CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair John Broeder, Vice-Chair Gary Gordon, Commissioner Patsy Gonzalez, Commissioner Robert Moncada, and Commissioner Jessica Johnston

APPROVAL OF AGENDA

Approval of Regular Agenda for September 13, 2018.

APPROVAL OF MINUTES

1. Approval of Regular Meeting Minutes of July 12, 2018.

PUBLIC COMMENTS

At this time any person may comment on any item that is not on the agenda. Please state your name and address for the record, and write your name and address on the sign-up sheet (you may decline to provide this information). Action will not be taken on any item. If a non-agendized item requires action, it will be referred to staff and/or placed on the next agenda.
PUBLIC HEARING

1. Tractor Supply Company by California Gold Development Corporation

Proposed Project:
  a) Adoption of an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Report Plan for the Tractor Supply Company retail facility
  b) Rezone of 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)
  c) 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
  d) Site Plan Review to permit construction of a Tractor Supply Company (TSC) retail facility totaling approximately 36,671 square feet as follows:

    Retail sales building: 18,800 square feet
    Fenced outdoor sales/display area/forage shed: 15,000 square feet
    Permanent outdoor sidewalk display area: 1,556 square feet
    Permanent trailer/equipment display area: 1,315 square feet

  Approximately 84 parking spaces plus motorcycle parking, associated infrastructure, and landscaping are 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.
  e) Variance to Angels Camp Municipal Code Section 17.37.080(B)(3) to allow outdoor sales and display in excess of 20% of the total floor area of the primary building.
  f) Demolition permit for all structures on site including a former retail facility, greenhouse, residence, barn, and associated structures.
  g) Oak tree removal permit to remove up to 35 trees.

PLANNING COMMISSION MATTERS

1. PRESENTATION and UPDATE (Anne Forrest): Installing 49± historical plaques in the historic district

COMMITTEE REPORTS
Information item only, no action will be taken

COMMISSIONER'S REPORTS
Information items only, no action will be taken

STAFF REPORTS
Information items only, no action will be taken

ADJOURNMENT
The next regularly scheduled meeting of the Planning Commission is October 11, 2018.

**Availability of Public Records:** All public records relating to this notice, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public review at the Community Development Dept, 200B Monte Verde Street, Angels Camp for 10 days prior to the public hearing date.

**Accessibility:** In compliance with Title II of the Americans With Disabilities Act, 28 CFR Part 36, if you require any disability related modification or accommodation, including auxiliary aids or services in order to participate in this meeting, please contact Angels Camp City Hall at (209)736-2181 or fax your request to (209)736-0709. Notification must be made 72 hours in advance of the hearing to ensure accessibility. Agendas and other writings may also be requested in alternative formats, as outlined in Section 12132 of the Americans with Disability Act.

**Appeals:** Any decisions of the Planning Commission may be appealed to the City Council with 15 days of final action, by submitting a written request and applicable fee to Angels Camp City Hall.
CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES

Regular Meeting of Thursday July 12, 2018
City Fire House 1404 Vallecito Road
Angels Camp, California

CALL TO ORDER

Chair Broeder called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

Deputy City Clerk Jennifer Preston administered the Oath of Office to new Planning Commissioner Jessica Johnston.

ROLL CALL

Commissioners Present: Chair Broeder, Vice-Chair Gordon, Commissioner Gonzalez, Commissioner Moncada and Commissioner Johnston

Commissioners Absent: None

Staff Present: City Planner Amy Augustine and Deputy City Clerk Jennifer Preston

REORGANIZATION

Chair Broeder asked for a nomination for the Planning Commission Chair position.

Commissioner Moncada nominated John Broeder to continue as Planning Commission Chair and Commissioner Gonzales duly seconded with John Broeder accepting the nomination and carried 5-0 for John Broeder to be the Chair of the Planning Commission.

Chair Broeder asked for a nomination for the Planning Commission Vice-Chair position.

Commissioner Gonzalez nominated Gary Gordon to continue as Planning Commission Vice-Chair and Commissioner Moncada duly seconded with Gary Gordon accepting the nomination and carried 5-0 for Gary Gordon to be the Vice-Chair of the Planning Commission.
APPROVAL OF AGENDA

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 5-0 TO APPROVE THE JULY 12, 2018 PLANNING COMMISSION AGENDA AS PRESENTED.

APPROVAL OF MINUTES


Corrections to Minutes of May 14, 2018.
Page 2, 4th paragraph, 1st line, add “the” between “from” and “request”.
Page 6, 2nd paragraph, 1st line, add “the” between “in” and “Main”.
Page 6, 4th paragraph, to say “Commissioner Gordon stated that he was walking near Tryon Park and noticed 11 cars parked adjacent to the park. Many People were using the park for different activities. Mr. Gordon stated that the creek and Tryon Park should be developed more quickly, because it will bring visitors to the area”.
Page 6, 8th paragraph, 2nd line, add “next to the stairs” between “building” and “that”.

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER GONZALEZ AND CARRIED 4-0-1 WITH COMMISSIONER JOHNSTON ABSTAINING TO APPROVE THE REGULAR MEETING MINUTES OF JUNE 14, 2018 AS AMENDED.

PUBLIC COMMENTS

OPENED AT 6:08 P.M.

Patsy Gonzalez – 1600 Depot Rd.
Ms. Gonzalez stated that she would like to see the speed reduced near the Kurt Drive/Depot Road intersection on Vallecito Road going east and west reduced from 45 miles per hour to 35 miles per hour.

Ms. Augustine stated that she would refer this issue to the City Engineer.

CLOSED AT 6:11 P.M.

PUBLIC HEARINGS

None

PLANNING MATTERS

2. GENERAL PLAN WORKSHOP: TRANSPORTATION. What are the City’s plans to address new roads and how are new roads funded?

Planner Amy Augustine presented a PowerPoint presentation regarding transportation. Items discussed were CEQA and direct impacts, indirect impacts, and cumulative impacts. Other Items discussed were the City of Angels’ Street Master Plan, level of service (LOS), thresholds of
intersections, nexus, rough proportionality, traffic impact mitigation fees and how cities can only charge developers for their fair share of traffic and that cities can't make developers pay for existing traffic issues. Cities need to look for other funding such as grants to help fund existing traffic issues. Ms. Augustine stated that staff's job is to gather as much information for the commission so that when a new development comes in the commission will be able to make an informed decision.

3. PLANNING COMMISSION TRAINING

Planner Amy Augustine asked the commission if there were any topics that they would like more information on regarding the General Plan and Zoning.

Commissioner Gonzalez stated that she would like to have more information on quarries and mining to updated the City's current codes regarding these issues.

4. PLANNING PRIORITIES

Planner Amy Augustine stated that when the City Council adopts the City's budget, the General Plan Committee will have its priorities. The budget will have budgeted amounts for Amy's time to complete a Specific Plan and to update the zoning code to be consistent with the General Plan.

COMMITTEE REPORTS

GPI - General Plan Implementation Committee – Amy Augustine, Contract Planner

Ms. Augustine stated that there has not been a meeting.

COMMISSIONER'S REPORTS

Commissioner Moncada had nothing to report.

Commissioner Gonzalez stated that she has become the President of the Soroptimist International group of Calaveras County. Ms. Gonzalez stated that she attended the City Council meeting.

Vice-Chair Gordon stated that he attended the City Council meeting. Mr. Gordon stated that he visited the new shop Mountain Motivation and gave the owner some suggestions for attracting consumers. Mr. Gordon stated that the City needs to encourage small businesses.

Commissioner Johnston had nothing to report.

Chair Broeder stated that there was a fire near his house that was started with illegal fireworks. Mr. Broeder stated that he will be having a meeting with the City Administrator, the Fire Marshall and the Fire Chief to discuss banning the sale of the Safe-and-Sane fireworks within the City limits.

STAFF REPORTS
Ms. Augustine stated that the City has received an application for the Farmers' Market signs located at Utica Park. The City is proposing a permeant wrought iron sign for the park that can been used by
the Farmer's Market and all other applicant's that would like a sign at the park. These signs would be processed like the banners that go across Main Street.

**MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER JOHNSTON AND CARRIED 5-0 TO ADJOURN THE MEETING.**

MEETING WAS ADJOURNED AT 7:35 P.M.

ATTEST:

John Broeder, Chairman

Jennifer Preston, Deputy City Clerk
ITEM NO. 1

DATE: September 5, 2018

FROM: Amy Augustine, AICP – City Planner

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

PROJECT DESCRIPTION:

The project includes:

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:
Approximately 82 parking spaces including parking in compliance with Mitigation Measure Greenhouse Gas (GHG) -1(D), 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.

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.

**ANALYSIS:**

1. **General Plan and Zoning**
The general plan land use designation for the site is Business Attraction and Expansion (BAE). The existing zoning is Suburban Commercial (SC). The proposed zoning is Business Attraction and Expansion (BAE).

Analysis of the compatibility of the BAE zoning district with the City’s General Plan, Angels Camp Municipal Code (AMC), and health, safety, peace, morals and general welfare of the City are discussed in the attached Initial Study/Mitigated Negative Declaration (IS/MND) Land Use Section 2.10.2 in support of the following findings subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP):

<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>

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.
FINDING A: 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 B: 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.

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

FINDING D: The proposed rezoning will not adversely affect the health, safety, morals or general welfare of the city or its peoples.

FINDING E: 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.

2. Parcel Merger
Pursuant to the City of Angels General Plan, the minimum parcel size for the BAE land use designation is 10,000 square feet. Merging Assessor’s Parcel 058-011-010 (1.3± acres) and 058-011-032 (2.88± acres) into a single parcel totaling 4.2± acres (182,952± square feet) exceeds the 10,000 square-foot requirement and is, therefore, consistent with the general plan.

Pursuant to AMC Section 17.37.070, minimum lot width shall be seventy feet and minimum lot depth is 100 feet. Merging the subject parcels will create a single parcel 365± feet wide and averages more than 170± feet deep. Therefore, the proposed merger is consistent with the AMC.

3. Site Plan Review
Pursuant to 17.60.040 of the Angels Camp Municipal Code, the following findings shall be considered for a site plan reviews:

FINDING A: General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;

FINDING B: The approval of this plan is in the best interest of the public health, safety and general welfare;

Site Layout/Open Space/Topography/Building Location
The building location was moved approximately 20 feet closer to the highway than was originally proposed to accommodate a large No Build Area at the rear of the structure. The No Build Area provides a significant buffer from Cherokee Creek and retains the largest Valley oak (Quercus lobata) on site. The project will remove up to 35 oaks and is providing on-site oak tree plantings as required by the City’s adopted oak tree
ordinance. The building is located along the flattest portion of the site, primarily where the nursery previously existed. The building frontage faces the highway, consistent with the existing commercial building on the site. A topographic drop at the rear of the site is incorporated into project design and is to be used as a No Build Area and drainage detention basins. Given these accommodations to the site, the proposal is consistent with City standards relative to site layout, open space, topography, orientation and location of buildings.

Vehicular Access and Circulation
Vehicular access is discussed in the IS/MND Transportation Section 2.16.2 (paragraphs a and b). Mitigation Measures TRAN-1 and TRAN-2 were established to ensure that vehicular access and traffic flow associated with the Project meet Caltrans and City standards. Based on that discussion, vehicular access for the Project meets those standards and it can be found that the Project is designed to provide a desirable environment.

Parking
Parking as related to vehicular access is discussed in the preceding paragraph. A parking space was removed near the Project’s entrance adjacent to the existing chiropractic office to accommodate traffic flow into and out of the Project site at this access driveway.

Pursuant to AMC Section 17.69.040, hardware stores require 1 parking space per 300 square feet of indoor retail sales area plus 1 parking space for every 1000 square feet of outdoor sales area. The Project proposes 18,800 square feet of indoor sales requiring 63 parking spaces and 17,871 square feet of outdoor sales requiring 18 parking spaces for a total of 81 required parking spaces. The Project plans identify 82 parking spaces. Therefore, the Project meets required parking standards.

Site Development Standards
Pursuant to AMC Section 17.37.070, the following site development standards apply to the BAE zoning district.

<table>
<thead>
<tr>
<th>Item</th>
<th>Standard</th>
<th>Project Proposed</th>
<th>Complies with City Standard?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Coverage</td>
<td>50%</td>
<td>11%/a/</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Height</td>
<td>50 feet</td>
<td>27’6” at peak</td>
<td>Yes</td>
</tr>
<tr>
<td>Front setback</td>
<td>5 feet</td>
<td>More than 120 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Side setback</td>
<td>5 feet</td>
<td>More than 75 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear setback-principal building</td>
<td>20 feet</td>
<td>More than 100 feet (shortest point)</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear setback-accessory building</td>
<td>5 feet</td>
<td>More than 75 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Distance between buildings</td>
<td>10 feet</td>
<td>More than 60 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Impervious surfaces</td>
<td>65%</td>
<td>58.8%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

/a/ 18,800± square feet (main building) + 1,250± square feet (forage shed) = 20,050± square feet. Total parcel area: 182,952± square feet.

Walls, fencing
A retaining wall ranging from 1’ to 2.5’ high is proposed along a portion of the eastern (chiropractic office) side of the Project site. Some retaining wall/supports already exist in a portion of this area. Given the limited height of the proposed wall, the proposal is consistent with City Standards.
Fencing for the outdoor storage area will be black vinyl-coated chain link approximately 8 feet high. The black vinyl coating eliminates glare on the fencing. No razor or concertina wire is proposed (and therefore will be prohibited) along the top of the fencing within view of the highway. Landscaping proposed between the outdoor storage area and the state highway will break up the expanse of fencing surrounding the outdoor storage area. Therefore, the proposal is consistent with city standards.

Public Safety
Some of the potential safety issues associated with the Project are related to ingress and egress, propane storage and the sale of some yard and garden chemicals. Public safety is discussed in the preceding paragraph relative to vehicular access and circulation and in detail in the IS/MND Section 2.16 (Transportation). Propane and chemical storage is addressed in the IS/MND section 2.8 Hazards and Hazardous Materials. Mitigation measures contained in the IS/MND and conformance with local and state laws relative to propane and hazardous material storage attached as conditions of project approval ensure that the proposal is consistent with city and state safety standards.

Another safety issues associated with the project is one of fire suppression. Fire fuel management is addressed for the No Build Area in the IS/MND Section 2.4.2. The remainder of the site will be developed primarily with a building, outdoors sales area (paved) and irrigated landscaping reducing the potential for wildland fire significantly. The building itself will be constructed of concrete masonry block units and sprinklered (i.e., fire resistive construction). Two fire hydrants will be located on site with fire flow as required pursuant to the California Fire Code. Therefore, the project is consistent with City and state safety standards.

Based on all of the preceding, the proposed project meets the preceding criteria and findings A and B can be made subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP).

FINDING C: General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings.

The Project is located near the edge of urban development adjacent to one of the city’s few remnant rural landscapes. An analysis of the project’s consistency with its surroundings is found in the Aesthetics portion of the IS/MND (Section 2.1.2). As noted in that section, the proposed Project will replace a highly visible deteriorating commercial building and attached greenhouse immediately adjacent to the highway. The proposed structure replacing it reflect a design that is both urban and rural—it is clearly a retail facility; however, it incorporates country, barn-like rural characteristics with the use of standing seam metal roofing with board and batten and stone veneer accents. Outdoor storage includes farm and ranching supplies and equipment – not unlike what may be seen scattered throughout the open, rural foothill landscape. The scale is not unlike that of anchor tenants in the Middleton Shopping Center across the street. Colors are muted and
earth-tone with the majority of siding concrete masonry unit (CMU) blocks. Exterior lighting is aimed downward and incorporates an industrial-type decorative design consistent with the rural theme of the structure.

Based on the preceding, the proposed project meets the preceding criteria and Finding C is supported subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP).

**FINDING D:** General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public.

Pursuant to AMC Section 17.37.070, minimum landscaping area in the BAE zoning district is 20%. The landscape plan provides 56,051± square feet (31% of the site) of landscaping (irrigated, basins, and hydroseeded areas) on site consistent with City standards. This total excludes an additional 16,347± square feet of No Build Area where trees and shrubs will be retained plus 2,373± square feet of decorative cobble which brings the open space/landscaped area total to 41.2%. In addition, per AMC Section 17.63.050, landscaping is proposed within the perimeter of the parking areas consistent with the requirement for nine square feet of landscaping per parking space—a minimum of 738 square feet is required for the Project. Well over half of the Project’s 19,121± square feet of irrigated landscaping is within, adjacent to, and surrounding the parking area—consistent with the AMC. One shade tree is required for every six parking spaces. The Project requirement for 82 parking spaces therefore requires 14 shade trees. The landscape plan provides 18 shade trees adjacent to parking consistent with the AMC.

Overall, the Project provides 41.8% landscaping and open space areas providing visual relief to compliment buildings and structures and provide an attractive environment for the enjoyment of the public.

As analyzed in the IS/MND Section 2.4.2 (Biological Resources) and consistent with Chapter 17.64 (Oak and Heritage Tree Preservation), the landscaping plan calls for planting 60 oaks to offset impacts to removing 30 native oaks. 80% of the replacement oaks are native oaks reflecting those removed (Valley oak and live oak). In addition to native oak trees and consistent with draft street tree guidelines for the northern portion of the City, the landscaping plan includes cork oaks (Quercus suber) as street trees and scatters numerous fruitless olives throughout the site. The remainder of oaks planted are Schumard oaks (with a leaf similar to native black oaks), fast growing, and capable of providing shade and visual relief quickly in the largest expanse of parking area between the highway and the TSC frontage.

Plans incorporate the use of coyote mint and native grasses around the detention basins in response to a request by Native American representatives. Landscape buffers are provided between the Project and adjoining residential and office land uses to the east and west.

Conditions of project approval (as required pursuant to the AMC) include requirements for irrigation, ongoing maintenance and replacement of dead and dying plants over the life of the project.
Based on the preceding, Finding D is supported subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP).

**FINDING E:** The provisions of Chapter 17.60, (Site Plan Review) are complied with.

The primary intent and purpose of the Site Plan Review Process, pursuant to AMC Section 17.60.010, is to make certain that City standards, as established in the AMC, are incorporated into Project design as necessary to ensure well-designed new development compatible with the character of the City.

Based on the preceding analyses in support of Findings A-D above relative to consistency with the AMC for parking, setbacks, landscaping, site layout with consideration to protecting cultural resources and topography, architectural design, and considerations for health and safety, coupled with the attached IS/MND which identifies mitigation measures to minimize environmental impacts, Finding E is supported subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP).

4. Variance for Outdoor Storage in Excess of 20%

Pursuant to AMC Section 17.37.090, outdoor display and sales is permitted in the BAE zoning district. Per AMC Section 17.37.090(B)(3), the area outdoor sales and display areas shall not exceed more than twenty percent (20%) of the primary structure’s gross floor area. The Project’s outdoor sales and display areas exceed 20% of the primary structure’s gross floor area (approximately 49% of the site is proposed for outdoor sales and display areas). Therefore, a variance to Section 17.37.090(B)(3) is required to allow an increase in outdoor sales and display area above 20%.

Pursuant to AMC Section 17.75.010 where practical difficulties, unnecessary hardships or results inconsistent with the purposes and intent of this title may result from the strict application of certain area, height, yard and space requirements thereof, variances in such requirements may be granted upon making the following findings:

A. Special characteristics are applicable to the property, including size, shape, topography, location or surroundings, so that the strict application of this title deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification; and

B. The variance is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and

C. The variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

Consistent with the stated purposes of the variance, the strict application of the zoning code relative to outdoor display and sales area will create an unnecessary hardship inconsistent with the purposes of the code. The intent of the limitation on outdoor display and sales area in the BAE zoning district is to maintain visual quality. In this particular case, outdoor display and sales of primarily farming and ranching supplies and equipment is consistent with the rural character of the city and its heritage and not generally considered a “blight” on the landscape or inconsistent with the accepted, expected, and even preferred visual character of the area. In
addition, the site is located along a commercial corridor where other retail sales establishments already occur and where such sales would be expected. Altering the site to include the active sale of retail supplies will provide an overall improvement to the existing, partially vacant and deteriorating structures.

Due to the presence of a creek and environmentally sensitive area, there is a limited area where the outdoor display can be located. Therefore, a special characteristic of the site precludes minimizing the visibility of outdoor display areas.

Other parcels designated as BAE on the general plan land use map currently zoned SC and pending rezoning to BAE (same as the subject parcel) and located in close proximity to the Project site include:

- **Wayne and Son’s automotive immediately adjacent to the Project site to the east.** The establishment stores auto parts and equipment at more than 20% of the primary building square footage.

- **AmeriGas** – both located west of the Project site have extensive outdoor displays of propane tanks - both in excess of 50% of the size of the main sales building.

- **CDK Supply** – electrical and construction equipment and supplies located west of the Project site. Outdoor display and sales is in excess of 50% of the size of the main structure.
New regulations adopted in conjunction with the BAE zoning district in 2014 are intended to minimize, where present, the visibility of outdoor display and sales areas (in particular for those products that may be less consistent with the area’s rural character). In conjunction with the variance, the Project shall comply with AMC 17.37.080(B) regulating outdoor displays and sales, excepting provisions for a 20% limitation, as identified in the attached conditions of project approval.

Based on the preceding, the following findings in support of a variance are made subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP):

FINDING A: Special characteristics are applicable to the property’s surroundings (i.e., a creek and environmentally sensitive area in the rear of the Project site, a proliferation of nearby sites with outdoor storage, display and sales areas) so that the strict application of the municipal code deprives the property of privileges enjoyed by other property in the vicinity with an identical zoning classification.

FINDING B: Given the existence of other businesses in the immediate vicinity that are enjoying a privilege of outdoor display areas in excess of 20%, the grant of a variance does not constitute a grant of special privilege inconsistent with the limits placed upon other properties in the vicinity and zone in which the property is situated;

FINDING C: Outdoor display and sales is a permitted use in the BAE zoning district. The variance allows an increase in the area allowed for outdoor display and sales. Therefore, the variance does not authorize a use not otherwise expressly authorized by the BAE zoning district.

FINDING D: Outdoor sales by the proposed Project would be consistent with adjacent businesses, therefore no new significant aesthetic impacts would result due to outdoor sales.

5. Demolition Permit
The Proposed Project will demolish all structures on site including a former retail facility, greenhouse, residence, barn, and associated structures. The history and potential importance of these structures is analyzed in IS/MND Section 2.5 (Cultural Resources other than Tribal Cultural Resources). None of the on-site structures were determined eligible for either the California Register of Historical Resources or the National Register of Historic Places. Subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP), no significant adverse impacts on the environment are anticipated.

6. Oak Tree Removal
The Proposed Project will remove 30 native oaks of 9” or greater tree diameter at breast height (tdbh). The Project Proponent has opted to plant 60 replacement oaks on site. Project consistency with AMC Section 17.64 is analyzed in the IS/MND Section 2.4.2 (d) (Biological Resources). Subject to the attached conditions including mitigation measures contained in the Mitigation Monitoring and Reporting Plan (MMRP), the Project is consistent with the provisions of AMC Section 17.64.
ENVIRONMENTAL FINDINGS:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were not made pursuant to the provisions of CEQA.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution 2018-12 recommending to the City Council:

A. Approval/certification of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan;

B. Rezoning the Project site from Suburban Commercial (SC) to Business Attraction and Expansion (BAE).

C. Approving the parcel merger, Site Plan, Variance, Oak Tree Removal Permit and Demolition Permit

ATTACHMENTS:

1. Planning Commission Resolution 2018-12
2. Conditions of Project Approval and Mitigation Monitoring and Reporting Plan
3. Site Plan/Elevations
4. Comments and Response to Comments for IS/MND
5. Initial Study/Mitigated Negative Declaration
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2018-12

RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING PLAN, REZONING FROM SUBURBAN COMMERCIAL TO BUSINESS ATTRACTION AND EXPANSION, SITE PLAN REVIEW, VARIANCE, PARCEL MERGER, TREE REMOVAL PERMIT, AND DEMOLITION PERMIT FOR
PROJECT # 18-08 TRACTOR SUPPLY COMPANY
LOCATED AT 389 AND 407 NORTH MAIN STREET
APNS: 058-011-010 AND 058-011-032

WHEREAS, the City received an application for a Tractor Supply Company with an 18,800± square foot retail building with 15,000± square feet of fenced outdoor sales/display area/forage shed, permanent outdoor sidewalk display area totaling 1,556± square feet; permanent trailer/equipment display area totaling 1,315± square feet. The Permanent Outdoor Displays and Sales areas, as illustrated on the Site Plan includes the outdoor display of merchandise: (i) on the sidewalk directly in front of the building, (ii) inside the fenced outdoor display area, including the forage shed, (iii) in the outdoor permanent trailer and equipment display area, and (iv) the outdoor display and sale of bulk propane, welding gas, hay, forage, trailers, pedal boats and motorized vehicles, including mini-bikes, dirt bikes, scooters and UTVs in the outdoor display areas; and associated parking, landscaping, and infrastructure; and

WHEREAS, the Project requires a rezoning for compliance with the City of Angels General Plan; and

WHEREAS, the City of Angels Municipal Code requires that such development requires a Parcel Merger, Site Plan Review, Variance, Tree Removal Permit, and Demolition Permit; and

WHEREAS, the City of Angels Municipal Code requires that such a development plan requires review by the City of Angels Planning Commission, and;

WHEREAS, it has been determined that the Project complies with the applicable sections of the City of Angels Municipal Code and is consistent with the City of Angels General Plan subject to a rezoning; and

WHEREAS, an Initial Study/Mitigated Negative Declaration with Mitigation Monitoring and Reporting Plan was prepared and circulated in accordance with the California Environmental Quality Act and a Notice of Determination shall be filed; and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered public input on the proposed project;
NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels hereby recommends to the City of Angels City Council, the following:

1. Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the proposed Project based on following findings A through E and subject to the mitigation measures contained in the Mitigation Monitoring and Reporting Plan:

   A. A Mitigated Negative Declaration was prepared for this project in accordance with the provisions of the California Environmental Quality Act; and

   B. The project will not have a significant effect on the environment because changes or alterations have been adopted which mitigate or avoid significant effects on the environment and those measures have been made conditions of Project approval and are fully enforceable through permit conditions, agreements, or other measures; and

   C. A mitigation monitoring and reporting plan has been adopted for this project; and

   D. The City of Angels Planning Commission has independently reviewed and analyzed the environmental document prepared for the proposed project and certifies that the mitigated negative declaration reflects the independent judgment of the City of Angels; and

   E. The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based is the City Planner, City of Angels Community Development Department located at 200-B Monte Verda Avenue, Angels Camp, CA 95222.

2. The Planning Commission recommends approval of/adopts a Notice of Intent for the Rezoning from Suburban Commercial to Business Attraction and Expansion based on the following findings A through E:

   A. 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; and

   B. 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; and

   C. The proposed commercial use is consistent with the BAE zoning district; and

   D. The proposed rezoning will not adversely affect the health, safety, morals or general welfare of the city or its peoples; and

   E. 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.
3. The Planning Commission hereby recommends approval of the Site Plan based on the following findings A through E and subject to the attached conditions:

A. General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;

B. The approval of this plan is in the best interest of the public health, safety and general welfare;

C. General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings;

D. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to compliment buildings and structures and to provide an attractive environment for the enjoyment of the public; and

E. The provisions of Chapter 17.60, (Site Plan Review) are complied with.

4. The Planning Commission hereby recommends approval of the Variance based on the following findings A through D and subject to the attached conditions:

A. Special characteristics are applicable to the property’s surroundings (i.e., a creek and environmentally sensitive area in the rear of the Project site, a proliferation of nearby sites with outdoor storage, display and sales areas) so that the strict application of the municipal code deprives the property of privileges enjoyed by other property in the vicinity with an identical zoning classification;

B. Given the existence of other businesses in the immediate vicinity that are enjoying a privilege of outdoor display areas in excess of 20%, the grant of a variance does not constitute a grant of special privilege inconsistent with the limits placed upon other properties in the vicinity and zone in which the property is situated;

C. Outdoor display and sales is a permitted use in the BAE zoning district. The variance allows an increase in the area allowed for outdoor display and sales. Therefore, the variance does not authorize a use not otherwise expressly authorized by the BAE zoning district; and

D. Outdoor sales by the proposed Project would be consistent with adjacent businesses, therefore no new significant aesthetic impacts would result due to outdoor sales.
5. The Planning Commission hereby recommends approval of the parcel merger, oak tree removal permit and demolition permit based on the following findings A through B and subject to the attached conditions:

   A. The project is consistent with the City of Angels general plan; and

   B. The project is consistent with the City of Angels Municipal Code.

The foregoing resolution was introduced and moved for adoption September 13, 2018 by Commissioner _______________________ and duly seconded by Commissioner ________________________.

PASSED AND ADOPTED THIS 13th day of September, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____________________________
John Broeder, Chairman

ATTEST:

____________________________
Jennifer Preston, Deputy City Clerk
City of Angels
1. To the fullest extent permitted by law, Applicant shall defend, indemnify, and hold harmless City and its agents, elected and appointed officials, officers, employees, consultants, and volunteers (collectively, “City’s Agents”) from any and all liability arising out of a claim, action, or proceeding against City, or City’s Agents, to attack, set aside, void, or annul an approval concerning the project, any applicable Permit, or subsequent City approvals. Applicant’s duty to indemnify and hold harmless shall not extend to any claim, action, or proceeding arising from the gross negligence or willful misconduct of City or City’s Agents.

Upon receiving notice of a claim, action, or proceeding, Applicant shall assume the defense of the claim, action, or proceeding through the prompt payment of all attorneys’ fees and costs, incurred in good faith and in the exercise of reasonable discretion, of City’s counsel in defending such an action. City shall have the absolute and sole authority to control the litigation and make litigation decisions, including, but not limited to, selecting counsel to defend City and settlement or other disposition of the matter. The modification of a proposal by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

2. All mitigation measures contained in the attached Mitigation Monitoring and Reporting Plan approved __________ 2018 by the City of Angels City Council are incorporated as conditions of project approval.

3. All entitlements are contingent upon approval of a rezoning to Business Attraction and Expansion (BAE) by the City of Angels City Council.

4. All improvements shall be constructed in compliance with City Improvement Standards, the California Building Code, California Fire Code and other local, state and federal standards.

5. All construction shall comply with the site plans and landscaping plans approved __________ 2018 by the City of Angels City Council except as modified herein. The City Planner may approve minor modifications.

Prior to commencing site disturbance (including vegetation clearing, demolition, grading):

6. All property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress.
1. Prior to any construction within the state right-of-way, an encroachment permit shall be obtained from Caltrans.

2. Improvement plans shall be prepared by a licensed professional for review and approval by the City Engineer and implemented for the Project including:
   
   A. A Geotechnical and Soils Report with recommendations for all on-site improvements. Any mining structures shall be reviewed by a geotechnical engineer. All construction shall reflect the recommendations of the geotechnical engineer.

   B. A Grading Plan. All grading, earthwork and/or excavation shall comply with the California Building Code, City Standards, and the approved Grading Plan.

   C. A Lighting Plan showing the locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. The Lighting Plan shall additionally comply with Mitigation Measure AES-1 (see attached Mitigation Monitoring and Reporting Plan).

   D. A Road Improvement Plan. The Plan shall reflect and comply with the following:

      i. All construction, repairs and/or improvements in the state right-of-way shall be to Caltrans standards except as otherwise approved by Caltrans and the City Engineer.

      ii. There shall be a minimum distance of approximately 245 feet between the Project’s two access driveways.

      iii. The proposed combined access driveway at the northeast corner of the site shall provide approximately 30-foot wide vehicle access easement for APN 058-011-033 (the Chiropractic office).

      iv. Per City Standard ST-2, sufficient right-of-way shall be dedicated to the City for, and the Project Proponent shall construct, curb, gutter, and sidewalk along the Project parcel frontage(s). This condition shall be completed prior to issuance of an occupancy permit.

      v. All on-site access roads shall be built to in accordance with the California Fire Code (e.g., unobstructed width of 20 feet exclusive of shoulders, unobstructed vertical clearance of 13 feet and 6 inches, all weather surfacing, of appropriate size to accommodate City fire department apparatus including sufficient turning radii for equipment, a grade of 10% or less, and remain unobstructed at all times by non-emergency vehicles).

   E. A Utility Improvement Plan shall be prepared for review and approval by the City Engineer. All water, fire suppression, and sewer system improvements required for the Project shall be constructed by the Project Proponent at its sole expense in accordance with the City of Angels Improvement Standards, including, but not limited to:

      i. The installation of required backflow prevention devices on service lines.
ii. All utility pipe spacing shall comply with Department of Health Services Memo 2003-02

iii. Sewer connections shall have a cleanout at the property line per City Standard SS-3

iv. All sewer drains in the Pet Wash Station shall have hair traps installed and operating at all times.

v. All connection fees shall be paid prior to installing a new service line and connecting to an existing lateral or main.

vi. The structure shall be sprinklered. Plans shall be included in the Utility Improvement Plan.

vii. A new fire hydrant or hydrants shall be installed onsite. Hydrant locations shall be determined by the City Fire Marshall and shall be located in accordance with the California Fire Code. It is anticipated that two hydrants will be required. There is no water main located in front of the Project site. Per City Standards, a minimum 6-inch C-900 pipe is required for a fire hydrant. It is anticipated that the existing water main west of the site will have to be extended down to the Project site, or, the Project may tap into the existing main across SR 49/Main Street. Installation shall be in accordance with plans reviewed and approved by the City Engineer and Caltrans.

viii. Electrical lines on-site (i.e., other than along the state highway) may need to be relocated to accommodate emergency response equipment (e.g., aerial fire truck)

F. A Drainage Study and Drainage Plan. The study shall comply with Caltrans and City Standards and in accordance with Mitigation Measure Hydro-3 (See attached Mitigation Monitoring and Reporting Plan).

9. Submit a Landscaping Plan to the Planning Department for review and approval reflecting the following:
   a. Landscape irrigation plan.
   b. Landscape maintenance plan (Angels Municipal Code 17.63)
   c. Changes to the Landscape Plan dated August 22, 2018 shall be amended to reflect:
      i. Review by a local Tribe in accordance with Mitigation Measure TCR-1 Detention Basin/No Build Area/Adjacent Landscaping (See attached Mitigation Monitoring and Reporting Plan)

10. If necessary, submit an Amended Site Plan to the Planning Department for review and approval reflecting any changes suggested by the City and accepted by the project proponent during the public hearing process.

11. Prior to barn demolition, the Project Proponent will hire a qualified biologist, as determined by the City, to ensure that barn owls are humanely excluded from the barn during demolition. Plans may include installing netting in advance of demolition to exclude the owls, demolition in the evening after owls have left to forage, or other methods as may be devised by the biologist. The biologist will have authority to stop work on barn demolition until owls are absent from the barn. If barn owls are nesting,
demolition shall not occur until the young have fledged and are capable of relocating on their own.

Prior to Issuance of an Occupancy Permit:

12. Fire flow required pursuant to the California Fire Code shall be provided on site, tested, and approved by the City of Angels Fire Department. The City of Angels Fire Department shall approve all hydrant plans, locations, and installations.

13. All propane storage for the site shall be approved by the City Engineer, City Fire Marshall and, as applicable, the Calaveras County Environmental Management Agency – Environmental Health Department.

14. Submit a completed Hazardous Materials Disclosure Statement to the Environmental Health Department. If reportable quantities of hazardous materials or waste will be handled, stored or generated on the property, a Business Plan shall be submitted to the Environmental Health Department for review and approval. A reportable quantity is defined as any hazardous material or a mixture containing hazardous materials in amounts greater than or equal to 500 pounds, 55 gallons or 200 cubic feet at standard room temperature and pressure.

15. Unless otherwise provided for herein, the Project Proponent shall pay all applicable fees in effect at the time of issuance of a Building Permit.

16. Landscaping shall be consistent with Chapter 17.63 of the City of Angels Municipal Code and Mitigation Measure BIO-9/Oak Tree and Heritage Tree Preservation Ordinance and Mitigation Measure TCR-1 Detention Basin/No Build Area/Adjacent Landscaping (see attached Mitigation Monitoring and Reporting Plan). Changes to the total number of oak trees to be planted shall require additional review by the Planning Commission.

17. Plant species shall not be changed from those included in the Landscaping Plan plant palette approved ____________, 2018; however, a limited number of species included in the approved plant palette may be substituted for other species in the approved plant palette.

Throughout the Life of the Project:

18. The approved Permanent Outdoor Displays and Sales areas, as illustrated on the approved Site Plan (including the outdoor display of merchandise: (i) on the sidewalk directly in front of the building, (ii) inside the fenced outdoor display area, including the forage shed, (iii) in the outdoor permanent trailer and equipment display area, and (iv) the outdoor display and sale of bulk propane, welding gas, hay, forage, trailers, pedal boats and motorized vehicles, including mini-bikes, dirt bikes, scooters and UTVs in the outdoor display areas in (i-iii) above) shall comply with Section 17.37.090(B) of the Angels Camp Municipal Code and, more specifically:

a. The height of displayed materials shall not exceed a height of fifteen feet above finished grade.
b. Outdoor display and sales areas will not disrupt the normal function of the site or its
    circulation, will not encroach upon driveways, landscaped areas, parking spaces, or
    pedestrian walkways. Displays shall not obstruct sight distance related to ingress,
    egress or site circulation or otherwise create hazards for vehicles and/or pedestrian
    traffic. Outdoor displays and sales shall not occupy parking spaces designated for
    use by customers on the approved site plan.

c. Outdoor display and sales areas shall be directly related to the business occupying
    the primary structure on the subject parcel.

d. Signs. Additional signs, beyond those normally allowed for the subject use, are not
    allowed for the outdoor display and sales area.

e. All outdoor lighting illuminating the outdoor display and sales area shall comply with
    Mitigation Measure AES-1.

19. All waste Collection and Disposal areas shall be screened from view from public rights-
    of-way by decorative walls, fencing and/or landscaping.

20. Any sign or sign structure, excepting those approved in conjunction with the Project,
    shall require a Sign Permit from the Community Development Department consistent
    with the City of Angels Municipal Code.

21. Property owner shall be responsible for maintaining, or cause the maintenance of,
    landscape plants in a healthy and attractive condition. Dead or dying plants shall be
    replaced with materials of equal size and similar variety. (Angels Municipal Code
    17.63.070)

22. Roof mounted appliances, equipment or other structures shall be effectively screened
    from view by passing pedestrians and motorists.
<table>
<thead>
<tr>
<th>Mitigation Measure Reference</th>
<th>Mitigation Measure</th>
<th>Limits, Performance Standards</th>
<th>Timing</th>
<th>Frequency</th>
<th>Responsible Entity (RE)</th>
<th>Initial</th>
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<tr>
<td>AES-1</td>
<td>AES-1 Lighting</td>
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<td>Project proponent</td>
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**Aesthetics**

**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 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.

<table>
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<tr>
<th>Mitigation Measure AQ-1: Dust Control</th>
<th>Limits, Performance Standards</th>
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<th>Frequency</th>
<th>Responsible Entity (RE)</th>
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<th>Date</th>
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<td>Throughout project construction, including demolition, site clearing, grading and associated activities, the Project Proponent and Construction Contractor shall be responsible for dust abatement including:</td>
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<td>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 &amp; fill, and demolition activities shall be effectively controlled using application of water.</td>
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<td>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.</td>
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<td>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.</td>
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<td>D. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance and/or visible dust plumes.</td>
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<td>E. Vehicular traffic speeds on unpaved surfaces shall not exceed 10 miles per hour.</td>
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**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.
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| AQ-2                         | 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 | California Code of Regulations (CCR) Title 17, Section 93114 (Compliance with Caltrans’ Standard Specifications, Section 14-9). | Throughout Project construction | Throughout Project construction | Project Proponent | N/A | |
| AQ-3                         | 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, | CCAPCD Standards | During clearing and grubbing | N/A | Project Proponent | |
| AQ-4                         | 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. | | Prior to issuance of a Building Permit | N/A | Project Proponent | |

**Biological Resources**
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<th>Mitigation Measure Reference</th>
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<tr>
<td>BIO-1</td>
<td><strong>Mitigation Measure BIO-1 Establish and Maintain a No Build Area</strong> Throughout project construction and the life of the Project, a No Build Area shall be established and maintained as shown in Figure 2 (Attached). 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. <strong>Mitigation Monitoring BIO-1:</strong> The required mitigation measure will be implemented prior to commencing site disturbance. The measure is the responsibility of the Project Proponent.</td>
<td>Prior to commencing site disturbance</td>
<td>Throughout the life of the Project</td>
<td>Project Proponent (and any subsequent landowner)</td>
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<td>BIO-2</td>
<td><strong>Mitigation Measure BIO-2 Install Environmentally Sensitive Area (ESA) Fencing</strong> 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. <strong>Mitigation Monitoring BIO-2:</strong> The required mitigation measure will be implemented prior to commencing site disturbance. The measure is the responsibility of the Project Proponent.</td>
<td>Prior to commencing site disturbance</td>
<td>Throughout construction</td>
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<td>BIO-3</td>
<td><strong>Mitigation Measure BIO-3 Bid Package/Tail-Gate/Environmental Awareness Training</strong> Construction bid packages and contractual requirements shall include a requirement for tailgate 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. <strong>Mitigation Monitoring BIO-3:</strong> The required mitigation measure will be implemented prior to commencing site disturbance. The measure is the responsibility of the Project Proponent.</td>
<td>Prior to commencing site disturbance</td>
<td>Throughout construction as new construction personnel may be brought onto the site</td>
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<td>BIO-4</td>
<td><strong>Mitigation Measure BIO-4: Preconstruction Survey/Turtles</strong>&lt;br&gt;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.&lt;br&gt;&lt;br&gt;<strong>Mitigation Monitoring BIO-4:</strong> 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.</td>
<td>Prior to commencing site disturbance within 300 feet of Cherokee Creek</td>
<td>Prior to commencing site disturbance within 300 feet of Cherokee Creek</td>
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<td>BIO-5</td>
<td><strong>Mitigation Measure BIO-5: No Build Area Construction - Pipeline</strong>&lt;br&gt;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.</td>
<td>Prior to commencing any ground disturbance within the No Build Area</td>
<td>Prior to commencing any ground disturbance within the No Build Area</td>
<td>Project Proponent</td>
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### 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. In general, a buffer of 250± feet may be sufficient. However, should construction activities cause the nesting migratory bird or raptor to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then increases to the exclusionary buffer shall be implemented such that activities are far enough from the nest to stop this agitated behavior by the migratory bird or raptor. The exclusionary buffer shall remain in place until chicks have fledged or as otherwise determined by a qualified biologist. The biologist may establish alternative buffers in consultation with CDFW, if necessary.

**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.

<table>
<thead>
<tr>
<th>Mitigation Measure Reference</th>
<th>Mitigation Measure</th>
<th>Limits, Performance Standards</th>
<th>Timing</th>
<th>Frequency</th>
<th>Responsible Entity (RE)</th>
<th>Initial</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>BIO-6</td>
<td>BIO-6: Nesting Birds</td>
<td>Prior to any commencement of construction between February 1st and August 30th of the construction year</td>
<td>Prior to any commencing construction between February 1st and August 30th of the construction year</td>
<td>Project Proponent</td>
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<td>Mitigation Measure Reference</td>
<td>Mitigation Measure</td>
<td>Limits, Performance Standards</td>
<td>Timing</td>
<td>Frequency</td>
<td>Responsible Entity (RE)</td>
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<tr>
<td>BIO-7</td>
<td><strong>Mitigation Measure BIO-7 Preconstruction Bat surveys</strong></td>
<td></td>
<td>Sept 1 – Oct 31</td>
<td>Prior to site disturbance</td>
<td>Project Proponent</td>
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<td>To the maximum extent feasible, tree removal and barn and structure demolition should occur between September 1st and October 31st. Prior to structure demolitions and vegetation removal on the Project site, a qualified biologist shall conduct a survey to determine whether (and if so, how) bats are occupying the site. If bat species are present and the site is not a bat nursery and is not a critical hibernation site and does not otherwise qualify as a biologically important bat roost, the biologist will coordinate with the Project Proponent to exclude 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 or critical hibernation site or otherwise qualifies as a biologically important bat roost, no disturbance may occur until use of the site as a biologically important bat roost has ceased.</td>
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<td>Throughout the life of the project</td>
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<td></td>
<td><strong>Mitigation Monitoring BIO-7.</strong> The required mitigation measure will be implemented prior to site disturbance. The measure is the responsibility of the Project Proponent.</td>
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<tr>
<td>BIO-8</td>
<td><strong>Mitigation Measure BIO – 8 Hours of Construction</strong></td>
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<td>Throughout Project construction</td>
<td>Throughout Project construction</td>
<td>Project Proponent</td>
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<td>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.</td>
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<td><strong>Mitigation Monitoring BIO-8.</strong> The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the Project Proponent.</td>
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<td>Mitigation Measure Reference</td>
<td>Mitigation Measure</td>
<td>Limits, Performance Standards</td>
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<td>BIO-9</td>
<td><strong>Mitigation Measure BIO-9</strong>: Oak Tree and Heritage Tree Preservation Ordinance</td>
<td>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:</td>
<td>Prior to issuance of an occupancy (or prior to site disturbance at the option of the Project Proponent per Mitigation Measure BIO-10)</td>
<td>N/A</td>
<td>Project Proponent</td>
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<td>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</td>
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<td>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.</td>
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<td>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%.</td>
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<td><strong>Mitigation Monitoring BIO-9</strong>: 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.</td>
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<td>BIO-10</td>
<td><strong>Mitigation Measure BIO-10</strong>: Encroachment within Dripline of Valley Oak in the No Build Area</td>
<td>Encroachment of up to 6 feet within the dripline of the Valley oak identified in Figure 2 (Attached) 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) - Attached. 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.</td>
<td>Protecting Trees During and After Construction (UC Cooperative Extension)</td>
<td>Throughout project construction</td>
<td>Throughout the life of the project</td>
<td>Project Proponent (and any subsequent landowner)</td>
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<td><strong>Mitigation Monitoring BIO-10</strong>: 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.</td>
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<td>Mitigation Measure Reference</td>
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<td>BIO-11</td>
<td>Lake or Streambed Alteration Agreement</td>
<td>Fish and Game Code Section 1600 et seq.</td>
<td>Prior to ground disturbance within the No Build Area if the Project pipeline from the southeastern basin will connect to Cherokee Creek</td>
<td>Once (for notification)</td>
<td>Project Proponent</td>
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<td>Mitigation Monitoring BIO-11:</td>
<td>Notification shall occur prior to ground disturbance in the No Build Area if the Project pipeline from the southeastern basin will connect to Cherokee Creek.</td>
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<td>BIO-12</td>
<td>Bat Boxes</td>
<td>Bat Conservation International, Inc.</td>
<td>Prior to issuance of an occupancy permit</td>
<td>Throughout the life of the project</td>
<td>Project Proponent</td>
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<td>Mitigation Monitoring BIO-12 Bat Boxes:</td>
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<tr>
<td>BIO-13</td>
<td>Reporting – California Natural Diversity Database</td>
<td>Throughout project construction (pre-construction surveys)</td>
<td>Throughout construction</td>
<td>Project Proponent/ Qualified Biologist</td>
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<td>Mitigation Monitoring BIO-13 Construction:</td>
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**Cultural Resources**

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<thead>
<tr>
<th>Mitigation Measure CULT-1</th>
<th>Bid Package/Tail-Gate/Environmental Awareness Training</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>Mitigation Monitoring CULT-1:</td>
<td>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</td>
</tr>
</tbody>
</table>
Mitigation Measure CULT-2: Unexpected 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

Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA)

Secretary of the Interior Standards
National Register of Historic Places
California Register of Cultural Resources

PRC 5097.98 and Health and Safety

Throughout project construction
Throughout project construction
Project Proponent
Mitigation Monitoring and Reporting Plan  
TRACTOR SUPPLY COMPANY  CITY OF ANGELS – 9/4/18

<table>
<thead>
<tr>
<th>Mitigation Measure Reference</th>
<th>Mitigation Measure</th>
<th>Limits; Performance Standards</th>
<th>Timing</th>
<th>Frequency</th>
<th>Responsible Entity (RE)</th>
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<tbody>
<tr>
<td>CULT-3</td>
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**Mitigation Measure CULT-3:** The required mitigation measure will be implemented throughout project construction. The measure is the responsibility of the Project Proponent.

- **Code 7050.5(c)**
- [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 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.

**Geology and Soils**

- **HYDRO-1**
- **Mitigation Measure HYDRO-1: Erosion Control Plan**
  - See HYDRO-1 below.

**Greenhouse Gases**
<table>
<thead>
<tr>
<th>Mitigation Measure Reference</th>
<th>Mitigation Measure</th>
<th>Limits, Performance Standards</th>
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<th>Responsible Entity (RE)</th>
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<th>Date</th>
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<tbody>
<tr>
<td>GHG-1</td>
<td>Mitigation Measure GHG-1: The Project shall:</td>
<td>California Energy Code 2010 California Green Building Standards Code Tier 1 measure (Table A5.106.5.1.1).</td>
<td>Pre-construction during plan reviews</td>
<td>Throughout construction via site visits by City inspectors</td>
<td>Project proponent with oversight by City building and planning inspectors</td>
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<td>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</td>
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<td>B. Prohibit fuel oil as a heating source;</td>
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<td>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</td>
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<td>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.</td>
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<td>HAZARDS &amp; HAZARDOUS MATERIALS, TRANSPORTATION</td>
<td>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.</td>
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<td>HAZ-1</td>
<td>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</td>
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<td>HYDROLOGY AND WATER QUALITY</td>
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<td>Mitigation Measure Reference</td>
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<td>HYDRO-1</td>
<td>Mitigation Measure HYDRO-1 Erosion Control Plan</td>
<td>Throughout project construction</td>
<td>Throughout project construction</td>
<td>Project proponent</td>
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<td>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.</td>
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<td>HYDRO-2</td>
<td>Mitigation Measure HYDRO-2 Notice of Intent to Obtain Coverage/NPDES</td>
<td>Prior to initiating project construction</td>
<td>Once</td>
<td>Project proponent</td>
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<td>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.</td>
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<td>HYDRO-3</td>
<td>Mitigation Measure: HYDRO-3 Drainage Study/Detention Basins</td>
<td>Prior to site disturbance</td>
<td>As necessary after site disturbance. Maintenance shall occur throughout the life of the Project.</td>
<td>Project proponent</td>
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<td>Prior to site disturbance, the project proponent will submit, for City Staff and, as it affects Caltrans facilities, to Caltrans for 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. In addition, detention basin plans will provide a detail for the outlet into the pipeline leading to Cherokee Creek to identify the type of screening or equivalent structure that will be installed at the outlet. In addition, a detention basin maintenance plan shall be submitted to the City in conjunction with final improvement plans (Drainage Study) specifically addressing the timing and nature of measures to be undertaken to maintain the basin’s outlet and pipeline as necessary to protect water quality in Cherokee Creek Mitigation Monitoring HYDRO-3: The required mitigation measure will be implemented prior to initiating site disturbance. Improvements shall be maintained throughout the life of the project. The measure is the responsibility of the Project Proponent.</td>
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NOISE
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<th>Mitigation Measure Reference</th>
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<tr>
<td>NOISE-1</td>
<td>Mitigation Measure: NOISE-1 Throughout the life of the Project (post-construction), noise levels shall not exceed 70 dB.</td>
<td>As per City of Angels General Plan (Noise Element)</td>
<td>Throughout project construction</td>
<td>Throughout project construction</td>
<td>Project proponent</td>
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<td>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).</td>
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<td>BIO-8</td>
<td>See Mitigation Measure BIO-8: Hours of Construction</td>
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<td>PUBLIC SERVICES</td>
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<td>PS-1</td>
<td>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.</td>
<td>No later than prior to issuance of an occupancy permit</td>
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<td>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.</td>
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<tr>
<td>PS-2</td>
<td>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.</td>
<td>Prior to issuance of a building permit unless a fee deferral to certificate of occupancy is approved by the City Council</td>
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<td>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.</td>
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<tr>
<td>Transportation</td>
<td>See Mitigation Measure PS-1 Traffic Impact Mitigation Fee</td>
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<td>PS-1</td>
<td>See Mitigation Measure PS-1 Traffic Impact Mitigation Fee</td>
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<tr>
<td>TRAN-1</td>
<td>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.</td>
<td>Prior to issuance of a grading permit</td>
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<td>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.</td>
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### Mitigation Monitoring Plan

#### TRACTOR SUPPLY COMPANY  CITY OF ANGELS – 9/4/18

<table>
<thead>
<tr>
<th>Mitigation Measure Reference</th>
<th>Mitigation Measure</th>
<th>Limits, Performance Standards</th>
<th>Timing</th>
<th>Frequency</th>
<th>Responsible Entity (RE)</th>
<th>Initial</th>
<th>Date</th>
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</table>
| TRAN-2                       | **Mitigation Measure TRAN-2 Truck Accommodation**  
   The Project Proponent shall either: 1) reconfigure or widen the truck access driveway(s) to accommodate truck ingress/egress during peak hours in accordance with Caltrans Standards, or 2) provide to Caltrans a letter stating that truck deliveries shall be limited to off-peak hours. Delivery truck drivers will be informed to comply with this condition and a sign will be posted at the truck delivery bay to notify delivery trucks of delivery time restrictions.  
   **Mitigation Monitoring TRAN-2** The required mitigation shall occur no later than prior to occupancy and continue throughout the life of the Project. The Project Proponent is responsible for implementation. | Caltrans standards | Prior to occupancy | Throughout the life of the Project | Project Proponent |       |      |

**Tribal Cultural Resources**

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<tr>
<th>Mitigation Measure Reference</th>
<th>Mitigation Measure</th>
<th>Limits, Performance Standards</th>
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<tbody>
<tr>
<td>CULT-1</td>
<td><strong>Bid Package/Tail-Gate/Environmental Awareness Training</strong> This mitigation measure is discussed in Section 2.5 Cultural Resources.</td>
<td>See Cult-1, Cult-2, Cult-3, Cult-4 and BIO-2</td>
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<tr>
<td>CULT-2</td>
<td><strong>Unanticipated Cultural Resource Discoveries</strong> This mitigation measure is discussed in the Cultural Resources section (Section 2.5.)</td>
<td>See Cult-1, Cult-2, Cult-3, Cult-4 and BIO-2</td>
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<tr>
<td>CULT-3</td>
<td><strong>Human Remains</strong> This mitigation measure is discussed in the Cultural Resources section (Section 2.5.)</td>
<td>See Cult-1, Cult-2, Cult-3, Cult-4 and BIO-2</td>
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<tr>
<td>CULT-4</td>
<td><strong>Project Scope Changes</strong></td>
<td>See Cult-1, Cult-2, Cult-3, Cult-4 and BIO-2</td>
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<tr>
<td>BIO-2</td>
<td><strong>Install Environmentally Sensitive Area (ESA) Fencing</strong> This mitigation measure is discussed in Section 2.4 Biological Resources.</td>
<td>See Cult-1, Cult-2, Cult-3, Cult-4 and BIO-2</td>
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**TCR-1**

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<tr>
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<th>Limits, Performance Standards</th>
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<th>Frequency</th>
<th>Responsible Entity (RE)</th>
<th>Initial</th>
<th>Date</th>
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</table>
| 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. | Prior to issuance of a building permit | N/A | Project Proponent |       |      |
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<tr>
<th>Mitigation Measure Reference</th>
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<tbody>
<tr>
<td>TCR-2</td>
<td>On-Site Native American Monitor</td>
<td>Prior to issuance of a grading permit</td>
<td>Throughout grading and excavation, soil disturbance, within the area identified</td>
<td>Project Proponent</td>
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</table>

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 or other local recognized Tribe to monitor construction activities involving grading, trenching and related soil disturbances within the Project boundaries within the highlighted area 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 Band of Mi-Wuk or their designee or other local recognized Tribe 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 or other local recognized Tribe 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 Monitoring and Reporting Plan

**TRACTOR SUPPLY COMPANY   CITY OF ANGELS – 9/4/18**

<table>
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<tr>
<th>Mitigation Measure Reference</th>
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<tbody>
<tr>
<td>TCR-3</td>
<td>Mitigation Measure TCR-3 On-Site Archaeological Monitor</td>
<td>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.</td>
<td>Secretary of the Interior Standards</td>
<td>Prior to issuance of a grading permit</td>
<td>Throughout grading and excavation</td>
<td>Project Proponent</td>
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### Utilities and Services

| HYDRO-3 | See Mitigation Measure: HYDRO-3 Drainage Study |

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21 | Conditions
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.
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 (drip line). The TPZ can be calculated:

\[ \text{DBH (inches)} \times 1.5 = \text{TPZ (feet)} \]

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 wells 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 impedes movement of air, water, and nutrients and have many of the same effects as compaction. Porous materials, like brick or 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, trenching conduits through the soil, instead of trenching, minimizes root damage. If trenching is unavoidable, coordinate to have all utilities lines 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 cutaway waters to pond within the TPZ and large cut slopes cause subsurface 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, UCANR pub 621338, Protecting Trees from Construction Damage, Uni of California Extension Services
Response to Comments
Tractor Supply
September 5, 2018

Comments received:

1. Caltrans, District 10 - August 29, 2018
2. California Department of Fish and Wildlife - August 29, 2018
3. Central Valley Regional Water Quality Control Board – August 22, 2018
1. Caltrans, District 10 - August 29, 2018
August 29, 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 Initial Study and Mitigated Negative Declaration (IS/MND) SCH#2018072075 site development permit for Tractor Supply Company. The Tractor Supply Store project is an 18,800 square feet (S.F.) store with 15,000 S.F. outdoor display area proposed at 401 S. 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 and June 21, 2018. The comments below are subsequent to the previous letter provided:

The Mitigation Measure HYDRO-3 Drainage Study indicated on page 53 of this document addresses our previous comment submitted by Caltrans. Caltrans will still need to review and approve the drainage study before allowance of an encroachment permit.

Caltrans previously commented the areas being used by the trucks will need to be same as adjacent pavement structural section. Truck turning templates show the truck path over sidewalk and edge of pavement. This comment was not added as a mitigation measure to TRAN and our comment still applies as an opening day impact.

Caltrans recognizes Mitigation Measure TRAN-1 will require a single Parking Space stall still be eliminated. It is located nearest to the shared driveway adjoining the chiropractor’s office. An updated site plan must be provided showing the relocation of the parking stall and the section shall be implemented prior to opening day.

Mitigation Measure TRAN-2 (Truck Accommodation Truck deliveries shall be limited to off-peak hours) does not reflect nor address the concerns and statements of Caltrans. In previous letters, Caltrans identified 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. As of August 29th 2018, Caltrans has not received any additional documents requested in our June 21st, 2018, letter to address our concerns. If the configurations of the driveways are not addressed and incorporated during the encroachment phase, then a letter stating there will be only

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

3
non-peak hour delivery’s will be required. If the proponent can satisfy the requirements during the encroachment phase then Caltrans will not require non-peak delivery hours letter. Please remove the word waive from TRAN-2.

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) 948-7325 (email gregoria.ponce@dot.ca.gov) or Kevin Schroder (209) 941-1947 (email kevin.schroder@dot.ca.gov) if you have any questions or concerns.

Sincerely,

Gregoria Ponce, Chief
Office of Rural Planning

C: Melissa Eads, City Administrator, City of Angels
    Amber Collins, Calaveras Council of Government

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
1. Response to Caltrans Comments:

1A Comment: Introductory remarks.

1A Response: The project description is accurate. The City acknowledges receipt and consideration of prior correspondence received from Caltrans dated May 4, 2018 and June 21, 2018. Copies may be reviewed, upon request, at the City of Angels Camp Community Development Department located at 200 ‘B’ Monte Verda Ave. Angels Camp, CA 95222 during regular business hours.

1B Comment: Caltrans will require review of the Project drainage study prior to issuance of an encroachment permit.

1B Response: Mitigation Measure HYDRO-3 is hereby amended as follows:

Mitigation Measure: HYDRO-3 Drainage Study
Prior to site disturbance, the project proponent will submit, for City Staff and, as it affects Caltrans facilities, to Caltrans for 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.

1C Comment: Truck turning templates indicate that trucks will encroach over the sidewalk and edge of pavement. This must be addressed prior to opening day.

1C Response: See response 1E.

1D Comment: The elimination of a single parking space as required by Caltrans shall be shown on updated site plans and implemented prior to opening day.

1D Response: See Revised Site Plans dated March 20, 2018. The revised site plan showing elimination of the single parking space was forwarded to Caltrans September 3, 2018.

1E Comment: Proposed driveways do not allow for concurrent entering and exiting traffic while trucks are making deliveries. Either the entrance of the Project shall be changed to accommodate this or a letter shall be provided to Caltrans stating that truck deliveries shall occur only during non-peak hours. Mitigation shall be changed to reflect this.
**1E Response:** Based on further discussions and coordination with Caltrans, Mitigation Measure TRAN-2 is amended as follows:

**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.

**Mitigation Measure TRAN-2 Truck Accommodation**

The Project Proponent shall either: 1) reconfigure or widen the truck access driveway(s) to accommodate truck ingress/egress during peak hours in accordance with Caltrans Standards, or 2) provide to Caltrans a letter stating that truck deliveries shall be limited to off-peak hours. Delivery truck drivers will be informed to comply with this condition and a sign will be posted at the truck delivery bay to notify delivery trucks of delivery time restrictions.

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

Caltrans has reviewed the proposed amendment and states that they are in agreement.

**1F Comment:** Caltrans requires an encroachment permit for encroachments within the public right-of-way. Environmental studies addressing cultural resource impacts, biological resource impacts, hazardous wastes or other resources within Caltrans r-o-w shall be submitted with the application.

**1F Response:** Conditions of Project approval # 7 reflects this requirement as follows:

7. Prior to any construction within the state right-of-way, an encroachment permit shall be obtained from Caltrans.
Hello Amy,

The California Department of Fish and Wildlife (CDFW) received and reviewed the Mitigated Negative Declaration (MND) for the Tractor Supply Company (Project) pursuant to the California Environmental Quality Act (CEQA). The project is located in the incorporated City of Angels Camp. 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.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish and Game Code, §§ 711.7, subd. (a) & 1602; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1602.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's take and streambed alteration regulatory authority. (Fish and Game Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish and Game Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Lead Agency in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Jurisdictional Delineation and Wetlands

Fish and Game Code Section 1602 requires an entity to notify CDFW prior to commencing any activity that may substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. These areas include all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state and any habitats supported by these features such as wetlands and riparian habitats. If these features are found within the Project site a site plan should be prepared to identify any potential significant impacts to these resources. The project applicant should include a delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed Project including an estimate of impact to each habitat type. Please note that the areas subject to Fish and Game Code Section 1602 differ from other agencies (such as the U.S. Army Corps of Engineers or the...
Regional Water Quality Control Board) jurisdictional areas. The MND should identify the different jurisdictional areas present within the Project limits for each agency.

CDFW recommends a Lake and Streambed notification be submitted for the proposed project to determine if construction activities are subject to Fish and Game Code Section 1020. If the delineation identifies that the Project would impact areas subject to CDFW's Fish and Game Code Section 1602, the MND should propose mitigation measures to avoid, minimize, and mitigate impacts to these resources.

**Migratory Bird Treaty Act Buffers**

All measures to protect nesting birds should be performance-based. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and "take" could occur if the temporary disturbance buffers are not designed to reduce stress to that individual pair. CDFW recommends including performance-based protection measures for avoiding all nests protected under the MBTA and Fish & G. Code. A 250-foot exclusion buffer may be sufficient; however, that buffer may need to be increased based on the birds' tolerance level to the disturbance. Below is an example of a performance-based protection measure:

Should construction activities cause the nesting migratory bird or raptor to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then increase the exclusionary buffer such that activities are far enough from the nest to stop this agitated behavior by the migratory bird or raptor. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

CDFW recommends consultation during project activities to determine if increased buffers may be necessary to adequately protect birds covered under the MBTA.

**Roosting Bats**

In general, when a bat roost site will be lost or modified during a project, CDFW recommends the following including "Guidelines for defining biologically important bat roosts" (Neubaum, Nava, & Siemers, 2017) or other similar guidelines for identifying roost sites of biological importance; and recommends avoiding any significant roosts or proposing site specific mitigation measures. Examples may include but are not limited to:

- Conducting pre-project surveys or monitoring, usually over the course of spring, summer, fall, and winter (and possibly for two or more years) to determine which bat species are using the site. Multiple survey visits are necessary because different species may use a particular roost only during certain seasons (maternity, hibernation, dispersal, migration). Further, multiple visits within a season may be necessary to ensure intermittent use is observed. Due to year-to-year variation in use, multiple years of surveys may also be necessary.

- Using exclusionary devices installed and timed appropriately before a maternal roost site is developed. Improper timing of installation of exclusionary devices can trap non-volant bats inside a structure and their mother cannot return to nurse them once she flies out of the device.

- Ensuring that replacement roost structures (bat houses, other structures, or crevices incorporated into bridge design) are designed to accommodate the bat species they are intended for.

- Replacement roost structures should be in place for a minimum of one full year prior to implementing the project. The replacement structures should be monitored to document bat use. Ideally, the project would not be implemented unless and until replacement roost structures on site are documented to be acceptable and used by the bat species of interest.
CDFW recommends incorporating a new measure to construct replacement roost structures (bat houses or other structures) if the removal of a bat roost (inactive or active) is necessary for the Project. Ideally, the project should be implemented outside the critical hibernation and maternity seasons and replacement roost structures are on site and created.

Mitigation Measure BIO-9

Mitigation Measure BIO-9 (a) states that up to 20% of the oak trees replanted may be non-native or ornamental oaks as approved by the Planning Commission.

CDFW recommends that project applicant plants in-kind native oaks to replace native oaks that are removed during project activities.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB data submission survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDB/Plants-and-Animals.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs., tit. 14, § 763.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed Project. Written notifications shall be directed to the address listed in the header of this letter.

CDFW appreciates the opportunity to comment on the Mitigated Negative Declaration to assist in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. Questions regarding this letter or further coordination should be directed to Michael Shun, Environmental Scientist at (916) 767-8444 or michael.shun@wildlife.ca.gov.

Sincerely,

Michael Shun

Department of Fish and Wildlife
Habitat Conservation Planning Branch
Cannabis Permitting Program
Environmental Scientist
Phone: (916) 767-8444
Email: Michael.Shun@Wildlife.ca.gov
2. Response to California Department of Fish and Wildlife Comments:

2A Comment: CDFW defines that agency's role in the CEQA process.

2A Response: The City acknowledges CDFW's role as a Responsible Agency in the CEQA Process.

2B Comment: CDFW recommends submittal of a Lake or Streambed Alteration Agreement notification.

2B Response: The Site Plan for the proposed Project does not indicate that the Project will impact the bed, bank or channel of Cherokee Creek. The Project does not propose the diversion or obstruction of the natural flow of Cherokee Creek. Therefore, it appears unlikely that the Project will be subject to Section 1602 of the Fish and Game Code. However, the Project includes a pipeline connecting the southeastern detention basin to Cherokee Creek. To ensure compliance with Section 1602, the following Mitigation Measure is added:

**Mitigation Measure BIO-11 Lake or Streambed Alteration Agreement**

Prior to ground disturbance within the No Build Area, if the Project pipeline from the southeastern basin will connect to Cherokee Creek, the applicant shall submit a notification to the California Department of Fish and Wildlife to determine if construction within the No Build Area is subject to Fish and Game Code Section 1602. If determined subject to Section 1602, the following mitigation measures shall be implemented: Mitigation Measures BIO-4, 5, 6, 7, 8 and Hydro 3. In addition, the disturbed area shall be revegetated in accordance with Mitigation Measure HYDRO-1.

**Mitigation Monitoring BIO-11:** Notification shall occur prior to ground disturbance in the No Build Area if the Project pipeline from the southeastern basin will connect to Cherokee Creek. The measure is the responsibility of the Project Proponent.

In addition, the Mitigation Measure HYDRO-3 is hereby amended as follows:

**Mitigation Measure: HYDRO-3 Drainage Study/Detention Basins**

Prior to site disturbance, the project proponent will submit, for City Staff and, as it affects Caltrans facilities, to Caltrans for 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.

In addition, detention basin plans will provide a detail for the outlet into the pipeline leading to Cherokee Creek to identify the type of screening or equivalent structure that will be installed at the outlet. In addition, a detention basin maintenance plan shall be submitted to the City in conjunction with final improvement plans (Drainage Study) specifically addressing the timing and nature of measures to be undertaken to maintain the basin's outlet and pipeline as necessary to protect water quality in Cherokee Creek.

**Mitigation Monitoring HYDRO-3:** The required mitigation measure will be implemented prior to initiating site disturbance. Improvements shall be maintained throughout the life of the project. The measure is the responsibility of the Project Proponent.
The initial study is hereby amended to note that: impacts to native oaks already were considered and included in calculations to reflect impacts to natural vegetation associated with the pipeline. The proposed mitigation measures incorporated above are expected to reduce any potential impacts that may be associated with the pipeline connection to Cherokee Creek to a level of less-than-significant.

2C Comment: Measures to protect nesting birds should be performance based.

2C Response: Mitigation Measure BIO-6 is hereby amended as follows:

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:

1) 250± feet for passerines;
2) 500± feet for small raptors such as accipiters;
3) 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. In general, a buffer of 250± feet may be sufficient. However, should construction activities cause the nesting migratory bird or raptor to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then increases to the exclusionary buffer shall be implemented such that activities are far enough from the nest to stop this agitated behavior by the migratory bird or raptor. The exclusionary buffer shall remain in place until chicks have fledged or as otherwise determined by a qualified biologist. The biologist may establish alternative buffers in consultation with CDFW, if necessary. 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 these 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.

2D Comment: CDFW recommends implementing “Guidelines for defining biologically important bat roosts” (Neubaum, Navo, & Siemers, 2017) or similar guidelines to identify and avoid roost sites of biological importance. CDFW recommends incorporating a new measure to construct replacement roost structures (bat houses or related structures) if removal of a bat roost (active or inactive) is necessary for the project. Ideally the Project should be implemented outside the critical hibernation and maternity seasons and replacement roost structures are on site.

2D Response:

The IS/MND is hereby amended to incorporate the following:

**Pallid bat** As noted, the species prefers rocky areas for roosting. Except for isolated areas in and 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. Given the project location adjacent to urban development, it is unlikely to occur. Few hibernation sites are known, but are likely rock crevices. Maternity colonies form in early April. The species hibernates in winter near the summer day roost and mates from late October-February. Young are born from April-July, but mostly from May-June. Young are observed flying in July and August.

**Hoary bat** Mating occurs in autumn, in migration, or on wintering grounds. Young are born from mid-May through early July. Offspring are capable of flight after 33 days. This common, solitary species winters along the coast and in southern California, breeding inland and north of the winter range. Individuals wintering in cold climates hibernate, but may be active on warm winter days. Migrates between summer and winter ranges, probably over long distances. During spring and fall, large groups are encountered, occasionally in unusual locations. Females precede males in the northward spring migration, which occurs from February-May. Fall migration occurs from September-November.

In general, for most bat species, project disturbances should be timed to occur outside hibernation and nursery periods to avoid most impacts. In general, this occurs in late summer through fall (Generally from late August through October 31st).

For special status bat species with potential to occur in or near the project site (above) and for common bat species with potential to occur on or near the Project site, biologically important bat roosts shall be those where the site:

- Is a hibernaculum, roost (maternity, transient, colonial bachelor, day), or fall swarming site used consistently by gregarious roosters (> 1 individual), hibernators, or species known to swarm in California; and
- Loss or disturbance of the roost will affect more than 20% of the local bat population for the species identified.
To reflect the preceding, Mitigation Measure BIO-7 is amended as follows:

**Mitigation Measure BIO-7 Preconstruction Bat surveys**

To the maximum extent feasible, tree removal and barn and structure demolition should occur between September 1st and October 31st. Prior to structure demolitions and vegetation removal on the Project site, a qualified biologist shall conduct a survey to determine whether (and if so, how) special-status bats are occupying the site. If bat species are present and the site is not a bat nursery and is not a critical hibernation site and does not otherwise qualify as a biologically important bat roost, 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 or critical hibernation site or otherwise qualifies as a biologically important bat roost for special-status bats, no disturbance may occur until site use of the site as a biologically important bat roost 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.

In addition, the following mitigation measure is hereby added to offset impacts related to removing potential bat roosts associated with removing on-site trees and structures:

**Mitigation Measure BIO-12 Bat Boxes**

No less than two weeks prior to barn demolition and/or tree removal (and preferably prior to spring), install 3 bat boxes including at least one multi-chambered bat box. Boxes shall be of a design approved by Bat Conservation International, Inc. or other organization approved by the Project biologist. Bat boxes shall be installed in a manner and at locations approved by the Project biologist. The Project biologist may amend these requirements to address the specific needs of a specific bat species if discovered on site during preconstruction surveys.

**Mitigation Monitoring BIO-12 Bat Boxes**

Prior to issuance of an occupancy permit, three bat boxes shall be installed at locations approved by the Project Biologist. The measure is the responsibility of the Project Proponent.

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

**2E Comment:** Replacement oaks should be in-kind native oaks.

**2E Response:** Based upon further discussions with CDFW in response to this comment¹, and given that cities are excluded from the state’s oak woodland conservation law, the substitution of up to 20% of the oaks on site with alternative, ornamental oaks (e.g., cork oak) as street trees is acceptable because these oaks will be located in a low-value habitat area (i.e., fronting along a state highway) and will replace oaks currently located in a low-value habitat area and the oak species provide similar habitat values as the oaks they are replacing.

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¹ Personal communication Michael Shun, CDFW and Amy Augustine, City of Angels 8/31/18.
2F Comment: Report the presence of any special status species discovered to the California Natural Diversity Database (CNDDB).

2F Response: The qualified biologist conducting pre-construction surveys for the Project will be required to notify the CNDDB of the presence of any special status species (as defined in the IS/MND) discovered. The following measure has been added in response to this comment.

Mitigation Measure BIO-13 Reporting – California Natural Diversity Database
Should any special status species be identified during preconstruction surveys, they shall be reported by the Project biologist to the CNDDB.

Mitigation Monitoring BIO-13 Construction bid packages shall include this requirement. The measure is the responsibility of the Project Proponent.

2G Comment: CDFW Fees are required at filing of a Notice of Determination.

2G Response: The City of Angels requires applicants to comply with this state law. CDFW will be paid by the Project Proponent in conjunction with filing a Notice of Determination for the project.

2H Comment: CDFW requests written notification of proposed actions and pending decisions.

2H Response: CDFW was notified of the public hearing scheduled for the proposed project before the City of Angels Planning Commission. CDFW will be notified of the public hearing, once scheduled, before the City of Angels City Council and any subsequent decision.
3. Central Valley Regional Water Quality Control Board – August 22, 2018
Central Valley Regional Water Quality Control Board

22 August 2018

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AUG 28 2018
CITY OF ANGELO
CITY OF ANGELOS
CERTIFIED MAIL
91 7199 9991 7039 6993 7461

Amy Augustine
City of Angels (Angels Camp)
200-B Monte Verda Avenue
Angels Camp, CA 95222

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, TRACTOR SUPPLY COMPANY PROJECT, SCH# 2018072075, CALAVERAS COUNTY

Pursuant to the State Clearinghouse's 31 July 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the Tractor Supply Company Project, located in Calaveras County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

1. Regulatory Setting

   Basin Plan
   The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

   The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1976, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,
the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the QAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

**Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 88-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr.pdf

In part it states:

> Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

**II. Permitting Requirements**

**Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit). Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan.
(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits**
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

**Industrial Storm Water General Permit**
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

**Clean Water Act Section 404 Permit**
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

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1 Municipal Permit = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium-sized Municipalities (serving between 100,000 and 250,000 people) and large-sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements -- Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agriculture, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.
For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

[Signature]

Stephanie Tadlock
Senior Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento
3. Response to Central Valley Regional Water Quality Control Board

Comments

3A Comment: Identifies the Water Quality Control Plan for the Sacramento and San Joaquin River Basins as the applicable Basin Plan for the project area. No specific comments are related to the project.

3A Response: The overview is acknowledged. No response required.

3B Comment: All wastewater discharges must comply with the anti-degradation policy and anti-degradation implementation policy in the Basin Plan.

3B Response:
The IS/MND Section 2.4 (Biological Resources), Section 2.6 “Geology and Soils” and Section 2.9 “Hydrology and Water Quality” address potential impacts to surface and ground water quality. In summary, the study states that potential impacts to water quality could occur and mitigation measures are required to minimize these potential impacts as follows:

Mitigation Measure: HYDRO-3 Drainage Study/Detention Basins
Prior to site disturbance, the project proponent will submit, for City Staff and, as it affects Caltrans facilities, to Caltrans for 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.

In addition, detention basin plans will provide a detail for the outlet into the pipeline leading to Cherokee Creek to identify the type of screening or equivalent structure that will be installed at the outlet. In addition, a detention basin maintenance plan shall be submitted to the City in conjunction with final improvement plans (Drainage Study) specifically addressing the timing and nature of measures to be undertaken to maintain the basin’s outlet and pipeline as necessary to protect water quality in Cherokee Creek.

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.
3C Comment: Construction activities which disturb more than one acre (or that disturb less than one acre, but are part of a larger plan that will, in total, disturb one or more acres) are required to obtain a General Permit for stormwater discharges associated with construction activities.

3C Response: The project is expected to disturb more than one acre. Mitigation Measure Hydro-2 recognizes this requirement as follows:

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.

3D Comment: Identifies Phase I and Phase II Municipal Separate Storm Sewer System Permit Requirements.

3D Response: Phase I Municipal Separate Storm Water System (MS4) permits cover municipalities serving 100,000 - 250,000 persons and large-sized municipalities serving over 250,000 individuals. Phase II MS4 provides coverage for small municipalities including military bases, public campuses, prisons and hospitals. The City of Angels does not meet these criteria and, therefore, is not subject to these permit requirements.

3E Comment: Identifies requirements for Industrial Storm Water General Permits

3E Response: The non-industrial project does not meet the requirements necessary to obtain this permit.

3F Comment: Identifies requirements for obtaining a Section 404 Permit for discharge of dredged or fill materials into wetlands or other Waters of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers.

3F Response: Cherokee Creek, located along the southern parcel boundary, is outside the proposed project footprint. No discharge of dredged or fill materials into the creek are anticipated. Mitigation measures have been included to ensure avoidance of Cherokee Creek and preservation of water quality as described in Response 3B and as follows:

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 (Attached).
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.

Mitigation Measure BIO-3 Bid Package/Tail-Gate/Environmental Awareness Training
Construction bid packages and contractual requirements shall include a requirement for tailgate 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.

Should project design be altered to require fill within Cherokee Creek, a Section 404 Permit will be required.

3G Comment: Comment identifies requirements for obtaining a Section 401 Water Quality Certification should a Section 404 permit be required

3G Response: See Response 3F.
3H Comment: Identifies requirements for Waste Discharge Requirements (WDRs) for Discharge to Waters of the State

3H Response: See Response 3F.

3I Comment: Addresses requirements for construction or groundwater dewatering to be discharged on land (Dewatering Permit)

3I Response: The project does not include dewatering to be discharged to land.

3J Comment: Addresses Regulatory Compliance for Commercially Irrigated Agriculture

3J Response: The project does not include commercially irrigated land. Property irrigated with treated effluent from the City of Angels system is not included in the proposed project and is not impacted by the proposed project.

3K Comment: Identifies requirements for construction dewatering and discharge of groundwater to waters of the United States and securing a National Pollutant Discharge Elimination System (NPDES) Permit for that action (Low or Limited Threat General NPDES Permit)

3K Response: See Response 3F and 3I.

3L Comment: Identifies requirements for discharging waste that could affect the quality of surface waters of the state into other than a community sewer system NPDES Permit

3L Response: The project does not propose waste discharges into waters of the state. Measures to protect water quality in Cherokee Creek are described in Response 3B and 3F.
August 30, 2018

Amy Augustine
City of Angels Camp
200-B Monte Verda Ave
Angels Camp, CA 95222

Subject: Tractor Supply Company
SC# 2018072075

Dear Amy Augustine:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 29, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency
# Document Details Report
## State Clearinghouse Data Base

<table>
<thead>
<tr>
<th>SCH#</th>
<th>2018072075</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title</td>
<td>Tractor Supply Company</td>
</tr>
<tr>
<td>Lead Agency</td>
<td>Angels Camp, City of</td>
</tr>
<tr>
<td>Type</td>
<td>MNDMitigated Negative Declaration</td>
</tr>
<tr>
<td>Description</td>
<td>Rezone 4.2 acre from suburban commercial to business attraction and expansion merge two parcels into a single parcel, site plan review for tractor supply company retail facility totaling 36,671 +/- sf (including retail sales building, fenced outdoor display area/sales, trailer/equipment display area/sales), associated parking and structures, variance to allow more than 20% outdoor display/sales, demolition permit for former retail facility, greenhouse, residence, barn and associated structure, Oak tree removal permit to remove up to 35 trees.</td>
</tr>
</tbody>
</table>

## Lead Agency Contact
| Name | Amy Augustine |
| Agency | City of Angels Camp |
| Phone | (209) 736-2904 |
| Fax |  |
| Address | 200-B Monte Verda Ave |
| City | Angels Camp |
| State | CA |
| Zip | 95222 |

## Project Location
| County | Calaveras |
| City | Angels Camp |
| Region |  |
| Lat / Long | 38° 05' 006" N / 120° 33' 58.9" W |
| Cross Streets | Copello Rd, North Baker |
| Parcel No. | 059-011-010, 032 |
| Township | 3N |
| Range | 13E |
| Section | 29 |
| Base | MDBM |

## Proximity to:
- Highways 49, 4
- Airports  |
- Railways  |
- Waterways Cherokee Creek |
- Schools Mark Twain/Bret Harte |
- Land Use commercial use; Z: Suburban commercial; GP: Business attraction & expansion |

## Project Issues
- Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian |

## Reviewing Agencies
- Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Regional Water Quality Control Bd., Region 5 (Sacramento); Air Resources Board, Transportation Projects; Resources, Recycling and Recovery; Native American Heritage Commission; Delta Protection Commission; Delta Stewardship Council |

- Date Received | 07/31/2018 |
- Start of Review | 07/31/2018 |
- End of Review | 08/29/2018 |

Note: Blanks in data fields result from insufficient information provided by lead agency.
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
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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

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<thead>
<tr>
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<th>Full Form</th>
</tr>
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<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>
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<td>CCR</td>
<td>California Code of Regulations</td>
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<td>California Department of Fish and Wildlife</td>
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<td>CDMG</td>
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<td>Community Impact Assessment</td>
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<td>CNDDB</td>
<td>California Natural Diversity Database</td>
</tr>
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<td>CNPS</td>
<td>California Native Plant Society</td>
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<td>Corps</td>
<td>U.S. Army Corps of Engineers</td>
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<tr>
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<td>CRLF</td>
<td>California Red-Legged Frog</td>
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<td>CVRWQCB</td>
<td>Central Valley Regional Water Quality Control Board</td>
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<td>CWA</td>
<td>Federal Clean Water Act</td>
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<td>DTSC</td>
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<td>FIRM</td>
<td>Flood Insurance Rate Maps</td>
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<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>
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### Abbreviations and Acronyms

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<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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</thead>
<tbody>
<tr>
<td>NAHC</td>
<td>Native American Heritage Commission</td>
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<tr>
<td>NCCP</td>
<td>Natural Community Conservation Plan</td>
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<td>NEPA</td>
<td>National Environmental Policy Act</td>
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<tr>
<td>NOA</td>
<td>Naturally Occurring Asbestos</td>
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<tr>
<td>NPDES</td>
<td>National Pollution Discharge Elimination System</td>
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<td>NRCS</td>
<td>National Resource Conservation Service</td>
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<td>National Register of Historic Places</td>
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<td>Calaveras City Sanitary District Wastewater Treatment Plant Improvements Project</td>
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<td>RTP</td>
<td>Regional Transportation Plan</td>
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<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>
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<tr>
<td>SWPPP</td>
<td>Storm Water Pollution Prevention Plan</td>
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<tr>
<td>SWRCB</td>
<td>State Water Resources Control Board</td>
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<tr>
<td>TCAPCD</td>
<td>Calaveras County Air Pollution Control District</td>
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<tr>
<td>TCOC</td>
<td>Calaveras County Zoning Ordinance/Ordinance Code</td>
</tr>
<tr>
<td>TCSD</td>
<td>Calaveras City Sanitary District</td>
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<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 (Angels 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 shed</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

Middleton’s Shopping Center

Project Site

Commercial Bldgs

Chiropractor

Wayne & Son Automotive

Barn

No Build Area

Cherokee Creek

House

N

No Build Area

Project Site
Figure 2: Site Plan
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

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

/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>
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<tbody>
<tr>
<td>Caltrans</td>
<td>Encroachment Permit</td>
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<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.

X Aesthetics ☐ Agriculture and Forestry Resources X Air Quality
X Biological Resources X Cultural Resources X Geology / Soils
X Greenhouse Gas Emissions X Hazards and Hazardous Materials
☐ Land Use / Planning ☐ Mineral Resources X Noise
☐ Population / Housing X Public Services ☐ Recreation
X Transportation / Traffic X Tribal Cultural Resources ☐ Utilities/Service Systems
X Mandatory Findings of Significance

DETERMINATION:

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

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

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

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

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

Amy Augustine, AICP - City Planner
City of Angels

Date

(CW064290.4) TSC Angels Camp Initial Study/Mitigated Negative Declaration
July 2018
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>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.

II. Agriculture and Forestry Resources: Would the Project:

<table>
<thead>
<tr>
<th>Impact Description</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>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>x</td>
<td>x</td>
<td>x</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>x</td>
<td>x</td>
<td>x</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>x</td>
<td>x</td>
<td>x</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>x</td>
<td>x</td>
<td>x</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))?  
d) Result in the loss of forest land or conversion of forest land to non-forest use?

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.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. 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.
2.3 AIR QUALITY

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

<table>
<thead>
<tr>
<th></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 or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td></td>
<td></td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>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)?</td>
<td></td>
<td>☒</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☒</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td>☒</td>
<td></td>
</tr>
</tbody>
</table>

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 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.

**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.

**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.

**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><strong>Particulate Matter 10</strong></td>
<td><strong>Non-attainment</strong></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>
<thead>
<tr>
<th>Types of Pollutant Emissions</th>
<th>Amount of Pollutant Emissions Pounds per day</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

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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.

\textit{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) Expose sensitive receptors to substantial pollutant concentrations?

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

Land uses in the Project area generally consist of a mix of commercial, 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
2.4 BIOLOGICAL RESOURCES

IV. BIOLOGICAL RESOURCES:
Would the Project:

<table>
<thead>
<tr>
<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) 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?

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?

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?

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?

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

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

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. CNDDDB 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 CNDDDB 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 elevation4. 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-foot hill hardwood, valley-foot hill hardwood-conifer, valley-foot hill 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 1\(^{st}\) and August 30\(^{th}\)) (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 1\(^{st}\) and August 30\(^{th}\) 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)

<table>
<thead>
<tr>
<th>V. CULTURAL 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) Cause a substantial adverse change in the significance of a <strong>historical resource</strong> as defined in § 15064.5?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of dedicated cemeteries?</td>
<td>☐</td>
<td>☒</td>
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<td>☐</td>
</tr>
</tbody>
</table>

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.
### 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 substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td>☐</td>
<td>☐</td>
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<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>
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<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?

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.

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 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.

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 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](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>Project Size and Type</th>
<th>Screening Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>4 parcels</td>
</tr>
<tr>
<td>Apartment, Condo, Townhouse</td>
<td>8 dwelling units</td>
</tr>
<tr>
<td>Commercial / Retail</td>
<td>2,000 square feet</td>
</tr>
<tr>
<td>Industrial</td>
<td>5,000 square feet</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>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>P-1</td>
<td>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.</td>
</tr>
<tr>
<td>P-2</td>
<td>Project does not include fuel oil as a heating source.</td>
</tr>
<tr>
<td>P-3</td>
<td>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.</td>
</tr>
<tr>
<td>P-4</td>
<td>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).</td>
</tr>
</tbody>
</table>

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 with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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### 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>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) Violate any water quality standards or waste discharge requirements?</td>
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<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>
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<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>
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<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>
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<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>
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<tr>
<td>f) Otherwise substantially degrade water quality?</td>
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<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>
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<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
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<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>
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<td>j) Inundation by seiche, tsunami, or mudflow?</td>
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</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, in a manner which would result in substantial erosion or siltation on- or off-site?

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

Less Than Significant with Mitigation Incorporated.

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>Land Use and Planning</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a) Physically divide an established community?</td>
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<tr>
<td>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?</td>
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<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
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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 Grasslands Light-Industrial/Commercial</td>
<td>Suburban Commercial/Business Attraction and Expansion</td>
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</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 “agri-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

<table>
<thead>
<tr>
<th>XI. MINERAL 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) 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</th>
<th>Would the Project result in:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
</tr>
<tr>
<td>a)</td>
<td>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>
</tr>
<tr>
<td>b)</td>
<td>Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
</tr>
<tr>
<td>c)</td>
<td>A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
</tr>
<tr>
<td>d)</td>
<td>A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
</tr>
<tr>
<td>e)</td>
<td>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>
</tr>
<tr>
<td>f)</td>
<td>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>
</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.

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>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) 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>
<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>
<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>
<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.
2.16 TRANSPORTATION

<table>
<thead>
<tr>
<th>XVI. TRANSPORTATION/TRAFFIC</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) 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>
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</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>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</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>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</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>☐</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</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>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</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>
</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**
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>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.
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</th>
<th>TDBH (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>BO: Blue oak</td>
<td></td>
<td></td>
</tr>
<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: Live oak</td>
<td></td>
<td></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: Valley oak</td>
<td></td>
<td></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>LO</td>
<td>63&quot; multi</td>
<td>20.1</td>
</tr>
<tr>
<td>17</td>
<td>VO</td>
<td>38&quot;</td>
<td>12.1</td>
</tr>
<tr>
<td>18</td>
<td>LO</td>
<td>46&quot; multi</td>
<td>14.6</td>
</tr>
<tr>
<td>19</td>
<td>VO</td>
<td>32&quot;</td>
<td>10.2</td>
</tr>
<tr>
<td>20</td>
<td>LO</td>
<td>30&quot;</td>
<td>9.5</td>
</tr>
<tr>
<td>21</td>
<td>VO</td>
<td>50&quot;</td>
<td>15.9</td>
</tr>
<tr>
<td>22</td>
<td>LO</td>
<td>48&quot; multi</td>
<td>15.3</td>
</tr>
<tr>
<td>23</td>
<td>VO</td>
<td>estimated</td>
<td>12</td>
</tr>
<tr>
<td>24</td>
<td>LO</td>
<td>multi</td>
<td>16</td>
</tr>
<tr>
<td>25</td>
<td>LO</td>
<td>57&quot; multi</td>
<td>18.1</td>
</tr>
<tr>
<td>26</td>
<td>VO</td>
<td>38&quot; (dbl)</td>
<td>12.1</td>
</tr>
<tr>
<td>27</td>
<td>VO</td>
<td>40&quot; (dbl)</td>
<td>12.7</td>
</tr>
<tr>
<td>28</td>
<td>LO</td>
<td>29&quot; multi</td>
<td>9.2</td>
</tr>
<tr>
<td>29</td>
<td>LO</td>
<td>133&quot; multi</td>
<td>42.3</td>
</tr>
<tr>
<td>30</td>
<td>VO</td>
<td>estimated 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><strong>Total DBH to be Retained</strong></td>
<td></td>
<td><strong>105.7</strong></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><strong>Total Oak Trees less than 9” TDBH</strong></td>
<td></td>
<td><strong>48.7</strong></td>
</tr>
</tbody>
</table>
Oak Tree Mitigation Fee Calculation per Angels Municipal Code
Chapter 17.64.100, Appendix A

Step A:
Percentage of Total Trees greater than 9” TDBH: 35
Total # Trees to be Removed: 30
Total Percentage Trees to be Removed: 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 (Surveyed Trees to be Removed) + 105.7 (Surveyed Trees to be Retained) = 728.74
TDBH X 20% = 145.73 (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 (Surveyed Trees to be Removed) – 145.73 (Discount Diameter) = 477.21 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 X Fee for 15-gallon tree = 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 X 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)
<table>
<thead>
<tr>
<th>Name (Scientific/Common)</th>
<th>CNDDO Ranks</th>
<th>Listing Status</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 tricolor blackbird</td>
<td>G2G3 S1S2</td>
<td>None Candidate Endangered BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern</td>
<td>1,200 1,602</td>
<td>951 S:3</td>
<td>0 0 0 0 0 3 0 3</td>
<td>3 3</td>
<td>3 0 0 0 0</td>
<td></td>
</tr>
<tr>
<td>Anuroctonops pallidus pallid bat</td>
<td>G5 S3</td>
<td>None</td>
<td>BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EL-Endangered Concern USFWS_S-Sensitive WBBG_J-High Priority</td>
<td>1,440 1,440</td>
<td>415 S:1</td>
<td>0 0 0 0 0 1 1 0</td>
<td>0 1 0 0 0 0 0 0 0 0</td>
<td></td>
</tr>
<tr>
<td>Cryptantha spatulata Red Hills cryptantha</td>
<td>G2 S2</td>
<td>None</td>
<td>Rare Plant Rank - 18.3 18 18</td>
<td>1,800 1,800</td>
<td>6 S:1</td>
<td>0 0 0 0 0 1 0 1 1 0</td>
<td>0 1 0 0</td>
<td></td>
</tr>
<tr>
<td>Diplacus pulchellus yellow-tip pansy monkeyflower</td>
<td>G2 S2</td>
<td>None</td>
<td>Rare Plant Rank - 18.2 BLM_S-Sensitive USFWS_S-Sensitive</td>
<td>1,520 1,520</td>
<td>69 S:1</td>
<td>0 0 0 0 0 1 1 0 0 0</td>
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</tr>
<tr>
<td>Monadenia moronum butoni Button's Sierra sideband</td>
<td>G2T1 S1S2</td>
<td>None</td>
<td>Rare Plant Rank - 18.3</td>
<td>1,420 1,420</td>
<td>11 S:1</td>
<td>0 0 0 0 0 1 1 0 0 0</td>
<td>0 1 0 0</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 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).

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>

---

(CW064290.4)  TSC Angels Camp  Initial Study/Mitigated Negative Declaration  July 2018
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.

1. The **Migratory Birds Treaty Act** of 1918.
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/9454

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

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

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

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

Song Sparrow  Melospiza melodia
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

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

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

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

Yellow-billed Magpie  Pica nuttalli
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9726

Breeds Mar 20 to Sep 20
Breeds Apr 20 to Sep 30
Breeds Apr 1 to Jul 20
Breeds Mar 15 to Jul 15
Breeds elsewhere
Breeds Feb 20 to Sep 5
Breeds Apr 15 to Jul 20
Breeds Mar 15 to Aug 10
Breeds Mar 15 to Aug 10
Breeds Apr 1 to Jul 31
**Plant List**

Inventory of Rare and Endangered Plants

4 matches found. *Click on scientific name for details*

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Family</th>
<th>Lifeform</th>
<th>Blooming Period</th>
<th>CA Rare Plant Rank</th>
<th>State Rank</th>
<th>Global Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Claytonia parviflora ssp. grandiflora</td>
<td>streambank spring beauty</td>
<td>Montiaceae</td>
<td>annual herb</td>
<td>Feb-May</td>
<td>4.2</td>
<td>S3</td>
<td>G5T3</td>
</tr>
<tr>
<td>Cryptantha spithamaea</td>
<td>Red Hills cryptantha</td>
<td>Boraginaceae</td>
<td>annual herb</td>
<td>Apr-May</td>
<td>18.3</td>
<td>S2</td>
<td>G2</td>
</tr>
<tr>
<td>Diplacus pulchellus</td>
<td>yellow-lip pansy monkeyflower</td>
<td>Phrymaceae</td>
<td>annual herb</td>
<td>Apr-Jul</td>
<td>18.2</td>
<td>S2</td>
<td>G2</td>
</tr>
<tr>
<td>Navarretia paradoxclara</td>
<td>Patterson's navarretia</td>
<td>Polemoniaceae</td>
<td>annual herb</td>
<td>May-Jun(Jul)</td>
<td>18.3</td>
<td>S2</td>
<td>G2</td>
</tr>
</tbody>
</table>

**Suggested Citation**

Attachment C
Protecting Trees During and After Construction
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://dair.ucop.edu/dumps/

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.
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 (driveline). 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. Photodocument 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. Filling 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 cut slopes can drain 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 621538, Protecting Trees from Construction Damage, U.S. Army Corps of Engineers.
Attachment D – Caltrans Responses
June 21, 2018

Ms. Amy Augustine, AICP
Augustine Planning Associates, Inc.
270 S. Burretta, 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"
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 overlie 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,

[Signature]
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”
ATTACHMENT E
TRAFFIC ANALYSIS
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>S10</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>10</td>
<td>12</td>
<td>22</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., fewer 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’s 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
MEMORANDUM

DATE:  September 6, 2018

TO:  Planning Commission

FROM:  Amy Augustine, AICP – City Planner

RE:  Downtown Plaques

RECOMMENDATION
No action is required. This is an information item only. Ms. Anne Forrest will make a presentation.

BACKGROUND
The City of Angels approved the design and placement of 49± historical plaques in the downtown district in 2011 (see attached resolution, minutes and staff report).

Anne Forrest will present a finished plaque and answer any questions. It is intended that some or all of the plaques will be installed in advance of the Wild West Fest.

FISCAL IMPACT
There is no fiscal impact from this proposed action

ATTACHMENTS
Resolution 2011-007
Minutes
Staff Report
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2011-07

RESOLUTION PASSED AND ADOPTED BY THE
CITY OF ANGELS PLANNING COMMISSION FOR
PLACEMENT OF HISTORICAL PLAQUES ON DOWNTOWN BUILDINGS

WHEREAS: the City of Angels has adopted a branding plan, with the slogan City of Angels
Base Camp of the Sierras; and

WHEREAS: the City of Angels has been recognized by the State and Federal Office of Historic
Preservation of having registered buildings in the downtown; and

WHEREAS: for years the City of Angels had a walking tour that allowed visitors to tour the
downtown area.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels
approves the placement of +/- 49 historical plaques per the application and drawings received on
April 5, 2011 and the staff report dated April 6, 2011 subject to the attached conditions,

1. All plaques must be inspected prior to the installation by the Building Inspector.
2. The plaques must be inspected after installation by the Building Inspector.
3. Any other proposed historical monuments in the downtown are to be approved by the
Planning Commission.

The foregoing resolution was introduced and moved for adoption of April 14, 2011 by
Commissioner Reesman and duly seconded by Commissioner Griffin

PASSED AND ADOPTED this 14th day of April 2011, by the following vote:

AYES: Chair Croletto, Commissioner Griffin and Commissioner Reesman
NOES: 0
ABSTAIN: 0
ABSENT: Commissioner Rowe

[Signature]
Gary Croletto, Chairman

Attest:

[Signature]
Jennifer Preston, Deputy City Clerk
CONDITIONS OF APPROVAL
PLACEMENT OF HISTORICAL PLAQUES ON
DOWNTOWN BUILDINGS

General:

1. All plaques must be inspected prior to the installation by the Building Inspector.

2. The plaques must be inspected after installation by the Building Inspector.

3. Any other proposed historical monuments in the downtown be approved by the Planning Commission.
Commissioner Reesman has no comment at this time.

Chair Croletto stated that he wanted to know if the City Engineer had reviewed this project.

Planning Director Hanham stated that the City Engineer did review the project and she had two comments concerning this project. The comments were all existing easements encumbering the property shall be shown on the parcel map and a five foot wide drainage easement on each side of the new property line for a total of 10 feet must be set forth and offered for dedication on the parcel map.

Chair Croletto stated that on the conditions of approval on item 2, delete the space between Parcel and Map. Item 3, delete “separate” and add “Verify.” Add Item 10 that states “Final inspection and/or occupancy permit will not be issued without the completed City of Angels Planning Department conditions of approval sign off list”.

**MOTION BY COMMISSIONER GRIFFIN AND DULY SECONDED BY COMMISSIONER REESMAN AND CARRIED 3-0 TO APPROVE RESOLUTION 2011-05 A RESOLUTION RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR A TENTATIVE PARCEL MAP FOR SANDRA WILSON FOR THE CREATION OF 2 PARCELS (APN 058-062-029)**

**PLANNING COMMISSION MATTERS**

4. Sign Permit – at 1142 S. Main Street for Flat Top Custom Carts.

Planning Director Hanham presented the staff report and Resolution 2011-06.

Chair Croletto stated that on the Resolution, 2nd paragraph, the date should be 14th day of April 2011. Under Now therefore be it resolved change “Farmers Insurance” to “Flat Top Custom Carts”. Under the conditions of approval, item 1, line, delete “and photos” and on the last line change “photographs” to “drawings”. Under item 2, it should be “32 square feet”.

**MOTION BY COMMISSIONER REESMAN AND DULY SECONDED BY COMMISSIONER GRIFFIN AND CARRIED 3-0 TO APPROVE THE RESOLUTION 2011-06 A RESOLUTION TO APPROVE A SIGN PERMIT IN THE HISTORIC DISTRICT FOR FLAT TOP CUSTOM CARTS.**

5. **Historical Plaque Placement in the Downtown.**

Planning Director Hanham presented the staff report and Resolution 2011-07.

Commissioner Reesman stated on the staff report in the 2nd paragraph under analysis staff needs to reword the last sentence to state that there will be less sign placement options.

Chair Croletto stated that under analysis it states approximately 1 square foot and then under recommendation it states not to exceed 2 square feet, so we need to clarify what the sizes are.

Planning Director Hanham stated the plaques will be 12” x 14” in size.

Commissioner Griffin asked who would be inspecting the plaques prior and after the installation.

Planning Director Hanham stated that the Building Inspector would be inspecting them.
Commissioner Reesman stated that on the Resolution under now therefore be it resolved the date should be April 6, 2011 and then under passed and adopted the date should be 14th day of April 2011.

Chair Croletto stated that on the Resolution under now therefore be it resolved, item 1, add “by the building inspector” at the end of the sentence. Item 2, add “by the building inspector” at the end of the sentence. Item 3, insert “proposed” between “other” and “historical”. Under the conditions of approval item 1, add “by the building inspector” at the end of the sentence. Item 2, add “by the building inspector” at the end of the sentence. Item 3, insert “proposed” between “other” and “historical”.

PUBLIC COMMENTS OPENED: 7:40 pm

Anne Forrest – Angels Camp Business Association. Ms. Forrest stated she brought a sample of the plaque for the commission to look at. Bob Menary is here tonight and he is the president of ACBA and Sheri Smith is also here, she is the vice-president of ACBA. Then a member of the community, Don Gifford will be doing the walking tours, and also Jon Bernasconi is here and he will be doing the installation of the plaques on the buildings. Ms. Forrest stated that there is also a proposed 30” x 36” sponsor’s plaque that will be going on the side of the building at 1211 South Main Street, facing Raspberry Lane. ACBA found out that Robin Williams is the artist that did all the sketches of downtown that is used on the walking tour map/brochure around 1974. The plaques will have pictures on them that will be dated back to the 1880’s.

PUBLIC COMMENTS CLOSED: 7:45 pm

**MOTION BY COMMISSIONER REESMAN AND DUTY SECONDED BY COMMISSIONER GRIFFIN AND CARRIED 3-0 TO APPROVE RESOLUTION 2011-07 A RESOLUTION FOR THE PLACEMENT OF HISTORICAL PLAQUES ON DOWNTOWN BUILDINGS AS AMENDED.**

Planning Director Hanham presented the staff report and Resolution 2011-06.

Commissioner Griffin stated that she would like to see a little more detail of what it would look like once the racks were installed.

Commissioner Reesman stated that she loves the idea of bike racks downtown but she has a concern with the bike rack near the Vintage parking lot and she believes that someone will back into the bike rack with a vehicle because it is a very tight space.

Chair Croletto stated that he is a bike rider and would like to see bike racks in the downtown. He owns an inexpensive bike that cost about $500 but there are some people that have bikes that cost $4000. He would hate to see someone’s bike get run over. On Birds Way it might be a possibility to turn the bike rack 90 degrees to have more room. Maybe the bike rack could be put in the parking lot across the street.

Ms. Forrest stated that the space on Birds Way is private property and the owners have given a tentative approval to have the bike rack placed there. The owners of that building were looking at making the area from the garage out to the sidewalk a sitting area or a dinning area. She goes
CITY OF ANGELS CAMP
PLANNING DEPARTMENT

STAFF REPORT
PLANNING COMMISSION HEARING
APRIL 14, 2009

ITEM NO. 5

DATE: April 6, 2011

FROM: David Hanham, Planning Director

APPLICANT/BUSINESS NAME: Angels Camp Business Association

LOCATION: The project site is located throughout the downtown portion of the City.

Background:
The Angels Camp Business Association began a project in 2006 to install plaques on buildings in the Historic Downtown. The purpose of the plaques is to identify the historical significance of the buildings. The Angels Camp Business Association is using Foothill Resources to identify the history of the buildings.

Analysis:
The plaques will be installed on the buildings. The committee has chosen a corian texture for the plaques for the durability and lightness and ease of installation. More and more Cities are using this material and getting away from the copper and brass for historical plaques.

Also, by putting the plaques up and re-inventing the walking tour, visitors will have some things to do and see while in Angels Camp. The total area of the plaque is approximately 1 square foot. Staff wouldn't count the square footage of the plaques as signage; however, businesses would have less square footage for signage on their buildings.

Recommendation:
Staff recommends approval of the new plaque program base on the following conditions:

1. All plaque installation shall be reviewed and approved by the Building Inspector
2. Any other historical monuments will need to be reviewed and approved by the Planning Commission
3. The total size of the plaques shall not exceed 2 square feet.
ATTACHMENT 1

Planning Commission Resolution
CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 2011-07

RESOLUTION PASSED AND ADOPTED BY THE
CITY OF ANGELS PLANNING COMMISSION FOR
PLACEMENT OF HISTORICAL PLAQUES ON DOWNTOWN BUILDINGS

WHEREAS: the City of Angels has adopted a branding plan, with the slogan City of Angels
Base Camp of the Sierras; and

WHEREAS: the City of Angels has been recognized by the State and Federal Office of Historic
Preservation of having registered buildings in the downtown; and

WHEREAS: for years the City of Angels had a walking tour that allowed visitors to tour the
downtown area.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels
approves the placement of historical plaques per the application and drawings received on April
5, 2011 and the staff report dated April 6, 2010 subject to the attached conditions,

1. All Plaques must be inspected prior to the installation.
2. The Plaques must be inspected after installation.
3. Any other historical monuments in the downtown are to be approved by the Planning
   Commission.

The foregoing resolution was introduced and moved for adoption of April 14, 2011 by
Commissioner and duly seconded by Commissioner

PASSED AND ADOPTED this 14th day of August 2011, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Gary Croletto, Chairman

Attest:

Jennifer Preston, Deputy City Clerk
CONDITIONS OF APPROVAL

General:

1. All Plaques must be inspected prior to the installation.

2. The Plaques must be inspected after installation.

3. Any other historical monuments in the downtown be approved by the Planning Commission.
ATTACHMENT 2

Narrative from Anne Forest
Angels Camp Business Association
ANGELS CAMP BUSINESS ASSOCIATION

APPLICATION TO THE PLANNING COMMISSION

APRIL 14, 2011, MEETING

INSTALLATION OF PLAQUES ON BUILDINGS IN THE HISTORIC DISTRICT

Background: The Angels Camp Business Association began a project in 2006 to install plaques on the buildings in the Historic Downtown District of Angels Camp. In 2007 ACBA was awarded a grant from the City for the project, and also received donations from various businesses and organizations in the community. The project was put on hold in 2008 as the City pursued a state grant for façade improvement in the historic district. The façade improvement project is now expected to begin work later this year, and so the plaques project can now be finalized.

The Project: Each plaque will give a 70-word history of the building, or its predecessors on that location, and will support and complement the 'Walking Tour & Driving Map of Historic Angels Camp' currently available from the Visitors Center and other locations in town. However, the map is not always available to visitors and its drawings do not correspond to the look of many of the buildings today, making it difficult for visitors to match current buildings to the write-ups. These plaques will add to the enjoyment and edification of both residents and visitors walking the sidewalks over the next 100 years. The plaques will be produced and installed free of charge to the property owners, with their prior permission.

Recommended Locations: The plaques would start at the north end of the historic district by the Congregational Church and Pine Street, and extend on both sides to Angels Creek on the south. Please see the attached map for recommended locations. We have identified 43, possibly 44, buildings to receive wall plaques, and five locations that do not currently have buildings, but have historical significance. (See Design & Construction section below and the attached map.) Some buildings (Broesner Building, Angels Hotel, 1211 S Main and Claussen’s Corner) already have bronze or granite historical plaques; however, we would recommend that they also receive walking tour plaques for continuity along the street. The plaques for the business facades under the City’s façade improvement grant will get approved by the Façade sub-committee, and may be covered under that grant.

Design & Construction:

Material: The original concept was to install bronze plaques, but as the cost and desirability of bronze have increased dramatically, other materials were reviewed. We also looked at using marble and/or granite. However, the recommended material is now Corian® by DuPont. Corian® is an extremely durable and light-weight product that is being used for external siding
on commercial and industrial buildings and high-rises, internal walls on medical facilities, as well as for home walls and countertops. More importantly, the City of Philadelphia is using Corian® for plaques on historic buildings due to its durability, lightness, ease of installation and cleaning, and ease of etching and design. [A sample of the material will be shown at the Commission’s meeting.] We have been in touch with DuPont’s Public Affairs in Wilmington, DE, and are confident we will be given a reduced price on the material.

Size and Design: The plaques will be vertical 12” X 14” by 0.5” thick. [A sample will be shown at the Commission’s meeting.] This size will fit well on almost all the proposed buildings.

We propose to use Corian® in the light beige color ‘Savannah’ with black-rubbed laser engraving done by Clint’s Trophy Mart in Sonora. [See the sample.] We have canvassed a number of providers in Angels Camp and Calaveras County and have found no one who can do this type of engraving. Clint’s Trophy Mart has been involved in this project since its inception as bronze plaques and also recommended we use Corian®.

Each plaque will have a ‘pen and ink’ drawing of the original or early building that was on that site. The artist who did the original walking tour sketches, Robin Williams, has agreed to the use of her original sketches, or to produce new sketches from photographs of earlier buildings, as a donation to the city. (Note: Ms Williams’ sketches are of the actual buildings as they looked in mid-1970s.)

Each plaque will have an approximately 70-word history. Judith Marvin, of Foothills Resources and local historian, has agreed to write the histories to ensure historical accuracy for posterity.

The computerized layout will be produced by Tey Cross of Cooper House Inn.

We plan a sponsors’ plaque of approximately 2’ by 3’ horizontal to be installed in a visible location at the beginning or end of the tour. At present, we propose the plaque be installed on the Rascal Lane-facing wall of 1211 S. Main Street, close to the corner of the building. It would be visible to walkers and drivers and would not interfere with pedestrians on the sidewalks or with business operations.

Some locations along Main Street no longer have buildings on them, i.e., the parking lot between the thrift store and Utica Hotel, the Visitors Center and parking lots. We are considering various ways to install plaques at those locations, and will come back to the Commission with those ideas for approval.

The plaques will be installed at eye level on the front of each building. We are conscious of ADA requirements about distance from the sidewalk and will take them into consideration.
**Installation:** We have worked with local stone mason John Bernasconi, of Bernasconi Custom Concrete and Masonry, on recommended installation media and techniques. We have consulted with DuPont’s product team as well as with the person in charge of historic plaques in Philadelphia. In addition Clint’s Trophy Mart has been using the product for headstones and other memorial plaques for several years.

Mr. Bernasconi proposes the following:

- All mounting surfaces will be cleaned down to bare sub-strait and washed and cleaned.
- Two different adhesives will be used: Loctite adhesive so that the plaques will bond instantly, thus requiring no mounting hardware; and E.T.22 (2-part) Epoxy to aid in anti-theft and durability.
- Caulking may be put between the installed plaque and the surface of the building to prevent theft and fill in irregularities in the building surface.

Exact placement on each building will be agreed between the ACBA committee, Mr Bernasconi, and the building owner.

We believe this method of application, because of Corian’s features, is the best for the buildings because it requires no structural or surface damage and can be removed at a future time without defacement.

**Next Steps Following Commission Approval:**

- The ACBA Plaque Committee will work with Community Development and/or the City’s legal counsel to develop a property owner agreement and indemnity clause for the City and ACBA, and then get signed agreements from the property owners. [Note: Most owners had already agreed to the plan back in 2007.]
- ACBA will come back to the Commission for approval of proposed method of handling plaques for properties not having buildings on them.
- Sketches and write-ups will be finalized and artwork computer generated.
- The Façade Grant sub-committee will be kept up to date on the businesses under the grant.
- Production will start approximately 2 to 3 months before the façade improvements are completed.
- ACBA will hold an unveiling event for the City, sponsors, building and business owners upon completion.

Submitted by: Anne Forrest, Chairman, ACBA Historic Plaques Committee, and committee members Tey Cross, Bob Menary, Judith Marvin, Don Gifford, and Ron Rivera.
STICKLE STORE

One of the first stone buildings in Angels Camp, the Stickle Store was built in 1856 by brothers Edward and George Stickle. The north half of the building was added a few years later. The Stickles operated a successful mercantile business here until their deaths. Throughout the 20th century, the building served as a bus depot, variety store, auto dealership and repair garage, and a retail store.
ATTACHMENT 3

Walking Tour Map