribution within that trade area. We have assumed
that this type of specialty retail use could attract customers from a fairly broad area that includes the City
of Angels Camp but on weekends could extend to a broader area. Other Tractor Supply stores exist in
Jackson, Sonora and Oakdale, and as a result this store’s trade area could extend up SR 4 towards
Murphys and Arnold, west on SR 4 towards Copperopolis and north on SR 49 to San Andreas. Based on
these assumptions we expect that 35% of the trips associated with the store will be oriented to the north
on SR 49 at the project’s driveway and 65% will be oriented to the south.

The assignment of these trips at the project’s two driveways is identified in Attachment 1.

**Truck Turning Requirements.** We have identified the turning path of the design vehicle at the site
access based on the anticipated delivery route to Tractor Supply Store using AUTOTURN software. The
resulting plot assumes:

- Arrivals from the south on SR 49 turning left into the site at the more southerly – easterly
driveway, circulating in a clockwise direction to the rear of the building and exiting by turning
right back onto SR 49 at the northern-westerly driveway, and
- The Design Vehicle is an STAA truck.
The resulting plot shows the path of an STAA truck to and from the site using the applicable lanes on SR 49. As indicated, an arriving truck can make the left turn from the existing Two-Way Left-Turn (TWLT) lane on SR 49, but its path will occupy the entire driveway width and may encroach into the curb at the end of the driveway. An exiting STAA truck turning right and completing the turn using the TWLT lane would occupy the entire driveway width and encroach onto the curb at the end of the driveway.

The design of site access on SR 49 is subject to approval from Caltrans District 10 as any work performed in the State right of way must be completed under an encroachment permit from Caltrans. It is likely that Caltrans could require that the driveways be made wider to avoid conflicting with opposing traffic at the driveway or to avoid encroaching onto the curbs at the end of the driveway. The exact design will be determined as part of the encroachment permit application.

Thank you for contacting our firm for this assignment. Please feel free to call me if you have any questions.

Sincerely Yours,

KD Anderson & Associates, Inc.

Kenneth D. Anderson, P.E.
President

Enc: Attachment 1 and 2
TRACTOR SUPPLY STORE PEAK HOUR TRIP ASSIGNMENT

Legend

(XX) Weekday Peak Hour Volume
<XX> Saturday Peak Hour Volume

attachment 1